

Minnesota Attorney General: Administrative Rules Proceedings

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Version 3
August 20, 2018

SF-00006-05 (4/86)

DEPARTMENT : ATTORNEY GENERAL

STATE OF MINNESOTA

Office Memorandum

DATE : August 7, 1989

TO : LOUIS HOFFMAN
Special Assistant Attorney General
1100 Bremer Tower

FROM : JACKIE ALBRIGHT
Special Assistant Attorney General
515 Transportation Building

PHONE : 6-9715

SUBJECT : In the Matter of the Adopted Rule Relating to Licenses, Inspections, Qualifications for Electrician Licenses (Board of Electricity)

The above-referenced rule has been approved as to its legality by the Attorney General on August 3, 1989.

Enclosed is the agency's copy of the approved rule. This office has already filed two copies with the Secretary of State who will forward one copy to the Revisor of Statutes. The fourth is being retained by this division of the Attorney General's Office for its records.

Also enclosed are any petitions, requests, submission or comments received by the agency and any extra copies of documents which the agency submitted to the Attorney General.

In order for a permanent rule without a hearing to become effective, your agency must publish a notice of adoption in the State Register in accordance with Minn. Stat. §14.27. An emergency rule becomes effective five working days after approval by the Attorney General; however, the agency must publish a notice in the State Register in accordance with Minn. Stat. §14.34.

If you have any questions in this regard, please contact me.

JEA:bbl
Enclosures

cc: Maryanne Hruby, Exec. Dir.
Legislative Commission to Review
Administrative Rules

William Brown, Chief ALJ
Office of Administrative Hearings

RULE REVIEW CHECKLIST
RESUBMITTED RULE

File No. 1606 Docket No. 05.6009.0138

RESUBMISSION DATE 7-24-89
DATE DUE 8-3-89

ADOPTED W/O HEARING X
EMERGENCY RULE

APPROVED 8-3-89 JEA
DISAPPROVED
WITHDRAWM

REVISOR APPROVED X
REVISOR DISAPPROVED
FILED W/SEC. STATE 8-8-89
RETURNED TO AGENCY 8-8-89

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yes **Does the revision raise significant new legal issues?**

7/30 Review date

___ Rule as adopted (4 copies) called for low Hoffman 8/1 ✓

___ Supplemental Findings of Fact, Conclusions & Order Adopting missing

___ Board's Supplemental Resolution Adopting ~~missing~~ not needed

___ Notice of submission to Attorney General n/a?

___ Affidavit of Mailing Notice to Attorney General n/a

mjc

RULE REVIEW CHECKLIST

File No. 1606 Docket No. 05.0009.0138

DATE RECEIVED 5-23-89 ADOPTED W/O HEARING X

REVIEW DATE 6-1-89 EMERGENCY RULE _____

DUE DATE 6-6-89 LMD REVISOR APPROVED _____

APPROVED _____ REVISOR DISAPPROVED _____

DISAPPROVED _____ FILED W/SEC. OF STATE _____

WITHDRAWN _____ RETURNED TO AGENCY _____

✓ Rule as adopted (4 copies)

_____ ~~Notice to Solicit Outside Information/Opinion~~ (if ~~applicable~~)

_____ ~~Date published in State Register~~

_____ ~~Comments~~

_____ ~~Petition for Adoption of a Rule (if applicable)~~

✓ Board's Authorizing Resolution

2/14/89 Date adopted

✓ Proposed Rule

Yes Revisor's Certificate

✓ Notice of Intent to Adopt Rule

326.241(6) Statutory Authority

Yes Small Business Statement

No Expenditure of public money statement

Yes Signature

✓ Statement of Need and Reasonableness (if applicable)

Yes Small Business Statement

~~No~~ No Fees - § 16A.128

✓ Affidavit of Mailing Notice of Intent to Adopt Rule

3/22/89 Date 30/25 days before adoption

OK Notice attached

_____ ~~Copy of rule or summary attached~~

_____ Publication in State Register

3/6/89 Date 30/25 days before adoption

_____ 180-day deadline from:

N/A Effective date of law requiring rule (14.12) (both rules)

4/21/89 end of comment period (§ 14.26) (rules without hearing)

_____ ~~effective date of statutory authority (§ 14.29) (emergency rules)~~

✓ Resolution Adopting

5/9/89 Date adopted

✓ Findings of Fact, Conclusions & Order Adopting

5/9/89 Date

_____ Written requests, submissions or comments (88 requests for hrg 84 withdrawn)

✓ Declaration of attorney

Lou Hoffman Name of SAAG representing agency

_____ ~~Notice of Submission to Atty. Gen. (if applicable)~~

_____ ~~Aff. of Mailing Notice to Atty. Gen. (if applicable)~~

Board of Electricity

Adopted Permanent Rules Relating to Licenses, Inspections, Qualifications for Electrician Licenses

Rules as Adopted

3800.3500 DEFINITIONS.

Subpart 1. **Words, terms, and phrases.** For the purposes of the Minnesota Electrical Act, Minnesota Statutes, sections 326.241 to 326.248, and parts 3800.3500 to 3800.3910, the following terms have the meanings given them.

Subp. 2. **Elevator constructor.** "Elevator constructor" means a person who has the necessary qualifications, training, experience, and technical knowledge to wire for, install, and repair electrical wiring, apparatus, and equipment for elevators and escalators and who is licensed by the Board of Electricity.

Subp. 3. **Employee.** "Employee" means:

A. a person whose compensation for electrical work is reported by the employer on an Internal Revenue Service W-2 form, and is also otherwise considered an employee under applicable laws; or

B. an instructor of an electrical wiring course and the instructor's students, while performing electrical work on projects on the school premises under the personal on-the-job supervision of a properly licensed employee of an electrical contractor.

Subp. 4. **Experience acceptable to the board.** "Experience acceptable to the board" means the stated minimum number of months of experience on premises electrical systems, exclusive of manufacturing processes, under properly licensed supervision where supervision is otherwise required by law, for each category of work specified in part 3800.3520, subpart 5.

Subp. 5. **Graduate of a four-year electrical course.** "Graduate of a four-year electrical course" means an applicant who has received a bachelor's degree in Electrical Engineering

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from an accredited university or college.

Subp. 6. **Lineman.** "Lineman" means a person who has the necessary qualifications, training, experience, and technical knowledge to construct and maintain transmission and distribution systems that are or will be owned or leased by an electric utility, and who is licensed by the Board of Electricity.

Subp. 7. **Maintenance electrician.** "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 by the Board of Electricity, or who is exempt from licensing by the Minnesota Electrical Act, Minnesota Statutes, sections 326.241 to 326.248.

Subp. 8. **Maintaining and repairing electrical wiring, apparatus, and equipment.** "Maintaining and repairing electrical wiring, apparatus, and equipment" means the adjustment or repair or replacement of worn or defective parts of electrical equipment and replacement of defective receptacle outlets and manual switches for lighting control, but does not include the installation of new wiring, apparatus, and equipment or additions, alterations, or extensions to existing wiring, apparatus, or equipment.

Subp. 9. **Master elevator constructor.** "Master elevator constructor" means a person who has the necessary qualifications, training, experience, and technical knowledge to properly plan, lay out, and supervise the installation of wiring, apparatus, and equipment for elevators and escalators, and who is licensed by the Board of Electricity.

Subp. 10. **Minor repair work.** "Minor repair work" means the adjustment or repair or replacement of worn or defective parts of electrical equipment and replacement of defective receptacle outlets and manual switches for lighting control.

Subp. 11. **Personal on-the-job supervision and job.**

A. For the purposes of Minnesota Statutes, section 326.242, subdivision 5, "personal on-the-job supervision" means

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that the unlicensed person will have a licensed person present on the job and providing supervision the entire working day. A licensed person shall supervise no more than two unlicensed persons.

B. For the purposes of Minnesota Statutes, section 326.242, subdivision 5, "job" means each separate building or structure where electrical work is being performed.

Subp. 12. **Signaling circuit.** "Signaling circuit" means an electric circuit that is used exclusively for the supply of energy to a device that gives a recognizable signal, including but not limited to door bells, digital data displays, and signal lights, and that does not supply energy to any device that controls electrical equipment other than the signaling devices.

3800.3510 PERMITTED WORK.

Subpart 1. **Elevator constructor.** A person licensed as an elevator constructor may install, maintain, and repair electrical wiring, apparatus, and equipment for elevators and escalators while in the employ of an electrical contractor.

Subp. 2. **Lineman.** A person licensed as a lineman may install, maintain, and repair transmission and distribution systems that are or will be owned or leased by an electric utility.

Subp. 3. **Maintenance electrician.** 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 the employer and located within the limits of property owned or leased by the employer.

Subp. 4. **Master elevator constructor.** A person licensed as a master elevator constructor may, as a licensed electrical contractor or in the employ of an electrical contractor, plan, lay out, supervise and install, maintain, and repair wiring, apparatus, and equipment for elevators and escalators.

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3800.3520 EXAMINATION; MINIMUM EXPERIENCE REQUIREMENTS FOR LICENSURE; EXPERIENCE ACCEPTABLE TO BOARD.

Subpart 1. **Examination requirements.** As a precondition to issuance of any electrician's license, an applicant is required to pass an examination for the type of license sought, in accordance with Minnesota Statutes, section 326.242, subdivision 7.

Subp. 2. **Minimum experience requirements.** Except as otherwise provided for a master electrician license under Minnesota Statutes, section 326.242, subdivision 1, clause (1), paragraph (a), and for a Class A or B installer license under Minnesota Statutes, section 326.242, subdivision 3b, an applicant for an electrician license shall have experience acceptable to the board, as defined by subpart 4, before examination for licensure under Minnesota Statutes, section 326.242, subdivision 7.

Subp. 3. **Maximum allowable credit under certain conditions.** The maximum allowable electrical experience credit under the following conditions shall be as stated:

A. before age 12, none;

B. before age 16, six months;

C. in the military service, 12 months;

D. in foreign countries, 12 months; and

E. acquired during the school term of a board-approved post high school electrical course, none.

Subp. 4. **Experience acceptable to board for certain categories in certain situations.** Experience in the categories of planning for the installation of wiring, apparatus, and equipment for light, heat, and power; laying out for the installation of wiring, apparatus, and equipment for light, heat, and power; supervising the installation of wiring, apparatus, and equipment for light, heat, and power; and wiring and installing electrical wiring, apparatus, and equipment for light, heat, and power is acceptable to the board in the situations described in items A to D.

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A. Experience while in the employ of an electrical contractor licensed under Minnesota Statutes, section 326.242, subdivision 6.

B. Experience while working in Minnesota for an employer who is not required to be licensed as an electrical contractor, if the work is inspected under Minnesota Statutes, section 326.244, and done under the supervision of a properly licensed electrician.

C. Experience while performing electrical work in Minnesota for an employer who is exempt from licensing when the work is exempt from inspection under Minnesota Statutes, section 326.244, or when the work is performed on federal property by a federal employee, if the board has determined in either situation that the experience is substantially equal to that acquired in performing work while in the employ of a licensed electrical contractor. The determination shall be made after a personal inspection by not less than two board members and one staff employee of the board on the premises where the applicable work was performed.

D. Experience while performing electrical work outside of Minnesota, which the board has determined is substantially equivalent to the work performed while in the employ of a licensed electrical contractor in Minnesota. This determination must be based on a certification by the employer for the type of work performed.

Subp. 5. **Schedule of minimum experience requirements and maximum experience allowances.** The minimum required experience and maximum experience allowance under subpart 2 shall be as shown in items A to H for the type of license sought.

A. Class A master electrician (60 months required):

(1) planning for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of two months, maximum credit allowance of 12 months;

(2) laying out for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of two months, maximum credit allowance of 12 months;

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(3) supervising the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of two months, maximum credit allowance of 12 months;

(4) wiring for and installing electrical wiring, apparatus, and equipment: minimum experience of 12 months, maximum credit allowance of 48 months;

(5) maintaining and repairing electrical wiring, apparatus, and equipment: minimum experience of zero months, maximum credit allowance of 24 months;

(6) line work: minimum experience of zero months, maximum credit allowance of three months;

(7) installing elevators: minimum experience of zero months, maximum credit allowance of six months;

(8) laying out and installing wiring, apparatus, and equipment for home appliances: minimum experience of zero months, maximum credit allowance of three months; and

(9) wiring and maintaining electronic controls: minimum experience of zero months, maximum credit allowance of three months.

B. Class A journeyman electrician (48 months required):

(1) planning for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(2) laying out for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(3) supervising the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(4) wiring for and installing electrical wiring, apparatus, and equipment: minimum experience of 24 months, maximum credit allowance of 48 months;

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(5) maintaining and repairing electrical wiring, apparatus, and equipment: minimum experience of one month, maximum credit allowance of 24 months;

(6) line work: minimum experience of zero months, maximum credit allowance of three months;

(7) installing elevators: minimum experience of zero months, maximum credit allowance of six months;

(8) laying out and installing wiring, apparatus, and equipment for home appliances: minimum experience of zero months, maximum credit allowance of three months;

(9) wiring and maintaining electronic controls: minimum experience of zero months, maximum credit allowance of three months; and

(10) 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.

C. Master elevator constructor; the minimum total shall be 60 months, including:

(1) planning for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of 12 months;

(2) laying out for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of 12 months;

(3) supervising the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of 12 months;

(4) wiring for and installing electrical wiring, apparatus, and equipment: minimum experience of zero months, maximum credit allowance of 48 months;

(5) maintaining and repairing electrical wiring, apparatus, and equipment: minimum experience of zero months, maximum credit allowance of 24 months;

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(6) line work: minimum experience of zero months, maximum credit allowance of three months;

(7) installing elevators: minimum experience of 24 months, maximum credit allowance of 60 months;

(8) laying out and installing wiring, apparatus, and equipment for home appliances: minimum experience of zero months, maximum credit allowance of three months; and

(9) wiring and maintaining electronic controls: minimum experience of zero months, maximum credit allowance of three months.

D. Elevator constructor; the minimum total shall be 36 months, including:

(1) planning for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(2) laying out for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(3) supervising the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(4) wiring for and installing electrical wiring, apparatus, and equipment: minimum experience of zero months, maximum credit allowance of 36 months;

(5) maintaining and repairing electrical wiring, apparatus, and equipment: minimum experience of zero months, maximum credit allowance of 12 months;

(6) line work: minimum experience of zero months, maximum credit allowance of three months;

(7) installing elevators: minimum experience of 12 months, maximum credit allowance of 36 months;

(8) laying out and installing wiring, apparatus, and equipment for home appliances: minimum experience of zero

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months, maximum credit allowance of three months;

(9) wiring and maintaining electronic controls: minimum experience of zero months, maximum credit allowance of three months.

E. Maintenance electrician; the minimum total shall be 48 months, including:

(1) planning for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(2) laying out for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(3) supervising the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(4) wiring for and installing electrical wiring, apparatus, and equipment: minimum experience of zero months, maximum credit allowance of 24 months;

(5) maintaining and repairing electrical wiring, apparatus, and equipment: minimum experience of 24 months, maximum credit allowance of 48 months;

(6) line work: minimum experience of zero months, maximum credit allowance of three months;

(7) installing elevators: minimum experience of zero months, maximum credit allowance of six months;

(8) laying out and installing wiring, apparatus, and equipment for home appliances: minimum experience of zero months, maximum credit allowance of three months;

(9) wiring and maintaining electronic controls: minimum experience of zero months, maximum credit allowance of three months;

(10) a maximum of one year of experience credit will be allowed for the successful completion of a two-year,

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post high school technical course approved by the board.

F. Lineman; the minimum total shall be 48 months, including:

(1) planning for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(2) laying out for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(3) supervising the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(4) wiring for and installing electrical wiring, apparatus, and equipment: minimum experience of zero months, maximum credit allowance of 12 months;

(5) maintaining and repairing electrical wiring, apparatus, and equipment: minimum experience of zero months, maximum credit allowance of 12 months;

(6) line work: minimum experience of 24 months, maximum credit allowance of 48 months;

(7) installing elevators: minimum experience of zero months, maximum credit allowance of three months;

(8) laying out and installing wiring, apparatus, and equipment for home appliances: minimum experience of zero months, maximum credit allowance of three months;

(9) wiring and maintaining electronic controls: minimum experience of zero months, maximum credit allowance of three months.

G. Class A installer; the minimum total shall be 12 months, including:

(1) planning for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero

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months;

(2) laying out for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(3) supervising the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(4) wiring for and installing electrical wiring, apparatus, and equipment: minimum experience of zero months, maximum credit allowance of 12 months;

(5) maintaining and repairing electrical wiring, apparatus, and equipment: minimum experience of zero months, maximum credit allowance of six months;

(6) line work: minimum experience of zero months, maximum credit allowance of three months;

(7) installing elevators: minimum experience of zero months, maximum credit allowance of three months;

(8) laying out and installing wiring, apparatus, and equipment for home appliances: minimum experience of zero months, maximum credit allowance of 12 months;

(9) wiring and maintaining electronic controls: minimum experience of zero months, maximum credit allowance of three months.

H. Class B installer; the minimum total shall be 12 months, including:

(1) planning for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(2) laying out for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(3) supervising the installation of wiring,

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apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(4) wiring for and installing electrical wiring, apparatus, and equipment: minimum experience of zero months, maximum credit allowance of 12 months;

(5) maintaining and repairing electrical wiring, apparatus, and equipment: minimum experience of zero months, maximum credit allowance of six months;

(6) line work: minimum experience of zero months, maximum credit allowance of three months;

(7) installing elevators: minimum experience of zero months, maximum credit allowance of three months;

(8) laying out and installing wiring, apparatus, and equipment for home appliances: minimum experience of zero months, maximum credit allowance of three months;

(9) wiring and maintaining electronic controls: minimum experience of zero months, maximum credit allowance of three months.

3800.3530 REQUIREMENTS FOR SECURING AND MAINTAINING AN ELECTRICAL CONTRACTOR'S LICENSE.

Subpart 1. **Information required to be provided by applicants.** In addition to all other requirements of Minnesota Statutes, section 326.242, subdivision 6, an applicant for an electrical contractor's license shall supply the telephone number, exclusive of answering services, as listed under the contractor's or person's name in telephone directories, the mailing address, and the street 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;

D. each location from which the applicant's

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electrical contracting business is or will be conducted; and

E. the applicant's responsible master electrician.

Subp. 2. **Information required where the applicant has employees.** In addition to the requirements of subparts 1 and 3, an applicant who has or will have employees shall provide:

A. the applicant's social security account number which will be used to ensure compliance with Minnesota Statutes, section 270.72 (tax clearance; issuance of license);

B. the applicant's workers' compensation insurance account number;

C. the applicant's unemployment insurance account number;

D. the applicant's state withholding tax account number;

E. the applicant's federal withholding tax account number; and

F. upon request of the board, the names and employment records of all persons who are or will be performing electrical work for the applicant.

Subp. 3. **Applicants in states not contiguous with Minnesota.** In addition to the information required by subparts 1 and 2, if the applicant's place of doing business is not in a state contiguous with Minnesota, the applicant shall provide the street address and telephone number of the office within Minnesota from which the applicant's electrical contracting business is or will be conducted.

Subp. 4. **Duty to keep information current.** All of the information required by this part must be kept current. Licensees shall notify the board within 30 days of any changes in the required information.

3800.3540 DESIGNATION OF RESPONSIBLE MASTER ELECTRICIAN ON CONTRACTOR'S LICENSE APPLICATION.

Each contractor shall designate the responsible master electrician employed by the contractor on the application for an electrical contractor's license. The board shall not grant a

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new contractor's license if it appears that the responsible electrician 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 an application for a license renewal, the board shall return the application to the contractor who shall have 15 days to resubmit an application. 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 Minnesota Statutes, section 326.242, subdivision 9, for nonrenewal of the licenses of each contractor by whom the same responsible electrician is employed.

Where the master electrician is not an owner or officer of the corporation of the electrical contractor, the Board of Electricity ~~may~~ shall require that the owner or chief executive officer of the corporation and the master electrician provide evidence of the manner in which the contractor will comply with the requirements of the Minnesota Electrical Act if the materials submitted in support of the application for license by the chief executive officer of the corporation and the master electrician do not indicate the manner in which the contractor will comply with the requirements of the Minnesota Electrical Act.

3800.3550 DESIGNATION OF RESPONSIBLE MASTER ELECTRICIAN, LICENSED MAINTENANCE ELECTRICIAN, OR ELECTRICAL ENGINEER BY AN EMPLOYER.

Subpart 1. **Employees required to be licensed.** An employer who has one or more employees who perform electrical work on the employer's premises for which an electrical license is required shall submit to the Board of Electricity a certificate of employment executed by the properly licensed employee who is responsible for compliance with the Minnesota Electrical Act by that employer and the employer's employees.

Subp. 2. **Employees exempt from licensing.** An employer

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whose maintenance electricians are exempt from licensing under Minnesota Statutes, section 326.242, subdivision 12, shall provide the Board of Electricity with a certificate of employment executed by an employee who holds a bachelor of Electrical Engineering degree from an accredited university or college, or a master electrician license, and is responsible for compliance with the Minnesota Electrical Act by that employer and the employer's employees.

Subp. 3. **Notification of termination of employment.** The designated responsible person on the certificate of employment required under this part shall immediately notify the Board of Electricity in writing of termination of employment with that employer.

Subp. 4. **Evidence of compliance.** The Board of Electricity may require that the employer or designated responsible person provide evidence of the manner in which they will comply with the Minnesota Electrical Act.

3800.3560 ADVERTISING RESTRICTIONS.

The electrical contractor's name as it appears on the contractor's license shall be provided in any advertisement or printed matter that offers or implies the performance of electrical work for which a license is required.

3800.3570 MARKING OF ELECTRICAL CONTRACTOR'S VEHICLES.

Any vehicle used by an electrical contractor while performing electrical work for which an electrical contractor's license is required shall have the electrical contractor's name as it appears on the contractor's license in contrasting color with characters at least three inches high and one-half inch in width affixed to each side of the vehicle.

3800.3580 REVOCATION OF ANY LICENSE.

The board may revoke, suspend, or refuse to renew any license granted pursuant to Minnesota Statutes, sections 326.242 and 326.2421 when the holder of a license:

A. does any of the acts specified in Minnesota

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Statutes, section 326.246; provided that proof of criminal conviction is not necessary for revocation, denial, or refusal to renew;

B. fails or refuses to pay any examination or license renewal fee required by law;

C. is an installer or electrical contractor or alarm and communication contractor and fails or refuses to furnish and maintain a valid and enforceable installer's or electrical contractor's bond or alarm and communication contractor's bond, as required by Minnesota Statutes, sections 326.242 and 326.2421; and

D. is an electrical contractor or alarm and communication contractor and fails or refuses to provide and keep in force a public liability insurance policy, as required by Minnesota Statutes, sections 326.242 and 326.2421.

3800.3590 LICENSES; EXPIRATION AND FEES.

Subpart 1. **Expiration.** Except as otherwise provided in this part, all licenses issued or renewed under this part expire two years from the date of issuance or renewal. ~~Class A master and Class B master licenses renewed on March 1, 1988, 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, 1988, expire March 1 of the next odd-numbered year after issuance or renewal.~~ Electrical contractor licenses expire March 1 of each even-numbered year after issuance or renewal. Alarm and communication contractor licenses expire July 1 of each odd-numbered year after issuance or renewal.

Subp. 2. **Examination, issuance, and renewal fees.** The following fees shall be payable for examination, issuance, and renewal:

A. For examination for each class of license, $25.

B. For issuance of original license and renewal:

(1) Class A master and master elevator constructor, $35 a year;

(2) Class B master, $20 a year;

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(3) Class A journeyman, Class B journeyman, Class A or B installer, elevator constructor, maintenance, lineman, or special electrician, $10 a year; and

(4) electrical contractor and alarm and communication contractor, $75 a year.

Subp. 3. **Prorating fees.** If a new Class A master license is issued in accordance with subpart 1 for less than two years, the fee for the license shall be prorated on a quarterly basis. The electrical contractor's and alarm and communication contractor's license fee shall be prorated on a quarterly basis for each quarter or part of a quarter that the license is issued in accordance with subpart 1.

Subp. 4. **Refunds.** 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 subpart 3, the amount of the overpayment shall be refunded.

Subp. 5. **Reissuance fee.** Any electrical contractor or alarm and communication contractor who seeks reissuance of a license after it has been revoked or suspended pursuant to part 3800.3580 of the Board of Electricity shall submit a reissuance fee of $100 before the license is reinstated.

Subp. 6. **Duplicate license fee.** The fee for the issuance of each duplicate license is ~~$5~~ $3.

~~Subp. 7. License service charge. The fee for reissuance of an electrical contractor or alarm and communication contractor license due to name, structural, or classification change during a license period is $10.~~

~~3800.3600 SERVICE CHARGES.~~

~~The Board of Electricity may collect administrative costs associated with searching files and providing copies of documents or information in the files, including office staff time and the cost of making copies and postage.~~

3800.3610 EXCLUSIVE ADMINISTRATIVE REMEDY.

The procedures prescribed by parts 3800.3660 to 3800.3690 constitute the exclusive administrative remedies for preventing

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connection or requiring disconnection of the supply of electrical power to a premises.

3800.3620 APPROVAL OF ELECTRICAL EQUIPMENT.

No electrical equipment, including material, fittings, devices, apparatus, fixtures, appliances, utilization equipment, and the like used as part of, or in connection with, an electrical installation shall be approved pursuant to Minnesota Statutes, sections 326.242 and 326.243, and National Electrical Code, Section 110-2, unless the electrical equipment has been listed by a qualified electrical testing laboratory that is recognized as having the facilities listed in Section 90-6 of the National Electrical Code and that requires suitability for installation under the National Electrical Code. If (a) no suitable published safety standard for a specific type of equipment exists; or (b) the equipment is one-of-a-kind or limited production; or (c) the equipment is a new product that has been submitted for listing, but for which the listing procedure has not been completed, the board may require field testing by a qualified electrical testing laboratory or other procedures that satisfy the board that the equipment is safe. The costs of inspection shall be paid by the manufacturer of the component, apparatus, or appliance or, at the election of the board, the owner or lessee of the property on which the component, apparatus, or appliance is located.

3800.3630 QUALIFICATIONS FOR INSPECTORS.

All inspectors for the board shall hold licenses as master or journeyman electricians under Minnesota Statutes, section 326.242, subdivision 1 or 2 and shall give bond in the amount of $1,000 conditioned upon the faithful performance of their duties.

3800.3640 FORMS FOR ORDERS.

Condemnation, disconnect, and correction orders shall be issued on forms prescribed by the board.

3800.3650 SERVICE OF CORRECTION ORDER.

A correction order made pursuant to part 3800.3680 shall be

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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.

3800.3660 CONDEMNATION OF HAZARDOUS INSTALLATIONS.

When an electrical inspector finds that a new installation or part of a new installation that is not energized does not comply with accepted standards of construction as required by Minnesota Statutes, section 326.243, safety standards of the Minnesota Electrical Act, the inspector shall, if the installation or the noncomplying part is such as to seriously and proximately endanger human life and property if it was to be energized, order, with the approval of a superior, immediate condemnation of the installation or noncomplying part. When the person responsible for making the installation condemned under this part is notified, the person shall promptly proceed to make the corrections cited in this condemnation order.

3800.3670 DISCONNECTION OF HAZARDOUS INSTALLATION.

If, while making an inspection, the electrical inspector finds that a new installation that is energized does not comply with accepted standards of construction as required by Minnesota Statutes, section 326.243, safety standards of the Minnesota Electrical Act, the inspector shall, if the installation or the noncomplying part is such as to seriously and proximately endanger human life and property, order immediate disconnection of the installation or noncomplying part. When the person

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responsible for making the installation ordered disconnected under this part is notified, the person shall promptly proceed to make the corrections cited in this disconnect order.

3800.3680 CORRECTION OF NONCOMPLYING INSTALLATIONS.

When a noncomplying 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 ten 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 a superior. If the 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 the 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 the correction order shall be immediately countermanded.

3800.3690 DISCONNECTION OF UNCOMPLETED OR UNINSPECTED INSTALLATIONS.

When a request for electrical inspection has passed the 18-month expiration time and if, after the property owner and occupant have been duly notified in a form prescribed by the board, the electrical installation has not been completed or the owner or occupant has neglected or refused to make arrangements for the electrical inspector to make a final inspection of the installation during normal business hours at a mutually agreeable time, the installation may be presumed to be

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hazardous, and ordered disconnected pursuant to Minnesota Statutes, section 326.244, subdivision 2, paragraphs (c) and (d), and part 3800.3670.

3800.3700 COUNTERMAND OF CORRECTION ORDER.

A correction order of an inspector properly issued under part 3800.3680 ~~may~~ shall be countermanded or extended by the inspector or the inspector's supervisor when the required corrections have been completed or it is determined by the inspector or the inspector's supervisor that the correction order is in error. A correction order of an inspector, properly issued under part 3800.3680, shall be extended by the inspector's supervisor when the weather, availability of materials, or other factors do not permit the work required by the correction order to be completed within the time allowed by the correction order. Any interested party may demand that an outstanding order be countermanded or extended. The 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 in writing within ten days.

3800.3710 APPEALS TO BOARD: STAY OF ORDER.

Any person aggrieved by a condemnation or disconnect order issued under this chapter may appeal the order 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.

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

3800.3720 CONDEMNATION OR DISCONNECT ORDER STAYED.

Upon receipt of notice of appeal by the board the order appealed from shall be stayed until final decision of the board unless the electrical installation ordered condemned is determined by the board to be seriously or proximately dangerous to life and property, and the board shall notify the property

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owner and the electrical contractor or installer or special electrician making the installation and also the statutory bonding company of this fact. The power supplier is also to be notified in those instances where the power supplier has been served.

3800.3730 NOTICE TO ALL INTERESTED PARTIES SERVED WITH ORDER.

Upon receiving the notice of appeal the board shall notify all persons served with the order from which the appeal is taken. The 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 unless otherwise agreed by the interested parties and the board.

3800.3740 REQUESTS FOR NAME OF STATUTORY BONDING COMPANY.

Any political subdivision having an ordinance similar to the Minnesota Electrical Act 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 information.

3800.3750 HEARING AND REVIEW.

Upon receipt of a notice of appeal pursuant to part 3800.3710, the appeal shall be evaluated in accordance with Minnesota Statutes, section 214.10, subdivision 2. If the procedures in Minnesota Statutes, section 214.10, subdivision 2, do not result in the resolution of the issues raised in the notice of appeal, the board shall schedule a contested case hearing in accordance with Minnesota Statutes, chapter 14.

3800.3760 REQUEST FOR INSPECTION.

Subpart 1. **Requested inspections.** The board's inspectors or agents may inspect minor repair work at the request of the owner or person making the repairs.

Subp. 2. **Filing procedures.** At or before commencement of any electrical installation that is required by law to be inspected, the person responsible for the installation shall forward a request for inspection to the board completed in the

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manner prescribed by the board.

3800.3770 ROUGH-IN INSPECTION OF WIRING TO BE CONCEALED.

Where wiring is to be concealed, the inspector must be notified sufficiently in advance to permit completion of a rough-in inspection before 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.

3800.3780 REQUEST FOR INSPECTION CERTIFICATES EXPIRATION.

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

3800.3790 PRORATED FEE FOR INSPECTION OF CERTAIN INSTALLATIONS.

On installations requiring more than six months in process of construction and in excess of $1,000 total inspection fees, the persons responsible for the installation may, after a minimum filing fee of $500, pay a prorated fee for each month and submit it with an order for payment, initiated by the electrical inspector.

3800.3800 PAYMENT OF INSPECTION FEES.

Except as provided in part 3800.3790, 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 electrical inspection.

All requests for electrical inspection forms and fees submitted by mail by an electrical contractor shall originate from the contractor's principal place of business. Checks issued to the board by an electrical contractor shall be drawn on accounts normally serving the contractor's principal place of business.

Pursuant to Minnesota Statutes, section 15.415, overpayment

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of inspection fees of less than $5 are not refundable.

3800.3810 FEE SCHEDULE.

Subpart 1. **Schedule.** State electrical inspection fees shall be paid according to the following schedule.

Subp. 2. **Fee for each separate inspection.** The minimum fee for each separate inspection of an installation, replacement, alteration, or repair limited to one inspection only is $15.

Subp. 3. **Fee for services or power supply units.** The inspection fee for each service, change of service, temporary service, power supply unit, addition, alteration, or repair to a service or power supply unit shall be: 0- to and including 200-ampere capacity, $15; for each additional 100-ampere capacity or fraction thereof, $5. A separate request for electrical inspection shall be filed for temporary services.

Subp. 4. **Fee for circuits or feeders.** The fee for each circuit or feeder, or addition, alteration, or repair of a circuit or feeder including the equipment served, and including circuits fed from feeders, except as provided for in subpart 5, items A to K shall be:

A. 0- to and including 100-ampere capacity, $4; and

B. for each additional 100-ampere capacity or fraction thereof, $2.

Subp. 5. **Limitations and additions to the fees of subparts 2 to 4.**

A. The fee for a single-family dwelling, shall not exceed $55 if the electrical service is not over 200-ampere capacity. This fee includes not more than three inspections. The fee for a single family dwelling over 200- to and including 400-ampere capacity shall not exceed $100. This fee includes not more than four inspections. These fees shall apply to each separate service, and include the service, feeders, circuits, fixtures, and equipment. The fee for additional inspections shall be the reinspection fee in subpart 7. Multifamily dwellings with individual services to each unit are computed at

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the single family dwelling rate.

B. The fee for each farm building or farm structure with a service not over 200-ampere capacity shall not exceed $55. This fee includes not more than three inspections. The fee for each building or structure with a service over 200- to and including 400-ampere capacity shall not exceed $100. This fee includes not more than four inspections. These fees include the services, feeders, circuits, fixtures, and equipment. The fee for additional inspections shall be the reinspection fee in subpart 7. Pole-top current metering and pole-top disconnecting means on the farm yard pole are exempt from inspection and inspection fees.

C. The fee for each unit of a multifamily dwelling having three to six dwelling units shall not exceed $30. The fee for each multifamily dwelling exceeding six units shall not exceed $20 per dwelling unit. This fee includes only the wiring in an individual dwelling unit and the final feeder to that unit. The fee for the service and all other circuits shall be as specified in subparts 2 to 4, except that the fee for each house panel shall not exceed $55. A separate request for electrical inspection is required for each building. The fee for a two-unit dwelling or duplex shall be the same as for two single-family dwellings.

D. Recreational vehicle parks fees shall be in accordance with subparts 2 to 4.

E. The fee for mobile home park stalls shall be $6 per unit stall exclusive of the feeder to the mobile home with a minimum fee of $15 per inspection trip. The fee for permanently installed feeders shall be in accordance with subpart 4.

F. In addition to the fees in items A to E, the fee for each street lighting standard shall be $1, and the fee for each traffic signal standard shall be $2. Circuits originating within the standard shall not be used when computing the fee.

G. In addition to the fees in items A to F, the fees for all transformers and generators for light, heat, and power shall be $5 per unit plus $3 per ten-kilovolt-amperes or

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fraction thereof. The maximum fee for a transformer or generator in this category is $40.

H. In addition to the fees in items A to G, the inspection fees for transformers for signs and outline lighting shall be $5 per unit.

I. In addition to the fees in items A to H, unless included in the maximum fee, the inspection fee for remote control, signal, alarm, or communication circuits and circuits of less than 50 volts shall be $5 for ten openings or devices of each system plus $2 for each additional ten or fraction thereof, with a minimum fee of $15 per inspection trip.

J. In addition to the fees in items A to I, the inspection fee for each separate inspection of a swimming pool shall be $15. Reinforcing steel and bonding for swimming pools requires a rough-in inspection.

K. In addition to the fees in items A to J, the fee for all wiring on center pivot irrigation booms shall be $30. The fees for all other wiring for the irrigation system shall be as specified in this part.

Subp. 6. **Investigation fees: Work without a request for electrical inspection.**

A. Whenever any work for which a request for electrical inspection is required by the board has begun without first obtaining the request for inspection, a special investigation shall be made before a request for electrical inspection is accepted by the board.

B. An investigation fee, in addition to the full fee required by subparts 1 to 5, shall be paid before an inspection is made. The investigation fee shall be equal to the amount of the fee required by subparts 1 to 5. The payment of the investigation fee does not exempt any person from compliance with all other provisions of the board rules or statutes nor from any penalty prescribed by law.

Subp. 7. **Reinspection fee.** When reinspection is necessary to determine whether unsafe conditions have been corrected and the conditions are not the subject of an appeal pending before

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the board or any court, a reinspection fee of $15 may be assessed in writing by the inspector.

Subp. 8. **Special inspections.** For inspections not covered in this part, or for requested special inspections or services, the fee shall be $23 per hour, including travel time, plus 24 cents per mile traveled, plus the reasonable cost of equipment or material consumed. This provision is applicable to inspection of empty conduits and other jobs as may be determined by the board.

Subp. 9. **Inspection of transient projects.** For inspection of transient projects, including but not limited to carnivals and circuses, the inspection fees shall be as specified in this subpart.

The fee for inspection of power supply units shall be that fee specified in subpart 3. A like fee will be required for power supply units at each engagement during the season. Rides, devices, or concessions shall be inspected at their first appearance of the season, and the inspection fee shall be $15 per unit.

In addition to the fee for the power supply units, there shall be a general inspection for each engagement during the season at the hourly rate, with a two-hour minimum. In addition to the above fees, inspections required on Saturdays, Sundays, holidays, or after regular business hours will be at the hourly rate, including travel time. An owner of a migratory amusement enterprise shall notify the board of its season itinerary and make application for initial inspection a minimum of 14 days before its first engagement in the state. For subsequent engagements not listed on the itinerary sent to the board, where the board is not notified at least 48 hours in advance, a charge of $100 will be made in addition to all required fees. Also, a fee at the hourly rate will be charged for additional time spent by the inspector if the equipment is not ready for inspection at the time and date specified on the request for electrical inspection. The fee for reinspection of corrections is $15 for each reinspection.

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Subp. 10. **Handling fee.** The handling fee to pay the cost of printing and handling of the form requesting an inspection shall be $1.

Subp. 11. **National Electrical Code used for interpretation of provisions.** For purposes of interpretation of parts 3800.3760 to 3800.3810, 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.

REPEALER. Minnesota Rules, parts 3800.0200, 3800.0300, 3800.0400, 3800.0500, 3800.0600, 3800.0700, 3800.0800, 3800.0900, 3800.1000, 3800.1001, 3800.1002, 3800.1003, 3800.1004, 3800.1005, 3800.1006, 3800.1100, 3800.1200, 3800.1300, 3800.1400, 3800.1500, 3800.1600, 3800.2700, 3800.2800, 3800.2900, 3800.3000, 3800.3100, are repealed.

RENUMBER. Renumber the part numbers in column A with the part numbers in column B.

A	B
3800.1700	3800.3820
3800.1800	3800.3830
3800.1900	3800.3840
3800.2000	3800.3850
3800.2100	3800.3860
3800.2200	3800.3870
3800.2300	3800.3880
3800.2400	3800.3890
3800.2500	3800.3900
3800.2600	3800.3910

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STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED

AUG 8 1989

Joan Anderson Growe

Secretary of State

8:50 AM

APPROVED AS TO FORM AND LEGALITY

8-3 19 89

HUBERT H. HUMPHREY, III
ATTORNEY GENERAL

BY Jacqueline E. Albright
SPECIAL ASSISTANT ATTORNEY GENERAL

DEPARTMENT OF ADMINISTRATION

BOARD OF ELECTRICITY

In the Matter of the Proposed
Adoption of the Permanent Rules of
the State Board of Electricity
Relating to Licenses, Inspections
Qualifications for Electrician Licenses

CERTIFICATE OF BOARD'S

RESOLUTION ADOPTING THE RULE

"Resolved, that the Board of Electricity has examined all the documents and has received two requests for public hearing and three comments which have been duly noted. The Rules Relating to Licensing, Inspection, Qualifications for Electrician Licenses published in the State Register March 6, 1989, pages 2128 through 2140 are hereby adopted as published effective five (5) working days after final publication in the State Register and that John Quinn, Executive Secretary of the Board of Electricity is hereby authorized to take all steps necessary for the final adoption of these rules."

I hereby certify that the following is a true and correct copy of a resolution adopted by the Board of Electricity.

IN WITNESS WHEREOF, I have hereunto subscribed my name this 11th day of July 1989.

Shirlee Puelston

SHIRLEE PUELSTON, PRESIDENT
State Board of Electricity

George Meyer

GEORGE MEYER, SECRETARY
State Board of Electricity

DEPARTMENT OF ADMINISTRATION

BOARD OF ELECTRICITY

In the Matter of the
Proposed Permanent Rules Relating to
Licenses, Inspections, Qualifications
for Electrician Licenses

CERTIFICATE OF BOARD'S

AUTHORIZING RESOLUTION

I, Robert Seanger, do hereby certify that I am a member and the Secretary of the State Board of Electricity, a board duly authorized under the laws of the State of Minnesota, and that the following is a true, complete and correct copy of a resolution adopted at a meeting of the Board of Electricity duly and properly called and held on the 14th day of February, 1989, that a quorum was present at said meeting, that a majority of those present voted for the resolution and that said resolution is set forth in the minutes of said meeting and has not been rescinded or modified.

"Resolved, that John Quinn, Executive Secretary of the State Board of Electricity, is hereby granted the authority and directed to take all the steps necessary to adopt rules without a public hearing governing licenses, inspections, qualifications for electrician licenses--All new material."

IN WITNESS WHEREOF, I have hereunto subscribed my name this 14th day of February, 1989.

Robert Seanger, Secretary
State Board of Electricity

Arthur Tieso, Board Member
State Board of Electricity

DEPARTMENT OF ADMINISTRATION

BOARD OF ELECTRICITY

In the Matter of the
Proposed Permanent Rules Relating to
Licenses, Inspections, Qualifications
for Electrician Licenses

CERTIFICATE OF BOARD'S

AUTHORIZING RESOLUTION

I, Robert Seanger, do hereby certify that I am a member and the Secretary of the State Board of Electricity, a board duly authorized under the laws of the State of Minnesota, and that the following is a true, complete and correct copy of a resolution adopted at a meeting of the Board of Electricity duly and properly called and held on the 14th day of February, 1989, that a quorum was present at said meeting, that a majority of those present voted for the resolution and that said resolution is set forth in the minutes of said meeting and has not been rescinded or modified.

"Resolved, that John Quinn, Executive Secretary of the State Board of Electricity, is hereby granted the authority and directed to take all the steps necessary to adopt rules without a public hearing governing licenses, inspections, qualifications for electrician licenses--All new material."

IN WITNESS WHEREOF, I have hereunto subscribed my name this 14th day of February, 1989.

Robert Seanger, Secretary
State Board of Electricity

Arthur Tieso, Board Member
State Board of Electricity

STATE OF MINNESOTA
BOARD OF ELECTRICITY

In the Matter of the Proposed Permanent Rules Relating to Licenses, Inspections, Qualifications for Electrician Licenses.

AFFIDAVIT OF RICHARD WILLITS

STATE OF MINNESOTA)
) ss.
COUNTY OF RAMSEY)

Your affiant, being duly sworn, states and alleges as follows:

1. He is the assistant business manager for the United Association Pipefitters, Local Union No. 455.

2. He reviewed the above-captioned rules and determined that the rules had a potential effect on the ability of the members of the United Association Pipefitters, Local Union No. 455 to earn a living.

3. As a result of this determination, he caused 84 members of Local Union No. 455 to submit requests for hearing to the Board of Electricity within the thirty day comment period. These requests for hearing were submitted on forms prepared at his direction.

4. He subsequently determined that the above-captioned rules would not effect the ability of the members of

the United Association Pipefitters, Local Union No. 455 to earn a living.

5. As a result of this determination, he withdrew the 84 requests for hearing he previously submitted in his official capacity as assistant business manager.

FURTHER YOUR AFFIANT SAYETH NOT.

Richard Willits

RICHARD WILLITS

Subscribed and sworn to
before me this 27th day
of June, 1989.

Beverly Barnick

Notary Public
H.hg0

BEVERLY J. BARNICK
NOTARY PUBLIC — MINNESOTA
RAMSEY COUNTY
My commission expires 7-17-92

Board of Electricity

Adopted Permanent Rules Relating to Licenses, Inspections, Qualifications for Electrician Licenses

Rules as Adopted

3800.3500 DEFINITIONS.

Subpart 1. **Words, terms, and phrases.** For the purposes of the Minnesota Electrical Act, Minnesota Statutes, sections 326.241 to 326.248, and parts 3800.3500 to 3800.3910, the following terms have the meanings given them.

Subp. 2. **Elevator constructor.** "Elevator constructor" means a person who has the necessary qualifications, training, experience, and technical knowledge to wire for, install, and repair electrical wiring, apparatus, and equipment for elevators and escalators and who is licensed by the Board of Electricity.

Subp. 3. **Employee.** "Employee" means:

A. a person whose compensation for electrical work is reported by the employer on an Internal Revenue Service W-2 form, and is also otherwise considered an employee under applicable laws; or

B. an instructor of an electrical wiring course and the instructor's students, while performing electrical work on projects on the school premises under the personal on-the-job supervision of a properly licensed employee of an electrical contractor.

Subp. 4. **Experience acceptable to the board.** "Experience acceptable to the board" means the stated minimum number of months of experience on premises electrical systems, exclusive of manufacturing processes, under properly licensed supervision where supervision is otherwise required by law, for each category of work specified in part 3800.3520, subpart 5.

Subp. 5. **Graduate of a four-year electrical course.** "Graduate of a four-year electrical course" means an applicant who has received a bachelor's degree in Electrical Engineering

from an accredited university or college.

Subp. 6. **Lineman.** "Lineman" means a person who has the necessary qualifications, training, experience, and technical knowledge to construct and maintain transmission and distribution systems that are or will be owned or leased by an electric utility, and who is licensed by the Board of Electricity.

Subp. 7. **Maintenance electrician.** "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 by the Board of Electricity, or who is exempt from licensing by the Minnesota Electrical Act, Minnesota Statutes, sections 326.241 to 326.248.

Subp. 8. **Maintaining and repairing electrical wiring, apparatus, and equipment.** "Maintaining and repairing electrical wiring, apparatus, and equipment" means the adjustment or repair or replacement of worn or defective parts of electrical equipment and replacement of defective receptacle outlets and manual switches for lighting control, but does not include the installation of new wiring, apparatus, and equipment or additions, alterations, or extensions to existing wiring, apparatus, or equipment.

Subp. 9. **Master elevator constructor.** "Master elevator constructor" means a person who has the necessary qualifications, training, experience, and technical knowledge to properly plan, lay out, and supervise the installation of wiring, apparatus, and equipment for elevators and escalators, and who is licensed by the Board of Electricity.

Subp. 10. **Minor repair work.** "Minor repair work" means the adjustment or repair or replacement of worn or defective parts of electrical equipment and replacement of defective receptacle outlets and manual switches for lighting control.

Subp. 11. **Personal on-the-job supervision and job.**

A. For the purposes of Minnesota Statutes, section 326.242, subdivision 5, "personal on-the-job supervision" means

that the unlicensed person will have a licensed person present on the job and providing supervision the entire working day. A licensed person shall supervise no more than two unlicensed persons.

B. For the purposes of Minnesota Statutes, section 326.242, subdivision 5, "job" means each separate building or structure where electrical work is being performed.

Subp. 12. **Signaling circuit.** "Signaling circuit" means an electric circuit that is used exclusively for the supply of energy to a device that gives a recognizable signal, including but not limited to door bells, digital data displays, and signal lights, and that does not supply energy to any device that controls electrical equipment other than the signaling devices.

3800.3510 PERMITTED WORK.

Subpart 1. **Elevator constructor.** A person licensed as an elevator constructor may install, maintain, and repair electrical wiring, apparatus, and equipment for elevators and escalators while in the employ of an electrical contractor.

Subp. 2. **Lineman.** A person licensed as a lineman may install, maintain, and repair transmission and distribution systems that are or will be owned or leased by an electric utility.

Subp. 3. **Maintenance electrician.** 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 the employer and located within the limits of property owned or leased by the employer.

Subp. 4. **Master elevator constructor.** A person licensed as a master elevator constructor may, as a licensed electrical contractor or in the employ of an electrical contractor, plan, lay out, supervise and install, maintain, and repair wiring, apparatus, and equipment for elevators and escalators.

3800.3520 EXAMINATION; MINIMUM EXPERIENCE REQUIREMENTS FOR LICENSURE; EXPERIENCE ACCEPTABLE TO BOARD.

Subpart 1. **Examination requirements.** As a precondition to issuance of any electrician's license, an applicant is required to pass an examination for the type of license sought, in accordance with Minnesota Statutes, section 326.242, subdivision 7.

Subp. 2. **Minimum experience requirements.** Except as otherwise provided for a master electrician license under Minnesota Statutes, section 326.242, subdivision 1, clause (1), paragraph (a), and for a Class A or B installer license under Minnesota Statutes, section 326.242, subdivision 3b, an applicant for an electrician license shall have experience acceptable to the board before examination for licensure under Minnesota Statutes, section 326.242, subdivision 7.

Subp. 3. **Maximum allowable credit under certain conditions.** The maximum allowable electrical experience credit under the following conditions shall be as stated:

A. before age 12, none;

B. before age 16, six months;

C. in the military service, 12 months;

D. in foreign countries, 12 months; and

E. acquired during the school term of a board-approved post high school electrical course, none.

Subp. 4. **Experience acceptable to board for certain categories in certain situations.** Experience in the categories of planning for the installation of wiring, apparatus, and equipment for light, heat, and power; laying out for the installation of wiring, apparatus, and equipment for light, heat, and power; supervising the installation of wiring, apparatus, and equipment for light, heat, and power; and wiring and installing electrical wiring, apparatus, and equipment for light, heat, and power is acceptable to the board in the situations described in items A to D.

A. Experience while in the employ of an electrical

apparatus, and equipment: minimum experience of one month, maximum credit allowance of 24 months;

(6) line work: minimum experience of zero months, maximum credit allowance of three months;

(7) installing elevators: minimum experience of zero months, maximum credit allowance of six months;

(8) laying out and installing wiring, apparatus, and equipment for home appliances: minimum experience of zero months, maximum credit allowance of three months;

(9) wiring and maintaining electronic controls: minimum experience of zero months, maximum credit allowance of three months; and

(10) 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.

C. Master elevator constructor; the minimum total shall be 60 months, including:

(1) planning for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of 12 months;

(2) laying out for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of 12 months;

(3) supervising the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of 12 months;

(4) wiring for and installing electrical wiring, apparatus, and equipment: minimum experience of zero months, maximum credit allowance of 48 months;

(5) maintaining and repairing electrical wiring, apparatus, and equipment: minimum experience of zero months, maximum credit allowance of 24 months;

(6) line work: minimum experience of zero

months, maximum credit allowance of three months;

(7) installing elevators: minimum experience of 24 months, maximum credit allowance of 60 months;

(8) laying out and installing wiring, apparatus, and equipment for home appliances: minimum experience of zero months, maximum credit allowance of three months; and

(9) wiring and maintaining electronic controls: minimum experience of zero months, maximum credit allowance of three months.

D. Elevator constructor; the minimum total shall be 36 months, including:

(1) planning for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(2) laying out for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(3) supervising the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(4) wiring for and installing electrical wiring, apparatus, and equipment: minimum experience of zero months, maximum credit allowance of 36 months;

(5) maintaining and repairing electrical wiring, apparatus, and equipment: minimum experience of zero months, maximum credit allowance of 12 months;

(6) line work: minimum experience of zero months, maximum credit allowance of three months;

(7) installing elevators: minimum experience of 12 months, maximum credit allowance of 36 months;

(8) laying out and installing wiring, apparatus, and equipment for home appliances: minimum experience of zero months, maximum credit allowance of three months;

(9) wiring and maintaining electronic controls: minimum experience of zero months, maximum credit allowance of three months.

E. Maintenance electrician; the minimum total shall be 48 months, including:

(1) planning for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(2) laying out for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(3) supervising the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(4) wiring for and installing electrical wiring, apparatus, and equipment: minimum experience of zero months, maximum credit allowance of 24 months;

(5) maintaining and repairing electrical wiring, apparatus, and equipment: minimum experience of 24 months, maximum credit allowance of 48 months;

(6) line work: minimum experience of zero months, maximum credit allowance of three months;

(7) installing elevators: minimum experience of zero months, maximum credit allowance of six months;

(8) laying out and installing wiring, apparatus, and equipment for home appliances: minimum experience of zero months, maximum credit allowance of three months;

(9) wiring and maintaining electronic controls: minimum experience of zero months, maximum credit allowance of three months;

(10) 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.

F. Lineman; the minimum total shall be 48 months, including:

(1) planning for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(2) laying out for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(3) supervising the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(4) wiring for and installing electrical wiring, apparatus, and equipment: minimum experience of zero months, maximum credit allowance of 12 months;

(5) maintaining and repairing electrical wiring, apparatus, and equipment: minimum experience of zero months, maximum credit allowance of 12 months;

(6) line work: minimum experience of 24 months, maximum credit allowance of 48 months;

(7) installing elevators: minimum experience of zero months, maximum credit allowance of three months;

(8) laying out and installing wiring, apparatus, and equipment for home appliances: minimum experience of zero months, maximum credit allowance of three months;

(9) wiring and maintaining electronic controls: minimum experience of zero months, maximum credit allowance of three months.

G. Class A installer; the minimum total shall be 12 months, including:

(1) planning for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(2) laying out for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(3) supervising the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(4) wiring for and installing electrical wiring, apparatus, and equipment: minimum experience of zero months, maximum credit allowance of 12 months;

(5) maintaining and repairing electrical wiring, apparatus, and equipment: minimum experience of zero months, maximum credit allowance of six months;

(6) line work: minimum experience of zero months, maximum credit allowance of three months;

(7) installing elevators: minimum experience of zero months, maximum credit allowance of three months;

(8) laying out and installing wiring, apparatus, and equipment for home appliances: minimum experience of zero months, maximum credit allowance of 12 months;

(9) wiring and maintaining electronic controls: minimum experience of zero months, maximum credit allowance of three months.

H. Class B installer; the minimum total shall be 12 months, including:

(1) planning for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(2) laying out for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(3) supervising the installation of wiring, apparatus, and equipment for light, heat, and power: minimum

experience of zero months, maximum credit allowance of zero months;

(4) wiring for and installing electrical wiring, apparatus, and equipment: minimum experience of zero months, maximum credit allowance of 12 months;

(5) maintaining and repairing electrical wiring, apparatus, and equipment: minimum experience of zero months, maximum credit allowance of six months;

(6) line work: minimum experience of zero months, maximum credit allowance of three months;

(7) installing elevators: minimum experience of zero months, maximum credit allowance of three months;

(8) laying out and installing wiring, apparatus, and equipment for home appliances: minimum experience of zero months, maximum credit allowance of three months;

(9) wiring and maintaining electronic controls: minimum experience of zero months, maximum credit allowance of three months.

3800.3530 REQUIREMENTS FOR SECURING AND MAINTAINING AN ELECTRICAL CONTRACTOR'S LICENSE.

Subpart 1. **Information required to be provided by applicants.** In addition to all other requirements of Minnesota Statutes, section 326.242, subdivision 6, an applicant for an electrical contractor's license shall supply the telephone number, exclusive of answering services, as listed under the contractor's or person's name in telephone directories, the mailing address, and the street 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;

D. each location from which the applicant's electrical contracting business is or will be conducted; and

E. the applicant's responsible master electrician.

Subp. 2. **Information required where the applicant has employees.** In addition to the requirements of subparts 1 and 3, an applicant who has or will have employees shall provide:

A. the applicant's social security account number;

B. the applicant's workers' compensation insurance account number;

C. the applicant's unemployment insurance account number;

D. the applicant's state withholding tax account number;

E. the applicant's federal withholding tax account number; and

F. upon request of the board, the names and employment records of all persons who are or will be performing electrical work for the applicant.

Subp. 3. **Applicants in states not contiguous with Minnesota.** In addition to the information required by subparts 1 and 2, if the applicant's place of doing business is not in a state contiguous with Minnesota, the applicant shall provide the street address and telephone number of the office within Minnesota from which the applicant's electrical contracting business is or will be conducted.

Subp. 4. **Duty to keep information current.** All of the information required by this part must be kept current. Licensees shall notify the board within 30 days of any changes in the required information.

3800.3540 DESIGNATION OF RESPONSIBLE MASTER ELECTRICIAN ON CONTRACTOR'S LICENSE APPLICATION.

Each contractor shall designate the responsible master electrician employed by the contractor on the application for an electrical contractor's license. The board shall not grant a new contractor's license if it appears that the responsible electrician 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 an application for a license renewal, the board shall return the application to the contractor who shall have 15 days to resubmit an application. 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 Minnesota Statutes, section 326.242, subdivision 9, for nonrenewal of the licenses of each contractor by whom the same responsible electrician is employed.

Where the master electrician is not an owner or officer of the corporation of the electrical contractor, the Board of Electricity may require that the owner or chief executive officer of the corporation and the master electrician provide evidence of the manner in which the contractor will comply with the requirements of the Minnesota Electrical Act.

3800.3550 DESIGNATION OF RESPONSIBLE MASTER ELECTRICIAN, LICENSED MAINTENANCE ELECTRICIAN, OR ELECTRICAL ENGINEER BY AN EMPLOYER.

Subpart 1. **Employees required to be licensed.** An employer who has one or more employees who perform electrical work on the employer's premises for which an electrical license is required shall submit to the Board of Electricity a certificate of employment executed by the properly licensed employee who is responsible for compliance with the Minnesota Electrical Act by that employer and the employer's employees.

Subp. 2. **Employees exempt from licensing.** An employer whose maintenance electricians are exempt from licensing under Minnesota Statutes, section 326.242, subdivision 12, shall provide the Board of Electricity with a certificate of employment executed by an employee who holds a bachelor of Electrical Engineering degree from an accredited university or college, or a master electrician license, and is responsible for compliance with the Minnesota Electrical Act by that employer and the employer's employees.

Subp. 3. **Notification of termination of employment.** The designated responsible person on the certificate of employment required under this part shall immediately notify the Board of Electricity in writing of termination of employment with that employer.

Subp. 4. **Evidence of compliance.** The Board of Electricity may require that the employer or designated responsible person provide evidence of the manner in which they will comply with the Minnesota Electrical Act.

3800.3560 ADVERTISING RESTRICTIONS.

The electrical contractor's name as it appears on the contractor's license shall be provided in any advertisement or printed matter that offers or implies the performance of electrical work for which a license is required.

3800.3570 MARKING OF ELECTRICAL CONTRACTOR'S VEHICLES.

Any vehicle used by an electrical contractor while performing electrical work for which an electrical contractor's license is required shall have the electrical contractor's name as it appears on the contractor's license in contrasting color with characters at least three inches high and one-half inch in width affixed to each side of the vehicle.

3800.3580 REVOCATION OF ANY LICENSE.

The board may revoke, suspend, or refuse to renew any license granted pursuant to Minnesota Statutes, sections 326.242 and 326.2421 when the holder of a license:

A. does any of the acts specified in Minnesota Statutes, section 326.246; provided that proof of criminal conviction is not necessary for revocation, denial, or refusal to renew;

B. fails or refuses to pay any examination or license renewal fee required by law;

C. is an installer or electrical contractor or alarm and communication contractor and fails or refuses to furnish and maintain a valid and enforceable installer's or electrical

contractor's bond or alarm and communication contractor's bond, as required by Minnesota Statutes, sections 326.242 and 326.2421; and

D. is an electrical contractor or alarm and communication contractor and fails or refuses to provide and keep in force a public liability insurance policy, as required by Minnesota Statutes, sections 326.242 and 326.2421.

3800.3590 LICENSES; EXPIRATION AND FEES.

Subpart 1. **Expiration.** Except as otherwise provided in this part, all licenses issued or renewed under this part expire two years from the date of issuance or renewal. Class A master and Class B master licenses renewed on March 1, 1988, 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, 1988, expire March 1 of the next odd-numbered year after issuance or renewal. Electrical contractor licenses expire March 1 of each even-numbered year after issuance or renewal. Alarm and communication contractor licenses expire July 1 of each odd-numbered year after issuance or renewal.

Subp. 2. **Examination, issuance, and renewal fees.** The following fees shall be payable for examination, issuance, and renewal:

A. For examination for each class of license, $25.

B. For issuance of original license and renewal:

(1) Class A master and master elevator constructor, $35 a year;

(2) Class B master, $20 a year;

(3) Class A journeyman, Class B journeyman, Class A or B installer, elevator constructor, maintenance, lineman, or special electrician, $10 a year; and

(4) electrical contractor and alarm and communication contractor, $75 a year.

Subp. 3. **Prorating fees.** If a new Class A master license is issued in accordance with subpart 1 for less than two years, the fee for the license shall be prorated on a quarterly basis.

The electrical contractor's and alarm and communication contractor's license fee shall be prorated on a quarterly basis for each quarter or part of a quarter that the license is issued in accordance with subpart 1.

Subp. 4. **Refunds.** 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 subpart 3, the amount of the overpayment shall be refunded.

Subp. 5. **Reissuance fee.** Any electrical contractor or alarm and communication contractor who seeks reissuance of a license after it has been revoked or suspended pursuant to part 3800.3580 of the Board of Electricity shall submit a reissuance fee of $100 before the license is reinstated.

Subp. 6. **Duplicate license fee.** The fee for the issuance of each duplicate license is $5.

Subp. 7. **License service charge.** The fee for reissuance of an electrical contractor or alarm and communication contractor license due to name, structural, or classification change during a license period is $10.

3800.3600 SERVICE CHARGES.

The Board of Electricity may collect administrative costs associated with searching files and providing copies of documents or information in the files, including office staff time and the cost of making copies and postage.

3800.3610 EXCLUSIVE ADMINISTRATIVE REMEDY.

The procedures prescribed by parts 3800.3660 to 3800.3690 constitute the exclusive administrative remedies for preventing connection or requiring disconnection of the supply of electrical power to a premises.

3800.3620 APPROVAL OF ELECTRICAL EQUIPMENT.

No electrical equipment, including material, fittings, devices, apparatus, fixtures, appliances, utilization equipment, and the like used as part of, or in connection with, an electrical installation shall be approved pursuant to Minnesota

Statutes, sections 326.242 and 326.243, and National Electrical Code, Section 110-2, unless the electrical equipment has been listed by a qualified electrical testing laboratory that is recognized as having the facilities listed in Section 90-6 of the National Electrical Code and that requires suitability for installation under the National Electrical Code. If (a) no suitable published safety standard for a specific type of equipment exists; or (b) the equipment is one-of-a-kind or limited production; or (c) the equipment is a new product that has been submitted for listing, but for which the listing procedure has not been completed, the board may require field testing by a qualified electrical testing laboratory or other procedures that satisfy the board that the equipment is safe. The costs of inspection shall be paid by the manufacturer of the component, apparatus, or appliance or, at the election of the board, the owner or lessee of the property on which the component, apparatus, or appliance is located.

3800.3630 QUALIFICATIONS FOR INSPECTORS.

All inspectors for the board shall hold licenses as master or journeyman electricians under Minnesota Statutes, section 326.242, subdivision 1 or 2 and shall give bond in the amount of $1,000 conditioned upon the faithful performance of their duties.

3800.3640 FORMS FOR ORDERS.

Condemnation, disconnect, and correction orders shall be issued on forms prescribed by the board.

3800.3650 SERVICE OF CORRECTION ORDER.

A correction order made pursuant to part 3800.3680 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.

3800.3660 CONDEMNATION OF HAZARDOUS INSTALLATIONS.

When an electrical inspector finds that a new installation or part of a new installation that is not energized does not comply with accepted standards of construction as required by Minnesota Statutes, section 326.243, safety standards of the Minnesota Electrical Act, the inspector shall, if the installation or the noncomplying part is such as to seriously and proximately endanger human life and property if it was to be energized, order, with the approval of a superior, immediate condemnation of the installation or noncomplying part. When the person responsible for making the installation condemned under this part is notified, the person shall promptly proceed to make the corrections cited in this condemnation order.

3800.3670 DISCONNECTION OF HAZARDOUS INSTALLATION.

If, while making an inspection, the electrical inspector finds that a new installation that is energized does not comply with accepted standards of construction as required by Minnesota Statutes, section 326.243, safety standards of the Minnesota Electrical Act, the inspector shall, if the installation or the noncomplying part is such as to seriously and proximately endanger human life and property, order immediate disconnection of the installation or noncomplying part. When the person responsible for making the installation ordered disconnected under this part is notified, the person shall promptly proceed to make the corrections cited in this disconnect order.

3800.3680 CORRECTION OF NONCOMPLYING INSTALLATIONS.

When a noncomplying 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 ten 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 a superior. If the 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 the 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 the correction order shall be immediately countermanded.

3800.3690 DISCONNECTION OF UNCOMPLETED OR UNINSPECTED INSTALLATIONS.

When a request for electrical inspection has passed the 18-month expiration time and if, after the property owner and occupant have been duly notified in a form prescribed by the board, the electrical installation has not been completed or the owner or occupant has neglected or refused to make arrangements for the electrical inspector to make a final inspection of the installation during normal business hours at a mutually agreeable time, the installation may be presumed to be hazardous, and ordered disconnected pursuant to Minnesota Statutes, section 326.244, subdivision 2, paragraphs (c) and (d), and part 3800.3670.

3800.3700 COUNTERMAND OF CORRECTION ORDER.

A correction order of an inspector properly issued under part 3800.3680 may be countermanded or extended by the inspector

or the inspector's supervisor. Any interested party may demand that an outstanding order be countermanded or extended. The 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 in writing within ten days.

3800.3710 APPEALS TO BOARD: STAY OF ORDER.

Any person aggrieved by a condemnation or disconnect order issued under this chapter may appeal the order 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.

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

3800.3720 CONDEMNATION OR DISCONNECT ORDER STAYED.

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 this fact. The power supplier is also to be notified in those instances where the power supplier has been served.

3800.3730 NOTICE TO ALL INTERESTED PARTIES SERVED WITH ORDER.

Upon receiving the notice of appeal the board shall notify all persons served with the order from which the appeal is taken. The 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 unless otherwise agreed by the interested parties and the board.

3800.3740 REQUESTS FOR NAME OF STATUTORY BONDING COMPANY.

Any political subdivision having an ordinance similar to the Minnesota Electrical Act 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 information.

3800.3750 HEARING AND REVIEW.

Upon receipt of a notice of appeal pursuant to part 3800.3710, the appeal shall be evaluated in accordance with Minnesota Statutes, section 214.10, subdivision 2. If the procedures in Minnesota Statutes, section 214.10, subdivision 2, do not result in the resolution of the issues raised in the notice of appeal, the board shall schedule a contested case hearing in accordance with Minnesota Statutes, chapter 14.

3800.3760 REQUEST FOR INSPECTION.

Subpart 1. **Requested inspections.** The board's inspectors or agents may inspect minor repair work at the request of the owner or person making the repairs.

Subp. 2. **Filing procedures.** At or before commencement of any electrical installation that is required by law to be inspected, the person responsible for the installation shall forward a request for inspection to the board completed in the manner prescribed by the board.

3800.3770 ROUGH-IN INSPECTION OF WIRING TO BE CONCEALED.

Where wiring is to be concealed, the inspector must be notified sufficiently in advance to permit completion of a rough-in inspection before 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.

3800.3780 REQUEST FOR INSPECTION CERTIFICATES EXPIRATION.

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

3800.3790 PRORATED FEE FOR INSPECTION OF CERTAIN INSTALLATIONS.

On installations requiring more than six months in process of construction and in excess of $1,000 total inspection fees, the persons responsible for the installation may, after a minimum filing fee of $500, pay a prorated fee for each month and submit it with an order for payment, initiated by the electrical inspector.

3800.3800 PAYMENT OF INSPECTION FEES.

Except as provided in part 3800.3790, 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 electrical inspection.

All requests for electrical inspection forms and fees submitted by mail by an electrical contractor shall originate from the contractor's principal place of business. Checks issued to the board by an electrical contractor shall be drawn on accounts normally serving the contractor's principal place of business.

Pursuant to Minnesota Statutes, section 15.415, overpayment of inspection fees of less than $5 are not refundable.

3800.3810 FEE SCHEDULE.

Subpart 1. **Schedule.** State electrical inspection fees shall be paid according to the following schedule.

Subp. 2. **Fee for each separate inspection.** The minimum fee for each separate inspection of an installation, replacement, alteration, or repair limited to one inspection only is $15.

Subp. 3. **Fee for services or power supply units.** The inspection fee for each service, change of service, temporary service, power supply unit, addition, alteration, or repair to a service or power supply unit shall be: 0- to and including 200-ampere capacity, $15; for each additional 100-ampere capacity or fraction thereof, $5. A separate request for electrical inspection shall be filed for temporary services.

Subp. 4. **Fee for circuits or feeders.** The fee for each circuit or feeder, or addition, alteration, or repair of a

circuit or feeder including the equipment served, and including circuits fed from feeders, except as provided for in subpart 5, items A to K shall be:

A. 0- to and including 100-ampere capacity, $4; and

B. for each additional 100-ampere capacity or fraction thereof, $2.

Subp. 5. **Limitations and additions to the fees of subparts 2 to 4.**

A. The fee for a single-family dwelling, shall not exceed $55 if the electrical service is not over 200-ampere capacity. This fee includes not more than three inspections. The fee for a single family dwelling over 200- to and including 400-ampere capacity shall not exceed $100. This fee includes not more than four inspections. These fees shall apply to each separate service, and include the service, feeders, circuits, fixtures, and equipment. The fee for additional inspections shall be the reinspection fee in subpart 7. Multifamily dwellings with individual services to each unit are computed at the single family dwelling rate.

B. The fee for each farm building or farm structure with a service not over 200-ampere capacity shall not exceed $55. This fee includes not more than three inspections. The fee for each building or structure with a service over 200- to and including 400-ampere capacity shall not exceed $100. This fee includes not more than four inspections. These fees include the services, feeders, circuits, fixtures, and equipment. The fee for additional inspections shall be the reinspection fee in subpart 7. Pole-top current metering and pole-top disconnecting means on the farm yard pole are exempt from inspection and inspection fees.

C. The fee for each unit of a multifamily dwelling having three to six dwelling units shall not exceed $30. The fee for each multifamily dwelling exceeding six units shall not exceed $20 per dwelling unit. This fee includes only the wiring in an individual dwelling unit and the final feeder to that unit. The fee for the service and all other circuits shall be

as specified in subparts 2 to 4, except that the fee for each house panel shall not exceed $55. A separate request for electrical inspection is required for each building. The fee for a two-unit dwelling or duplex shall be the same as for two single-family dwellings.

D. Recreational vehicle parks fees shall be in accordance with subparts 2 to 4.

E. The fee for mobile home park stalls shall be $6 per unit stall exclusive of the feeder to the mobile home with a minimum fee of $15 per inspection trip. The fee for permanently installed feeders shall be in accordance with subpart 4.

F. In addition to the fees in items A to E, the fee for each street lighting standard shall be $1, and the fee for each traffic signal standard shall be $2. Circuits originating within the standard shall not be used when computing the fee.

G. In addition to the fees in items A to F, the fees for all transformers and generators for light, heat, and power shall be $5 per unit plus $3 per ten-kilovolt-amperes or fraction thereof. The maximum fee for a transformer or generator in this category is $40.

H. In addition to the fees in items A to G, the inspection fees for transformers for signs and outline lighting shall be $5 per unit.

I. In addition to the fees in items A to H, unless included in the maximum fee, the inspection fee for remote control, signal, alarm, or communication circuits and circuits of less than 50 volts shall be $5 for ten openings or devices of each system plus $2 for each additional ten or fraction thereof, with a minimum fee of $15 per inspection trip.

J. In addition to the fees in items A to I, the inspection fee for each separate inspection of a swimming pool shall be $15. Reinforcing steel and bonding for swimming pools requires a rough-in inspection.

K. In addition to the fees in items A to J, the fee for all wiring on center pivot irrigation booms shall be $30. The fees for all other wiring for the irrigation system shall be

as specified in this part.

Subp. 6. **Investigation fees: Work without a request for electrical inspection.**

A. Whenever any work for which a request for electrical inspection is required by the board has begun without first obtaining the request for inspection, a special investigation shall be made before a request for electrical inspection is accepted by the board.

B. An investigation fee, in addition to the full fee required by subparts 1 to 5, shall be paid before an inspection is made. The investigation fee shall be equal to the amount of the fee required by subparts 1 to 5. The payment of the investigation fee does not exempt any person from compliance with all other provisions of the board rules or statutes nor from any penalty prescribed by law.

Subp. 7. **Reinspection fee.** When reinspection is necessary to determine whether unsafe conditions have been corrected and the conditions are not the subject of an appeal pending before the board or any court, a reinspection fee of $15 may be assessed in writing by the inspector.

Subp. 8. **Special inspections.** For inspections not covered in this part, or for requested special inspections or services, the fee shall be $23 per hour, including travel time, plus 24 cents per mile traveled, plus the reasonable cost of equipment or material consumed. This provision is applicable to inspection of empty conduits and other jobs as may be determined by the board.

Subp. 9. **Inspection of transient projects.** For inspection of transient projects, including but not limited to carnivals and circuses, the inspection fees shall be as specified in this subpart.

The fee for inspection of power supply units shall be that fee specified in subpart 3. A like fee will be required for power supply units at each engagement during the season. Rides, devices, or concessions shall be inspected at their first appearance of the season, and the inspection fee shall be $15

per unit.

In addition to the fee for the power supply units, there shall be a general inspection for each engagement during the season at the hourly rate, with a two-hour minimum. In addition to the above fees, inspections required on Saturdays, Sundays, holidays, or after regular business hours will be at the hourly rate, including travel time. An owner of a migratory amusement enterprise shall notify the board of its season itinerary and make application for initial inspection a minimum of 14 days before its first engagement in the state. For subsequent engagements not listed on the itinerary sent to the board, where the board is not notified at least 48 hours in advance, a charge of $100 will be made in addition to all required fees. Also, a fee at the hourly rate will be charged for additional time spent by the inspector if the equipment is not ready for inspection at the time and date specified on the request for electrical inspection. The fee for reinspection of corrections is $15 for each reinspection.

Subp. 10. **Handling fee.** The handling fee to pay the cost of printing and handling of the form requesting an inspection shall be $1.

Subp. 11. **National Electrical Code used for interpretation of provisions.** For purposes of interpretation of parts 3800.3760 to 3800.3810, 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.

REPEALER. Minnesota Rules, parts 3800.0200, 3800.0300, 3800.0400, 3800.0500, 3800.0600, 3800.0700, 3800.0800, 3800.0900, 3800.1000, 3800.1001, 3800.1002, 3800.1003, 3800.1004, 3800.1005, 3800.1006, 3800.1100, 3800.1200, 3800.1300, 3800.1400, 3800.1500, 3800.1600, 3800.2700, 3800.2800, 3800.2900, 3800.3000, 3800.3100, are repealed.

RENUMBER. Renumber the part numbers in column A with the

part numbers in column B.

A	B
3800.1700	3800.3820
3800.1800	3800.3830
3800.1900	3800.3840
3800.2000	3800.3850
3800.2100	3800.3860
3800.2200	3800.3870
3800.2300	3800.3880
3800.2400	3800.3890
3800.2500	3800.3900
3800.2600	3800.3910

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED

AUG 8 1989

Joan Anderson Growe
Secretary of State

S. 54 A 7

Board of Electricity

Adopted Permanent Rules Relating to Licenses, Inspections, Qualifications for Electrician Licenses

Rules as Adopted

3800.3500 DEFINITIONS.

Subpart 1. **Words, terms, and phrases.** For the purposes of the Minnesota Electrical Act, Minnesota Statutes, sections 326.241 to 326.248, and parts 3800.3500 to 3800.3910, the following terms have the meanings given them.

Subp. 2. **Elevator constructor.** "Elevator constructor" means a person who has the necessary qualifications, training, experience, and technical knowledge to wire for, install, and repair electrical wiring, apparatus, and equipment for elevators and escalators and who is licensed by the Board of Electricity.

Subp. 3. **Employee.** "Employee" means:

A. a person whose compensation for electrical work is reported by the employer on an Internal Revenue Service W-2 form, and is also otherwise considered an employee under applicable laws; or

B. an instructor of an electrical wiring course and the instructor's students, while performing electrical work on projects on the school premises under the personal on-the-job supervision of a properly licensed employee of an electrical contractor.

Subp. 4. **Experience acceptable to the board.** "Experience acceptable to the board" means the stated minimum number of months of experience on premises electrical systems, exclusive of manufacturing processes, under properly licensed supervision where supervision is otherwise required by law, for each category of work specified in part 3800.3520, subpart 5.

Subp. 5. **Graduate of a four-year electrical course.** "Graduate of a four-year electrical course" means an applicant who has received a bachelor's degree in Electrical Engineering

from an accredited university or college.

Subp. 6. **Lineman.** "Lineman" means a person who has the necessary qualifications, training, experience, and technical knowledge to construct and maintain transmission and distribution systems that are or will be owned or leased by an electric utility, and who is licensed by the Board of Electricity.

Subp. 7. **Maintenance electrician.** "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 by the Board of Electricity, or who is exempt from licensing by the Minnesota Electrical Act, Minnesota Statutes, sections 326.241 to 326.248.

Subp. 8. **Maintaining and repairing electrical wiring, apparatus, and equipment.** "Maintaining and repairing electrical wiring, apparatus, and equipment" means the adjustment or repair or replacement of worn or defective parts of electrical equipment and replacement of defective receptacle outlets and manual switches for lighting control, but does not include the installation of new wiring, apparatus, and equipment or additions, alterations, or extensions to existing wiring, apparatus, or equipment.

Subp. 9. **Master elevator constructor.** "Master elevator constructor" means a person who has the necessary qualifications, training, experience, and technical knowledge to properly plan, lay out, and supervise the installation of wiring, apparatus, and equipment for elevators and escalators, and who is licensed by the Board of Electricity.

Subp. 10. **Minor repair work.** "Minor repair work" means the adjustment or repair or replacement of worn or defective parts of electrical equipment and replacement of defective receptacle outlets and manual switches for lighting control.

Subp. 11. **Personal on-the-job supervision and job.**

A. For the purposes of Minnesota Statutes, section 326.242, subdivision 5, "personal on-the-job supervision" means

that the unlicensed person will have a licensed person present on the job and providing supervision the entire working day. A licensed person shall supervise no more than two unlicensed persons.

B. For the purposes of Minnesota Statutes, section 326.242, subdivision 5, "job" means each separate building or structure where electrical work is being performed.

Subp. 12. **Signaling circuit.** "Signaling circuit" means an electric circuit that is used exclusively for the supply of energy to a device that gives a recognizable signal, including but not limited to door bells, digital data displays, and signal lights, and that does not supply energy to any device that controls electrical equipment other than the signaling devices.

3800.3510 PERMITTED WORK.

Subpart 1. **Elevator constructor.** A person licensed as an elevator constructor may install, maintain, and repair electrical wiring, apparatus, and equipment for elevators and escalators while in the employ of an electrical contractor.

Subp. 2. **Lineman.** A person licensed as a lineman may install, maintain, and repair transmission and distribution systems that are or will be owned or leased by an electric utility.

Subp. 3. **Maintenance electrician.** 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 the employer and located within the limits of property owned or leased by the employer.

Subp. 4. **Master elevator constructor.** A person licensed as a master elevator constructor may, as a licensed electrical contractor or in the employ of an electrical contractor, plan, lay out, supervise and install, maintain, and repair wiring, apparatus, and equipment for elevators and escalators.

3800.3520 EXAMINATION; MINIMUM EXPERIENCE REQUIREMENTS FOR LICENSURE; EXPERIENCE ACCEPTABLE TO BOARD.

Subpart 1. **Examination requirements.** As a precondition to issuance of any electrician's license, an applicant is required to pass an examination for the type of license sought, in accordance with Minnesota Statutes, section 326.242, subdivision 7.

Subp. 2. **Minimum experience requirements.** Except as otherwise provided for a master electrician license under Minnesota Statutes, section 326.242, subdivision 1, clause (1), paragraph (a), and for a Class A or B installer license under Minnesota Statutes, section 326.242, subdivision 3b, an applicant for an electrician license shall have experience acceptable to the board before examination for licensure under Minnesota Statutes, section 326.242, subdivision 7.

Subp. 3. **Maximum allowable credit under certain conditions.** The maximum allowable electrical experience credit under the following conditions shall be as stated:

A. before age 12, none;

B. before age 16, six months;

C. in the military service, 12 months;

D. in foreign countries, 12 months; and

E. acquired during the school term of a board-approved post high school electrical course, none.

Subp. 4. **Experience acceptable to board for certain categories in certain situations.** Experience in the categories of planning for the installation of wiring, apparatus, and equipment for light, heat, and power; laying out for the installation of wiring, apparatus, and equipment for light, heat, and power; supervising the installation of wiring, apparatus, and equipment for light, heat, and power; and wiring and installing electrical wiring, apparatus, and equipment for light, heat, and power is acceptable to the board in the situations described in items A to D.

A. Experience while in the employ of an electrical

contractor licensed under Minnesota Statutes, section 326.242, subdivision 6.

B. Experience while working in Minnesota for an employer who is not required to be licensed as an electrical contractor, if the work is inspected under Minnesota Statutes, section 326.244, and done under the supervision of a properly licensed electrician.

C. Experience while performing electrical work in Minnesota for an employer who is exempt from licensing when the work is exempt from inspection under Minnesota Statutes, section 326.244, or when the work is performed on federal property by a federal employee, if the board has determined in either situation that the experience is substantially equal to that acquired in performing work while in the employ of a licensed electrical contractor. The determination shall be made after a personal inspection by not less than two board members and one staff employee of the board on the premises where the applicable work was performed.

D. Experience while performing electrical work outside of Minnesota, which the board has determined is substantially equivalent to the work performed while in the employ of a licensed electrical contractor in Minnesota. This determination must be based on a certification by the employer for the type of work performed.

Subp. 5. **Schedule of minimum experience requirements and maximum experience allowances.** The minimum required experience and maximum experience allowance under subpart 2 shall be as shown in items A to H for the type of license sought.

A. Class A master electrician (60 months required):

(1) planning for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of two months, maximum credit allowance of 12 months;

(2) laying out for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of two months, maximum credit allowance of 12 months;

(3) supervising the installation of wiring,

apparatus, and equipment for light, heat, and power: minimum experience of two months, maximum credit allowance of 12 months;

(4) wiring for and installing electrical wiring, apparatus, and equipment: minimum experience of 12 months, maximum credit allowance of 48 months;

(5) maintaining and repairing electrical wiring, apparatus, and equipment: minimum experience of zero months, maximum credit allowance of 24 months;

(6) line work: minimum experience of zero months, maximum credit allowance of three months;

(7) installing elevators: minimum experience of zero months, maximum credit allowance of six months;

(8) laying out and installing wiring, apparatus, and equipment for home appliances: minimum experience of zero months, maximum credit allowance of three months; and

(9) wiring and maintaining electronic controls: minimum experience of zero months, maximum credit allowance of three months.

B. Class A journeyman electrician (48 months required):

(1) planning for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(2) laying out for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(3) supervising the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(4) wiring for and installing electrical wiring, apparatus, and equipment: minimum experience of 24 months, maximum credit allowance of 48 months;

(5) maintaining and repairing electrical wiring,

apparatus, and equipment: minimum experience of one month, maximum credit allowance of 24 months;

(6) line work: minimum experience of zero months, maximum credit allowance of three months;

(7) installing elevators: minimum experience of zero months, maximum credit allowance of six months;

(8) laying out and installing wiring, apparatus, and equipment for home appliances: minimum experience of zero months, maximum credit allowance of three months;

(9) wiring and maintaining electronic controls: minimum experience of zero months, maximum credit allowance of three months; and

(10) 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.

C. Master elevator constructor; the minimum total shall be 60 months, including:

(1) planning for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of 12 months;

(2) laying out for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of 12 months;

(3) supervising the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of 12 months;

(4) wiring for and installing electrical wiring, apparatus, and equipment: minimum experience of zero months, maximum credit allowance of 48 months;

(5) maintaining and repairing electrical wiring, apparatus, and equipment: minimum experience of zero months, maximum credit allowance of 24 months;

(6) line work: minimum experience of zero

months, maximum credit allowance of three months;

(7) installing elevators: minimum experience of 24 months, maximum credit allowance of 60 months;

(8) laying out and installing wiring, apparatus, and equipment for home appliances: minimum experience of zero months, maximum credit allowance of three months; and

(9) wiring and maintaining electronic controls: minimum experience of zero months, maximum credit allowance of three months.

D. Elevator constructor; the minimum total shall be 36 months, including:

(1) planning for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(2) laying out for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(3) supervising the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(4) wiring for and installing electrical wiring, apparatus, and equipment: minimum experience of zero months, maximum credit allowance of 36 months;

(5) maintaining and repairing electrical wiring, apparatus, and equipment: minimum experience of zero months, maximum credit allowance of 12 months;

(6) line work: minimum experience of zero months, maximum credit allowance of three months;

(7) installing elevators: minimum experience of 12 months, maximum credit allowance of 36 months;

(8) laying out and installing wiring, apparatus, and equipment for home appliances: minimum experience of zero months, maximum credit allowance of three months;

(9) wiring and maintaining electronic controls: minimum experience of zero months, maximum credit allowance of three months.

E. Maintenance electrician; the minimum total shall be 48 months, including:

(1) planning for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(2) laying out for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(3) supervising the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(4) wiring for and installing electrical wiring, apparatus, and equipment: minimum experience of zero months, maximum credit allowance of 24 months;

(5) maintaining and repairing electrical wiring, apparatus, and equipment: minimum experience of 24 months, maximum credit allowance of 48 months;

(6) line work: minimum experience of zero months, maximum credit allowance of three months;

(7) installing elevators: minimum experience of zero months, maximum credit allowance of six months;

(8) laying out and installing wiring, apparatus, and equipment for home appliances: minimum experience of zero months, maximum credit allowance of three months;

(9) wiring and maintaining electronic controls: minimum experience of zero months, maximum credit allowance of three months;

(10) 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.

F. Lineman; the minimum total shall be 48 months, including:

(1) planning for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(2) laying out for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(3) supervising the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(4) wiring for and installing electrical wiring, apparatus, and equipment: minimum experience of zero months, maximum credit allowance of 12 months;

(5) maintaining and repairing electrical wiring, apparatus, and equipment: minimum experience of zero months, maximum credit allowance of 12 months;

(6) line work: minimum experience of 24 months, maximum credit allowance of 48 months;

(7) installing elevators: minimum experience of zero months, maximum credit allowance of three months;

(8) laying out and installing wiring, apparatus, and equipment for home appliances: minimum experience of zero months, maximum credit allowance of three months;

(9) wiring and maintaining electronic controls: minimum experience of zero months, maximum credit allowance of three months.

G. Class A installer; the minimum total shall be 12 months, including:

(1) planning for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(2) laying out for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(3) supervising the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(4) wiring for and installing electrical wiring, apparatus, and equipment: minimum experience of zero months, maximum credit allowance of 12 months;

(5) maintaining and repairing electrical wiring, apparatus, and equipment: minimum experience of zero months, maximum credit allowance of six months;

(6) line work: minimum experience of zero months, maximum credit allowance of three months;

(7) installing elevators: minimum experience of zero months, maximum credit allowance of three months;

(8) laying out and installing wiring, apparatus, and equipment for home appliances: minimum experience of zero months, maximum credit allowance of 12 months;

(9) wiring and maintaining electronic controls: minimum experience of zero months, maximum credit allowance of three months.

H. Class B installer; the minimum total shall be 12 months, including:

(1) planning for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(2) laying out for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(3) supervising the installation of wiring, apparatus, and equipment for light, heat, and power: minimum

experience of zero months, maximum credit allowance of zero months;

(4) wiring for and installing electrical wiring, apparatus, and equipment: minimum experience of zero months, maximum credit allowance of 12 months;

(5) maintaining and repairing electrical wiring, apparatus, and equipment: minimum experience of zero months, maximum credit allowance of six months;

(6) line work: minimum experience of zero months, maximum credit allowance of three months;

(7) installing elevators: minimum experience of zero months, maximum credit allowance of three months;

(8) laying out and installing wiring, apparatus, and equipment for home appliances: minimum experience of zero months, maximum credit allowance of three months;

(9) wiring and maintaining electronic controls: minimum experience of zero months, maximum credit allowance of three months.

3800.3530 REQUIREMENTS FOR SECURING AND MAINTAINING AN ELECTRICAL CONTRACTOR'S LICENSE.

Subpart 1. **Information required to be provided by applicants.** In addition to all other requirements of Minnesota Statutes, section 326.242, subdivision 6, an applicant for an electrical contractor's license shall supply the telephone number, exclusive of answering services, as listed under the contractor's or person's name in telephone directories, the mailing address, and the street 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;

D. each location from which the applicant's electrical contracting business is or will be conducted; and

E. the applicant's responsible master electrician.

Subp. 2. **Information required where the applicant has employees.** In addition to the requirements of subparts 1 and 3, an applicant who has or will have employees shall provide:

A. the applicant's social security account number;

B. the applicant's workers' compensation insurance account number;

C. the applicant's unemployment insurance account number;

D. the applicant's state withholding tax account number;

E. the applicant's federal withholding tax account number; and

F. upon request of the board, the names and employment records of all persons who are or will be performing electrical work for the applicant.

Subp. 3. **Applicants in states not contiguous with Minnesota.** In addition to the information required by subparts 1 and 2, if the applicant's place of doing business is not in a state contiguous with Minnesota, the applicant shall provide the street address and telephone number of the office within Minnesota from which the applicant's electrical contracting business is or will be conducted.

Subp. 4. **Duty to keep information current.** All of the information required by this part must be kept current. Licensees shall notify the board within 30 days of any changes in the required information.

3800.3540 DESIGNATION OF RESPONSIBLE MASTER ELECTRICIAN ON CONTRACTOR'S LICENSE APPLICATION.

Each contractor shall designate the responsible master electrician employed by the contractor on the application for an electrical contractor's license. The board shall not grant a new contractor's license if it appears that the responsible electrician 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 an application for a license renewal, the board shall return the application to the contractor who shall have 15 days to resubmit an application. 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 Minnesota Statutes, section 326.242, subdivision 9, for nonrenewal of the licenses of each contractor by whom the same responsible electrician is employed.

Where the master electrician is not an owner or officer of the corporation of the electrical contractor, the Board of Electricity may require that the owner or chief executive officer of the corporation and the master electrician provide evidence of the manner in which the contractor will comply with the requirements of the Minnesota Electrical Act.

3800.3550 DESIGNATION OF RESPONSIBLE MASTER ELECTRICIAN, LICENSED MAINTENANCE ELECTRICIAN, OR ELECTRICAL ENGINEER BY AN EMPLOYER.

Subpart 1. **Employees required to be licensed.** An employer who has one or more employees who perform electrical work on the employer's premises for which an electrical license is required shall submit to the Board of Electricity a certificate of employment executed by the properly licensed employee who is responsible for compliance with the Minnesota Electrical Act by that employer and the employer's employees.

Subp. 2. **Employees exempt from licensing.** An employer whose maintenance electricians are exempt from licensing under Minnesota Statutes, section 326.242, subdivision 12, shall provide the Board of Electricity with a certificate of employment executed by an employee who holds a bachelor of Electrical Engineering degree from an accredited university or college, or a master electrician license, and is responsible for compliance with the Minnesota Electrical Act by that employer and the employer's employees.

Subp. 3. **Notification of termination of employment.** The designated responsible person on the certificate of employment required under this part shall immediately notify the Board of Electricity in writing of termination of employment with that employer.

Subp. 4. **Evidence of compliance.** The Board of Electricity may require that the employer or designated responsible person provide evidence of the manner in which they will comply with the Minnesota Electrical Act.

3800.3560 ADVERTISING RESTRICTIONS.

The electrical contractor's name as it appears on the contractor's license shall be provided in any advertisement or printed matter that offers or implies the performance of electrical work for which a license is required.

3800.3570 MARKING OF ELECTRICAL CONTRACTOR'S VEHICLES.

Any vehicle used by an electrical contractor while performing electrical work for which an electrical contractor's license is required shall have the electrical contractor's name as it appears on the contractor's license in contrasting color with characters at least three inches high and one-half inch in width affixed to each side of the vehicle.

3800.3580 REVOCATION OF ANY LICENSE.

The board may revoke, suspend, or refuse to renew any license granted pursuant to Minnesota Statutes, sections 326.242 and 326.2421 when the holder of a license:

A. does any of the acts specified in Minnesota Statutes, section 326.246; provided that proof of criminal conviction is not necessary for revocation, denial, or refusal to renew;

B. fails or refuses to pay any examination or license renewal fee required by law;

C. is an installer or electrical contractor or alarm and communication contractor and fails or refuses to furnish and maintain a valid and enforceable installer's or electrical

contractor's bond or alarm and communication contractor's bond, as required by Minnesota Statutes, sections 326.242 and 326.2421; and

D. is an electrical contractor or alarm and communication contractor and fails or refuses to provide and keep in force a public liability insurance policy, as required by Minnesota Statutes, sections 326.242 and 326.2421.

3800.3590 LICENSES; EXPIRATION AND FEES.

Subpart 1. **Expiration.** Except as otherwise provided in this part, all licenses issued or renewed under this part expire two years from the date of issuance or renewal. Class A master and Class B master licenses renewed on March 1, 1988, 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, 1988, expire March 1 of the next odd-numbered year after issuance or renewal. Electrical contractor licenses expire March 1 of each even-numbered year after issuance or renewal. Alarm and communication contractor licenses expire July 1 of each odd-numbered year after issuance or renewal.

Subp. 2. **Examination, issuance, and renewal fees.** The following fees shall be payable for examination, issuance, and renewal:

A. For examination for each class of license, $25.

B. For issuance of original license and renewal:

(1) Class A master and master elevator constructor, $35 a year;

(2) Class B master, $20 a year;

(3) Class A journeyman, Class B journeyman, Class A or B installer, elevator constructor, maintenance, lineman, or special electrician, $10 a year; and

(4) electrical contractor and alarm and communication contractor, $75 a year.

Subp. 3. **Prorating fees.** If a new Class A master license is issued in accordance with subpart 1 for less than two years, the fee for the license shall be prorated on a quarterly basis.

The electrical contractor's and alarm and communication contractor's license fee shall be prorated on a quarterly basis for each quarter or part of a quarter that the license is issued in accordance with subpart 1.

Subp. 4. **Refunds.** 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 subpart 3, the amount of the overpayment shall be refunded.

Subp. 5. **Reissuance fee.** Any electrical contractor or alarm and communication contractor who seeks reissuance of a license after it has been revoked or suspended pursuant to part 3800.3580 of the Board of Electricity shall submit a reissuance fee of $100 before the license is reinstated.

Subp. 6. **Duplicate license fee.** The fee for the issuance of each duplicate license is $5.

Subp. 7. **License service charge.** The fee for reissuance of an electrical contractor or alarm and communication contractor license due to name, structural, or classification change during a license period is $10.

3800.3600 SERVICE CHARGES.

The Board of Electricity may collect administrative costs associated with searching files and providing copies of documents or information in the files, including office staff time and the cost of making copies and postage.

3800.3610 EXCLUSIVE ADMINISTRATIVE REMEDY.

The procedures prescribed by parts 3800.3660 to 3800.3690 constitute the exclusive administrative remedies for preventing connection or requiring disconnection of the supply of electrical power to a premises.

3800.3620 APPROVAL OF ELECTRICAL EQUIPMENT.

No electrical equipment, including material, fittings, devices, apparatus, fixtures, appliances, utilization equipment, and the like used as part of, or in connection with, an electrical installation shall be approved pursuant to Minnesota

Statutes, sections 326.242 and 326.243, and National Electrical Code, Section 110-2, unless the electrical equipment has been listed by a qualified electrical testing laboratory that is recognized as having the facilities listed in Section 90-6 of the National Electrical Code and that requires suitability for installation under the National Electrical Code. If (a) no suitable published safety standard for a specific type of equipment exists; or (b) the equipment is one-of-a-kind or limited production; or (c) the equipment is a new product that has been submitted for listing, but for which the listing procedure has not been completed, the board may require field testing by a qualified electrical testing laboratory or other procedures that satisfy the board that the equipment is safe. The costs of inspection shall be paid by the manufacturer of the component, apparatus, or appliance or, at the election of the board, the owner or lessee of the property on which the component, apparatus, or appliance is located.

3800.3630 QUALIFICATIONS FOR INSPECTORS.

All inspectors for the board shall hold licenses as master or journeyman electricians under Minnesota Statutes, section 326.242, subdivision 1 or 2 and shall give bond in the amount of $1,000 conditioned upon the faithful performance of their duties.

3800.3640 FORMS FOR ORDERS.

Condemnation, disconnect, and correction orders shall be issued on forms prescribed by the board.

3800.3650 SERVICE OF CORRECTION ORDER.

A correction order made pursuant to part 3800.3680 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.

3800.3660 CONDEMNATION OF HAZARDOUS INSTALLATIONS.

When an electrical inspector finds that a new installation or part of a new installation that is not energized does not comply with accepted standards of construction as required by Minnesota Statutes, section 326.243, safety standards of the Minnesota Electrical Act, the inspector shall, if the installation or the noncomplying part is such as to seriously and proximately endanger human life and property if it was to be energized, order, with the approval of a superior, immediate condemnation of the installation or noncomplying part. When the person responsible for making the installation condemned under this part is notified, the person shall promptly proceed to make the corrections cited in this condemnation order.

3800.3670 DISCONNECTION OF HAZARDOUS INSTALLATION.

If, while making an inspection, the electrical inspector finds that a new installation that is energized does not comply with accepted standards of construction as required by Minnesota Statutes, section 326.243, safety standards of the Minnesota Electrical Act, the inspector shall, if the installation or the noncomplying part is such as to seriously and proximately endanger human life and property, order immediate disconnection of the installation or noncomplying part. When the person responsible for making the installation ordered disconnected under this part is notified, the person shall promptly proceed to make the corrections cited in this disconnect order.

3800.3680 CORRECTION OF NONCOMPLYING INSTALLATIONS.

When a noncomplying 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 ten 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 a superior. If the 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 the 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 the correction order shall be immediately countermanded.

3800.3690 DISCONNECTION OF UNCOMPLETED OR UNINSPECTED INSTALLATIONS.

When a request for electrical inspection has passed the 18-month expiration time and if, after the property owner and occupant have been duly notified in a form prescribed by the board, the electrical installation has not been completed or the owner or occupant has neglected or refused to make arrangements for the electrical inspector to make a final inspection of the installation during normal business hours at a mutually agreeable time, the installation may be presumed to be hazardous, and ordered disconnected pursuant to Minnesota Statutes, section 326.244, subdivision 2, paragraphs (c) and (d), and part 3800.3670.

3800.3700 COUNTERMAND OF CORRECTION ORDER.

A correction order of an inspector properly issued under part 3800.3680 may be countermanded or extended by the inspector

or the inspector's supervisor. Any interested party may demand that an outstanding order be countermanded or extended. The 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 in writing within ten days.

3800.3710 APPEALS TO BOARD: STAY OF ORDER.

Any person aggrieved by a condemnation or disconnect order issued under this chapter may appeal the order 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.

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

3800.3720 CONDEMNATION OR DISCONNECT ORDER STAYED.

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 this fact. The power supplier is also to be notified in those instances where the power supplier has been served.

3800.3730 NOTICE TO ALL INTERESTED PARTIES SERVED WITH ORDER.

Upon receiving the notice of appeal the board shall notify all persons served with the order from which the appeal is taken. The 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 unless otherwise agreed by the interested parties and the board.

3800.3740 REQUESTS FOR NAME OF STATUTORY BONDING COMPANY.

Any political subdivision having an ordinance similar to the Minnesota Electrical Act 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 information.

3800.3750 HEARING AND REVIEW.

Upon receipt of a notice of appeal pursuant to part 3800.3710, the appeal shall be evaluated in accordance with Minnesota Statutes, section 214.10, subdivision 2. If the procedures in Minnesota Statutes, section 214.10, subdivision 2, do not result in the resolution of the issues raised in the notice of appeal, the board shall schedule a contested case hearing in accordance with Minnesota Statutes, chapter 14.

3800.3760 REQUEST FOR INSPECTION.

Subpart 1. **Requested inspections.** The board's inspectors or agents may inspect minor repair work at the request of the owner or person making the repairs.

Subp. 2. **Filing procedures.** At or before commencement of any electrical installation that is required by law to be inspected, the person responsible for the installation shall forward a request for inspection to the board completed in the manner prescribed by the board.

3800.3770 ROUGH-IN INSPECTION OF WIRING TO BE CONCEALED.

Where wiring is to be concealed, the inspector must be notified sufficiently in advance to permit completion of a rough-in inspection before 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.

3800.3780 REQUEST FOR INSPECTION CERTIFICATES EXPIRATION.

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

3800.3790 PRORATED FEE FOR INSPECTION OF CERTAIN INSTALLATIONS.

On installations requiring more than six months in process of construction and in excess of $1,000 total inspection fees, the persons responsible for the installation may, after a minimum filing fee of $500, pay a prorated fee for each month and submit it with an order for payment, initiated by the electrical inspector.

3800.3800 PAYMENT OF INSPECTION FEES.

Except as provided in part 3800.3790, 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 electrical inspection.

All requests for electrical inspection forms and fees submitted by mail by an electrical contractor shall originate from the contractor's principal place of business. Checks issued to the board by an electrical contractor shall be drawn on accounts normally serving the contractor's principal place of business.

Pursuant to Minnesota Statutes, section 15.415, overpayment of inspection fees of less than $5 are not refundable.

3800.3810 FEE SCHEDULE.

Subpart 1. **Schedule.** State electrical inspection fees shall be paid according to the following schedule.

Subp. 2. **Fee for each separate inspection.** The minimum fee for each separate inspection of an installation, replacement, alteration, or repair limited to one inspection only is $15.

Subp. 3. **Fee for services or power supply units.** The inspection fee for each service, change of service, temporary service, power supply unit, addition, alteration, or repair to a service or power supply unit shall be: 0- to and including 200-ampere capacity, $15; for each additional 100-ampere capacity or fraction thereof, $5. A separate request for electrical inspection shall be filed for temporary services.

Subp. 4. **Fee for circuits or feeders.** The fee for each circuit or feeder, or addition, alteration, or repair of a

circuit or feeder including the equipment served, and including circuits fed from feeders, except as provided for in subpart 5, items A to K shall be:

A. 0- to and including 100-ampere capacity, $4; and

B. for each additional 100-ampere capacity or fraction thereof, $2.

Subp. 5. **Limitations and additions to the fees of subparts 2 to 4.**

A. The fee for a single-family dwelling, shall not exceed $55 if the electrical service is not over 200-ampere capacity. This fee includes not more than three inspections. The fee for a single family dwelling over 200- to and including 400-ampere capacity shall not exceed $100. This fee includes not more than four inspections. These fees shall apply to each separate service, and include the service, feeders, circuits, fixtures, and equipment. The fee for additional inspections shall be the reinspection fee in subpart 7. Multifamily dwellings with individual services to each unit are computed at the single family dwelling rate.

B. The fee for each farm building or farm structure with a service not over 200-ampere capacity shall not exceed $55. This fee includes not more than three inspections. The fee for each building or structure with a service over 200- to and including 400-ampere capacity shall not exceed $100. This fee includes not more than four inspections. These fees include the services, feeders, circuits, fixtures, and equipment. The fee for additional inspections shall be the reinspection fee in subpart 7. Pole-top current metering and pole-top disconnecting means on the farm yard pole are exempt from inspection and inspection fees.

C. The fee for each unit of a multifamily dwelling having three to six dwelling units shall not exceed $30. The fee for each multifamily dwelling exceeding six units shall not exceed $20 per dwelling unit. This fee includes only the wiring in an individual dwelling unit and the final feeder to that unit. The fee for the service and all other circuits shall be

as specified in subparts 2 to 4, except that the fee for each house panel shall not exceed $55. A separate request for electrical inspection is required for each building. The fee for a two-unit dwelling or duplex shall be the same as for two single-family dwellings.

D. Recreational vehicle parks fees shall be in accordance with subparts 2 to 4.

E. The fee for mobile home park stalls shall be $6 per unit stall exclusive of the feeder to the mobile home with a minimum fee of $15 per inspection trip. The fee for permanently installed feeders shall be in accordance with subpart 4.

F. In addition to the fees in items A to E, the fee for each street lighting standard shall be $1, and the fee for each traffic signal standard shall be $2. Circuits originating within the standard shall not be used when computing the fee.

G. In addition to the fees in items A to F, the fees for all transformers and generators for light, heat, and power shall be $5 per unit plus $3 per ten-kilovolt-amperes or fraction thereof. The maximum fee for a transformer or generator in this category is $40.

H. In addition to the fees in items A to G, the inspection fees for transformers for signs and outline lighting shall be $5 per unit.

I. In addition to the fees in items A to H, unless included in the maximum fee, the inspection fee for remote control, signal, alarm, or communication circuits and circuits of less than 50 volts shall be $5 for ten openings or devices of each system plus $2 for each additional ten or fraction thereof, with a minimum fee of $15 per inspection trip.

J. In addition to the fees in items A to I, the inspection fee for each separate inspection of a swimming pool shall be $15. Reinforcing steel and bonding for swimming pools requires a rough-in inspection.

K. In addition to the fees in items A to J, the fee for all wiring on center pivot irrigation booms shall be $30. The fees for all other wiring for the irrigation system shall be

as specified in this part.

Subp. 6. **Investigation fees: Work without a request for electrical inspection.**

A. Whenever any work for which a request for electrical inspection is required by the board has begun without first obtaining the request for inspection, a special investigation shall be made before a request for electrical inspection is accepted by the board.

B. An investigation fee, in addition to the full fee required by subparts 1 to 5, shall be paid before an inspection is made. The investigation fee shall be equal to the amount of the fee required by subparts 1 to 5. The payment of the investigation fee does not exempt any person from compliance with all other provisions of the board rules or statutes nor from any penalty prescribed by law.

Subp. 7. **Reinspection fee.** When reinspection is necessary to determine whether unsafe conditions have been corrected and the conditions are not the subject of an appeal pending before the board or any court, a reinspection fee of $15 may be assessed in writing by the inspector.

Subp. 8. **Special inspections.** For inspections not covered in this part, or for requested special inspections or services, the fee shall be $23 per hour, including travel time, plus 24 cents per mile traveled, plus the reasonable cost of equipment or material consumed. This provision is applicable to inspection of empty conduits and other jobs as may be determined by the board.

Subp. 9. **Inspection of transient projects.** For inspection of transient projects, including but not limited to carnivals and circuses, the inspection fees shall be as specified in this subpart.

The fee for inspection of power supply units shall be that fee specified in subpart 3. A like fee will be required for power supply units at each engagement during the season. Rides, devices, or concessions shall be inspected at their first appearance of the season, and the inspection fee shall be $15

per unit.

In addition to the fee for the power supply units, there shall be a general inspection for each engagement during the season at the hourly rate, with a two-hour minimum. In addition to the above fees, inspections required on Saturdays, Sundays, holidays, or after regular business hours will be at the hourly rate, including travel time. An owner of a migratory amusement enterprise shall notify the board of its season itinerary and make application for initial inspection a minimum of 14 days before its first engagement in the state. For subsequent engagements not listed on the itinerary sent to the board, where the board is not notified at least 48 hours in advance, a charge of $100 will be made in addition to all required fees. Also, a fee at the hourly rate will be charged for additional time spent by the inspector if the equipment is not ready for inspection at the time and date specified on the request for electrical inspection. The fee for reinspection of corrections is $15 for each reinspection.

Subp. 10. **Handling fee.** The handling fee to pay the cost of printing and handling of the form requesting an inspection shall be $1.

Subp. 11. **National Electrical Code used for interpretation of provisions.** For purposes of interpretation of parts 3800.3760 to 3800.3810, 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.

REPEALER. Minnesota Rules, parts 3800.0200, 3800.0300, 3800.0400, 3800.0500, 3800.0600, 3800.0700, 3800.0800, 3800.0900, 3800.1000, 3800.1001, 3800.1002, 3800.1003, 3800.1004, 3800.1005, 3800.1006, 3800.1100, 3800.1200, 3800.1300, 3800.1400, 3800.1500, 3800.1600, 3800.2700, 3800.2800, 3800.2900, 3800.3000, 3800.3100, are repealed.

RENUMBER. Renumber the part numbers in column A with the

part numbers in column B.

A	B
3800.1700	3800.3820
3800.1800	3800.3830
3800.1900	3800.3840
3800.2000	3800.3850
3800.2100	3800.3860
3800.2200	3800.3870
3800.2300	3800.3880
3800.2400	3800.3890
3800.2500	3800.3900
3800.2600	3800.3910

Office of the Revisor of Statutes

Administrative Rules

TITLE: Adopted Permanent Rules Relating to Licenses, Inspections, Qualifications for Electrician Licenses

AGENCY: Board of Electricity

MINNESOTA RULES: Chapter 3800

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
AUG 8 1989
Joan Anderson Growe
Secretary of State

8:52 AM

The attached rules are approved for filing with the Secretary of State

Paul M. Marinac
Assistant Deputy Revisor

Board of Electricity

Adopted Permanent Rules Relating to Licenses, Inspections, Qualifications for Electrician Licenses

Rules as Adopted

3800.3500 DEFINITIONS.

Subpart 1. **Words, terms, and phrases.** For the purposes of the Minnesota Electrical Act, Minnesota Statutes, sections 326.241 to 326.248, and parts 3800.3500 to 3800.3910, the following terms have the meanings given them.

Subp. 2. **Elevator constructor.** "Elevator constructor" means a person who has the necessary qualifications, training, experience, and technical knowledge to wire for, install, and repair electrical wiring, apparatus, and equipment for elevators and escalators and who is licensed by the Board of Electricity.

Subp. 3. **Employee.** "Employee" means:

A. a person whose compensation for electrical work is reported by the employer on an Internal Revenue Service W-2 form, and is also otherwise considered an employee under applicable laws; or

B. an instructor of an electrical wiring course and the instructor's students, while performing electrical work on projects on the school premises under the personal on-the-job supervision of a properly licensed employee of an electrical contractor.

Subp. 4. **Experience acceptable to the board.** "Experience acceptable to the board" means the stated minimum number of months of experience on premises electrical systems, exclusive of manufacturing processes, under properly licensed supervision where supervision is otherwise required by law, for each category of work specified in part 3800.3520, subpart 5.

Subp. 5. **Graduate of a four-year electrical course.** "Graduate of a four-year electrical course" means an applicant who has received a bachelor's degree in Electrical Engineering

from an accredited university or college.

Subp. 6. **Lineman.** "Lineman" means a person who has the necessary qualifications, training, experience, and technical knowledge to construct and maintain transmission and distribution systems that are or will be owned or leased by an electric utility, and who is licensed by the Board of Electricity.

Subp. 7. **Maintenance electrician.** "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 by the Board of Electricity, or who is exempt from licensing by the Minnesota Electrical Act, Minnesota Statutes, sections 326.241 to 326.248.

Subp. 8. **Maintaining and repairing electrical wiring, apparatus, and equipment.** "Maintaining and repairing electrical wiring, apparatus, and equipment" means the adjustment or repair or replacement of worn or defective parts of electrical equipment and replacement of defective receptacle outlets and manual switches for lighting control, but does not include the installation of new wiring, apparatus, and equipment or additions, alterations, or extensions to existing wiring, apparatus, or equipment.

Subp. 9. **Master elevator constructor.** "Master elevator constructor" means a person who has the necessary qualifications, training, experience, and technical knowledge to properly plan, lay out, and supervise the installation of wiring, apparatus, and equipment for elevators and escalators, and who is licensed by the Board of Electricity.

Subp. 10. **Minor repair work.** "Minor repair work" means the adjustment or repair or replacement of worn or defective parts of electrical equipment and replacement of defective receptacle outlets and manual switches for lighting control.

Subp. 11. **Personal on-the-job supervision and job.**

A. For the purposes of Minnesota Statutes, section 326.242, subdivision 5, "personal on-the-job supervision" means

that the unlicensed person will have a licensed person present on the job and providing supervision the entire working day. A licensed person shall supervise no more than two unlicensed persons.

B. For the purposes of Minnesota Statutes, section 326.242, subdivision 5, "job" means each separate building or structure where electrical work is being performed.

Subp. 12. **Signaling circuit.** "Signaling circuit" means an electric circuit that is used exclusively for the supply of energy to a device that gives a recognizable signal, including but not limited to door bells, digital data displays, and signal lights, and that does not supply energy to any device that controls electrical equipment other than the signaling devices.

3800.3510 PERMITTED WORK.

Subpart 1. **Elevator constructor.** A person licensed as an elevator constructor may install, maintain, and repair electrical wiring, apparatus, and equipment for elevators and escalators while in the employ of an electrical contractor.

Subp. 2. **Lineman.** A person licensed as a lineman may install, maintain, and repair transmission and distribution systems that are or will be owned or leased by an electric utility.

Subp. 3. **Maintenance electrician.** 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 the employer and located within the limits of property owned or leased by the employer.

Subp. 4. **Master elevator constructor.** A person licensed as a master elevator constructor may, as a licensed electrical contractor or in the employ of an electrical contractor, plan, lay out, supervise and install, maintain, and repair wiring, apparatus, and equipment for elevators and escalators.

3800.3520 EXAMINATION; MINIMUM EXPERIENCE REQUIREMENTS FOR LICENSURE; EXPERIENCE ACCEPTABLE TO BOARD.

Subpart 1. **Examination requirements.** As a precondition to issuance of any electrician's license, an applicant is required to pass an examination for the type of license sought, in accordance with Minnesota Statutes, section 326.242, subdivision 7.

Subp. 2. **Minimum experience requirements.** Except as otherwise provided for a master electrician license under Minnesota Statutes, section 326.242, subdivision 1, clause (1), paragraph (a), and for a Class A or B installer license under Minnesota Statutes, section 326.242, subdivision 3b, an applicant for an electrician license shall have experience acceptable to the board before examination for licensure under Minnesota Statutes, section 326.242, subdivision 7.

Subp. 3. **Maximum allowable credit under certain conditions.** The maximum allowable electrical experience credit under the following conditions shall be as stated:

A. before age 12, none;

B. before age 16, six months;

C. in the military service, 12 months;

D. in foreign countries, 12 months; and

E. acquired during the school term of a board-approved post high school electrical course, none.

Subp. 4. **Experience acceptable to board for certain categories in certain situations.** Experience in the categories of planning for the installation of wiring, apparatus, and equipment for light, heat, and power; laying out for the installation of wiring, apparatus, and equipment for light, heat, and power; supervising the installation of wiring, apparatus, and equipment for light, heat, and power; and wiring and installing electrical wiring, apparatus, and equipment for light, heat, and power is acceptable to the board in the situations described in items A to D.

A. Experience while in the employ of an electrical

contractor licensed under Minnesota Statutes, section 326.242, subdivision 6.

B. Experience while working in Minnesota for an employer who is not required to be licensed as an electrical contractor, if the work is inspected under Minnesota Statutes, section 326.244, and done under the supervision of a properly licensed electrician.

C. Experience while performing electrical work in Minnesota for an employer who is exempt from licensing when the work is exempt from inspection under Minnesota Statutes, section 326.244, or when the work is performed on federal property by a federal employee, if the board has determined in either situation that the experience is substantially equal to that acquired in performing work while in the employ of a licensed electrical contractor. The determination shall be made after a personal inspection by not less than two board members and one staff employee of the board on the premises where the applicable work was performed.

D. Experience while performing electrical work outside of Minnesota, which the board has determined is substantially equivalent to the work performed while in the employ of a licensed electrical contractor in Minnesota. This determination must be based on a certification by the employer for the type of work performed.

Subp. 5. **Schedule of minimum experience requirements and maximum experience allowances.** The minimum required experience and maximum experience allowance under subpart 2 shall be as shown in items A to H for the type of license sought.

A. Class A master electrician (60 months required):

(1) planning for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of two months, maximum credit allowance of 12 months;

(2) laying out for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of two months, maximum credit allowance of 12 months;

(3) supervising the installation of wiring,

apparatus, and equipment for light, heat, and power: minimum experience of two months, maximum credit allowance of 12 months;

(4) wiring for and installing electrical wiring, apparatus, and equipment: minimum experience of 12 months, maximum credit allowance of 48 months;

(5) maintaining and repairing electrical wiring, apparatus, and equipment: minimum experience of zero months, maximum credit allowance of 24 months;

(6) line work: minimum experience of zero months, maximum credit allowance of three months;

(7) installing elevators: minimum experience of zero months, maximum credit allowance of six months;

(8) laying out and installing wiring, apparatus, and equipment for home appliances: minimum experience of zero months, maximum credit allowance of three months; and

(9) wiring and maintaining electronic controls: minimum experience of zero months, maximum credit allowance of three months.

B. Class A journeyman electrician (48 months required):

(1) planning for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(2) laying out for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(3) supervising the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(4) wiring for and installing electrical wiring, apparatus, and equipment: minimum experience of 24 months, maximum credit allowance of 48 months;

(5) maintaining and repairing electrical wiring,

apparatus, and equipment: minimum experience of one month, maximum credit allowance of 24 months;

(6) line work: minimum experience of zero months, maximum credit allowance of three months;

(7) installing elevators: minimum experience of zero months, maximum credit allowance of six months;

(8) laying out and installing wiring, apparatus, and equipment for home appliances: minimum experience of zero months, maximum credit allowance of three months;

(9) wiring and maintaining electronic controls: minimum experience of zero months, maximum credit allowance of three months; and

(10) 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.

C. Master elevator constructor; the minimum total shall be 60 months, including:

(1) planning for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of 12 months;

(2) laying out for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of 12 months;

(3) supervising the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of 12 months;

(4) wiring for and installing electrical wiring, apparatus, and equipment: minimum experience of zero months, maximum credit allowance of 48 months;

(5) maintaining and repairing electrical wiring, apparatus, and equipment: minimum experience of zero months, maximum credit allowance of 24 months;

(6) line work: minimum experience of zero

months, maximum credit allowance of three months;

(7) installing elevators: minimum experience of 24 months, maximum credit allowance of 60 months;

(8) laying out and installing wiring, apparatus, and equipment for home appliances: minimum experience of zero months, maximum credit allowance of three months; and

(9) wiring and maintaining electronic controls: minimum experience of zero months, maximum credit allowance of three months.

D. Elevator constructor; the minimum total shall be 36 months, including:

(1) planning for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(2) laying out for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(3) supervising the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(4) wiring for and installing electrical wiring, apparatus, and equipment: minimum experience of zero months, maximum credit allowance of 36 months;

(5) maintaining and repairing electrical wiring, apparatus, and equipment: minimum experience of zero months, maximum credit allowance of 12 months;

(6) line work: minimum experience of zero months, maximum credit allowance of three months;

(7) installing elevators: minimum experience of 12 months, maximum credit allowance of 36 months;

(8) laying out and installing wiring, apparatus, and equipment for home appliances: minimum experience of zero months, maximum credit allowance of three months;

(9) wiring and maintaining electronic controls: minimum experience of zero months, maximum credit allowance of three months.

E. Maintenance electrician; the minimum total shall be 48 months, including:

(1) planning for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(2) laying out for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(3) supervising the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(4) wiring for and installing electrical wiring, apparatus, and equipment: minimum experience of zero months, maximum credit allowance of 24 months;

(5) maintaining and repairing electrical wiring, apparatus, and equipment: minimum experience of 24 months, maximum credit allowance of 48 months;

(6) line work: minimum experience of zero months, maximum credit allowance of three months;

(7) installing elevators: minimum experience of zero months, maximum credit allowance of six months;

(8) laying out and installing wiring, apparatus, and equipment for home appliances: minimum experience of zero months, maximum credit allowance of three months;

(9) wiring and maintaining electronic controls: minimum experience of zero months, maximum credit allowance of three months;

(10) 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.

F. Lineman; the minimum total shall be 48 months, including:

(1) planning for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(2) laying out for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(3) supervising the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(4) wiring for and installing electrical wiring, apparatus, and equipment: minimum experience of zero months, maximum credit allowance of 12 months;

(5) maintaining and repairing electrical wiring, apparatus, and equipment: minimum experience of zero months, maximum credit allowance of 12 months;

(6) line work: minimum experience of 24 months, maximum credit allowance of 48 months;

(7) installing elevators: minimum experience of zero months, maximum credit allowance of three months;

(8) laying out and installing wiring, apparatus, and equipment for home appliances: minimum experience of zero months, maximum credit allowance of three months;

(9) wiring and maintaining electronic controls: minimum experience of zero months, maximum credit allowance of three months.

G. Class A installer; the minimum total shall be 12 months, including:

(1) planning for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(2) laying out for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(3) supervising the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(4) wiring for and installing electrical wiring, apparatus, and equipment: minimum experience of zero months, maximum credit allowance of 12 months;

(5) maintaining and repairing electrical wiring, apparatus, and equipment: minimum experience of zero months, maximum credit allowance of six months;

(6) line work: minimum experience of zero months, maximum credit allowance of three months;

(7) installing elevators: minimum experience of zero months, maximum credit allowance of three months;

(8) laying out and installing wiring, apparatus, and equipment for home appliances: minimum experience of zero months, maximum credit allowance of 12 months;

(9) wiring and maintaining electronic controls: minimum experience of zero months, maximum credit allowance of three months.

H. Class B installer; the minimum total shall be 12 months, including:

(1) planning for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(2) laying out for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(3) supervising the installation of wiring, apparatus, and equipment for light, heat, and power: minimum

experience of zero months, maximum credit allowance of zero months;

(4) wiring for and installing electrical wiring, apparatus, and equipment: minimum experience of zero months, maximum credit allowance of 12 months;

(5) maintaining and repairing electrical wiring, apparatus, and equipment: minimum experience of zero months, maximum credit allowance of six months;

(6) line work: minimum experience of zero months, maximum credit allowance of three months;

(7) installing elevators: minimum experience of zero months, maximum credit allowance of three months;

(8) laying out and installing wiring, apparatus, and equipment for home appliances: minimum experience of zero months, maximum credit allowance of three months;

(9) wiring and maintaining electronic controls: minimum experience of zero months, maximum credit allowance of three months.

3800.3530 REQUIREMENTS FOR SECURING AND MAINTAINING AN ELECTRICAL CONTRACTOR'S LICENSE.

Subpart 1. **Information required to be provided by applicants.** In addition to all other requirements of Minnesota Statutes, section 326.242, subdivision 6, an applicant for an electrical contractor's license shall supply the telephone number, exclusive of answering services, as listed under the contractor's or person's name in telephone directories, the mailing address, and the street 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;

D. each location from which the applicant's electrical contracting business is or will be conducted; and

E. the applicant's responsible master electrician.

Subp. 2. **Information required where the applicant has employees.** In addition to the requirements of subparts 1 and 3, an applicant who has or will have employees shall provide:

A. the applicant's social security account number;

B. the applicant's workers' compensation insurance account number;

C. the applicant's unemployment insurance account number;

D. the applicant's state withholding tax account number;

E. the applicant's federal withholding tax account number; and

F. upon request of the board, the names and employment records of all persons who are or will be performing electrical work for the applicant.

Subp. 3. **Applicants in states not contiguous with Minnesota.** In addition to the information required by subparts 1 and 2, if the applicant's place of doing business is not in a state contiguous with Minnesota, the applicant shall provide the street address and telephone number of the office within Minnesota from which the applicant's electrical contracting business is or will be conducted.

Subp. 4. **Duty to keep information current.** All of the information required by this part must be kept current. Licensees shall notify the board within 30 days of any changes in the required information.

3800.3540 DESIGNATION OF RESPONSIBLE MASTER ELECTRICIAN ON CONTRACTOR'S LICENSE APPLICATION.

Each contractor shall designate the responsible master electrician employed by the contractor on the application for an electrical contractor's license. The board shall not grant a new contractor's license if it appears that the responsible electrician 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 an application for a license renewal, the board shall return the application to the contractor who shall have 15 days to resubmit an application. 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 Minnesota Statutes, section 326.242, subdivision 9, for nonrenewal of the licenses of each contractor by whom the same responsible electrician is employed.

Where the master electrician is not an owner or officer of the corporation of the electrical contractor, the Board of Electricity may require that the owner or chief executive officer of the corporation and the master electrician provide evidence of the manner in which the contractor will comply with the requirements of the Minnesota Electrical Act.

3800.3550 DESIGNATION OF RESPONSIBLE MASTER ELECTRICIAN, LICENSED MAINTENANCE ELECTRICIAN, OR ELECTRICAL ENGINEER BY AN EMPLOYER.

Subpart 1. **Employees required to be licensed.** An employer who has one or more employees who perform electrical work on the employer's premises for which an electrical license is required shall submit to the Board of Electricity a certificate of employment executed by the properly licensed employee who is responsible for compliance with the Minnesota Electrical Act by that employer and the employer's employees.

Subp. 2. **Employees exempt from licensing.** An employer whose maintenance electricians are exempt from licensing under Minnesota Statutes, section 326.242, subdivision 12, shall provide the Board of Electricity with a certificate of employment executed by an employee who holds a bachelor of Electrical Engineering degree from an accredited university or college, or a master electrician license, and is responsible for compliance with the Minnesota Electrical Act by that employer and the employer's employees.

Subp. 3. **Notification of termination of employment.** The designated responsible person on the certificate of employment required under this part shall immediately notify the Board of Electricity in writing of termination of employment with that employer.

Subp. 4. **Evidence of compliance.** The Board of Electricity may require that the employer or designated responsible person provide evidence of the manner in which they will comply with the Minnesota Electrical Act.

3800.3560 ADVERTISING RESTRICTIONS.

The electrical contractor's name as it appears on the contractor's license shall be provided in any advertisement or printed matter that offers or implies the performance of electrical work for which a license is required.

3800.3570 MARKING OF ELECTRICAL CONTRACTOR'S VEHICLES.

Any vehicle used by an electrical contractor while performing electrical work for which an electrical contractor's license is required shall have the electrical contractor's name as it appears on the contractor's license in contrasting color with characters at least three inches high and one-half inch in width affixed to each side of the vehicle.

3800.3580 REVOCATION OF ANY LICENSE.

The board may revoke, suspend, or refuse to renew any license granted pursuant to Minnesota Statutes, sections 326.242 and 326.2421 when the holder of a license:

A. does any of the acts specified in Minnesota Statutes, section 326.246; provided that proof of criminal conviction is not necessary for revocation, denial, or refusal to renew;

B. fails or refuses to pay any examination or license renewal fee required by law;

C. is an installer or electrical contractor or alarm and communication contractor and fails or refuses to furnish and maintain a valid and enforceable installer's or electrical

contractor's bond or alarm and communication contractor's bond, as required by Minnesota Statutes, sections 326.242 and 326.2421; and

D. is an electrical contractor or alarm and communication contractor and fails or refuses to provide and keep in force a public liability insurance policy, as required by Minnesota Statutes, sections 326.242 and 326.2421.

3800.3590 LICENSES; EXPIRATION AND FEES.

Subpart 1. **Expiration.** Except as otherwise provided in this part, all licenses issued or renewed under this part expire two years from the date of issuance or renewal. [Class A master and Class B master licenses renewed on March 1, 1988, 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, 1988, expire March 1 of the next odd-numbered year after issuance or renewal. Electrical contractor licenses expire March 1 of each even-numbered year after issuance or renewal. Alarm and communication contractor licenses expire July 1 of each odd-numbered year after issuance or renewal.

present rules July 1988

Subp. 2. **Examination, issuance, and renewal fees.** The following fees shall be payable for examination, issuance, and renewal:

A. For examination for each class of license, $25.

B. For issuance of original license and renewal:

(1) Class A master and master elevator constructor, $35 a year;

(2) Class B master, $20 a year;

(3) Class A journeyman, Class B journeyman, Class A or B installer, elevator constructor, maintenance, lineman, or special electrician, ~~$10~~ a year; and

(4) electrical contractor and alarm and communication contractor, $75 a year.

Subp. 3. **Prorating fees.** If a new Class A master license is issued in accordance with subpart 1 for less than two years, the fee for the license shall be prorated on a quarterly basis.

The electrical contractor's and alarm and communication contractor's license fee shall be prorated on a quarterly basis for each quarter or part of a quarter that the license is issued in accordance with subpart 1.

Subp. 4. **Refunds.** 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 subpart 3, the amount of the overpayment shall be refunded.

Subp. 5. **Reissuance fee.** Any electrical contractor or alarm and communication contractor who seeks reissuance of a license after it has been revoked or suspended pursuant to part 3800.3580 of the Board of Electricity shall submit a reissuance fee of $100 before the license is reinstated.

Subp. 6. **Duplicate license fee.** The fee for the issuance of each duplicate license is $5.

Subp. 7. **License service charge.** The fee for reissuance of an electrical contractor or alarm and communication contractor license due to name, structural, or classification change during a license period is $10.

3800.3600 SERVICE CHARGES.

The Board of Electricity may collect administrative costs associated with searching files and providing copies of documents or information in the files, including office staff time and the cost of making copies and postage.

3800.3610 EXCLUSIVE ADMINISTRATIVE REMEDY.

The procedures prescribed by parts 3800.3660 to 3800.3690 constitute the exclusive administrative remedies for preventing connection or requiring disconnection of the supply of electrical power to a premises.

3800.3620 APPROVAL OF ELECTRICAL EQUIPMENT.

No electrical equipment, including material, fittings, devices, apparatus, fixtures, appliances, utilization equipment, and the like used as part of, or in connection with, an electrical installation shall be approved pursuant to Minnesota

Statutes, sections 326.242 and 326.243, and National Electrical Code, Section 110-2, unless the electrical equipment has been listed by a qualified electrical testing laboratory that is recognized as having the facilities listed in Section 90-6 of the National Electrical Code and that requires suitability for installation under the National Electrical Code. If (a) no suitable published safety standard for a specific type of equipment exists; or (b) the equipment is one-of-a-kind or limited production; or (c) the equipment is a new product that has been submitted for listing, but for which the listing procedure has not been completed, the board may require field testing by a qualified electrical testing laboratory or other procedures that satisfy the board that the equipment is safe. The costs of inspection shall be paid by the manufacturer of the component, apparatus, or appliance or, at the election of the board, the owner or lessee of the property on which the component, apparatus, or appliance is located.

discretionary will require uniform or exempt for certain electricians or manufacturers

OK

3800.3630 QUALIFICATIONS FOR INSPECTORS.

All inspectors for the board shall hold licenses as master or journeyman electricians under Minnesota Statutes, section 326.242, subdivision 1 or 2 and shall give bond in the amount of $1,000 conditioned upon the faithful performance of their duties.

— I guess this is one Board S. Mc can't apply for!

3800.3640 FORMS FOR ORDERS.

Condemnation, disconnect, and correction orders shall be issued on forms prescribed by the board.

3800.3650 SERVICE OF CORRECTION ORDER.

A correction order made pursuant to part 3800.3680 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.

3800.3660 CONDEMNATION OF HAZARDOUS INSTALLATIONS.

When an electrical inspector finds that a new installation or part of a new installation that is not energized does not comply with accepted standards of construction as required by Minnesota Statutes, section 326.243, safety standards of the Minnesota Electrical Act, the inspector shall, if the installation or the noncomplying part is such as to seriously and proximately endanger human life and property if it was to be energized, order, with the approval of a superior, immediate condemnation of the installation or noncomplying part. When the person responsible for making the installation condemned under this part is notified, the person shall promptly proceed to make the corrections cited in this condemnation order.

3800.3670 DISCONNECTION OF HAZARDOUS INSTALLATION.

If, while making an inspection, the electrical inspector finds that a new installation that is energized does not comply with accepted standards of construction as required by Minnesota Statutes, section 326.243, safety standards of the Minnesota Electrical Act, the inspector shall, if the installation or the noncomplying part is such as to seriously and proximately endanger human life and property, order immediate disconnection of the installation or noncomplying part. When the person responsible for making the installation ordered disconnected under this part is notified, the person shall promptly proceed to make the corrections cited in this disconnect order.

3800.3680 CORRECTION OF NONCOMPLYING INSTALLATIONS.

When a noncomplying 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 ten 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 a superior. If the 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 the 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 the correction order shall be immediately countermanded.

3800.3690 DISCONNECTION OF UNCOMPLETED OR UNINSPECTED INSTALLATIONS.

When a request for electrical inspection has passed the 18-month expiration time and if, after the property owner and occupant have been duly notified in a form prescribed by the board, the electrical installation has not been completed or the owner or occupant has neglected or refused to make arrangements for the electrical inspector to make a final inspection of the installation during normal business hours at a mutually agreeable time, the installation may be presumed to be hazardous, and ordered disconnected pursuant to Minnesota Statutes, section 326.244, subdivision 2, paragraphs (c) and (d), and part 3800.3670.

3800.3700 COUNTERMAND OF CORRECTION ORDER.

A correction order of an inspector properly issued under part 3800.3680 may be countermanded or extended by the inspector

or the inspector's supervisor. Any interested party may demand that an outstanding order be countermanded or extended. The 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 in writing within ten days.

3800.3710 APPEALS TO BOARD: STAY OF ORDER.

Any person aggrieved by a condemnation or disconnect order issued under this chapter may appeal the order 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.

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

3800.3720 CONDEMNATION OR DISCONNECT ORDER STAYED.

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 this fact. The power supplier is also to be notified in those instances where the power supplier has been served.

3800.3730 NOTICE TO ALL INTERESTED PARTIES SERVED WITH ORDER.

Upon receiving the notice of appeal the board shall notify all persons served with the order from which the appeal is taken. The 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 unless otherwise agreed by the interested parties and the board.

3800.3740 REQUESTS FOR NAME OF STATUTORY BONDING COMPANY.

Any political subdivision having an ordinance similar to the Minnesota Electrical Act 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 information.

3800.3750 HEARING AND REVIEW.

Upon receipt of a notice of appeal pursuant to part 3800.3710, the appeal shall be evaluated in accordance with Minnesota Statutes, section 214.10, subdivision 2. If the procedures in Minnesota Statutes, section 214.10, subdivision 2, do not result in the resolution of the issues raised in the notice of appeal, the board shall schedule a contested case hearing in accordance with Minnesota Statutes, chapter 14.

3800.3760 REQUEST FOR INSPECTION.

Subpart 1. **Requested inspections.** The board's inspectors or agents may inspect minor repair work at the request of the owner or person making the repairs.

Subp. 2. **Filing procedures.** At or before commencement of any electrical installation that is required by law to be inspected, the person responsible for the installation shall forward a request for inspection to the board completed in the manner prescribed by the board.

3800.3770 ROUGH-IN INSPECTION OF WIRING TO BE CONCEALED.

Where wiring is to be concealed, the inspector must be notified sufficiently in advance to permit completion of a rough-in inspection before 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.

3800.3780 REQUEST FOR INSPECTION CERTIFICATES EXPIRATION.

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

3800.3790 PRORATED FEE FOR INSPECTION OF CERTAIN INSTALLATIONS.

On installations requiring more than six months in process of construction and in excess of $1,000 total inspection fees, the persons responsible for the installation may, after a minimum filing fee of $500, pay a prorated fee for each month and submit it with an order for payment, initiated by the electrical inspector.

3800.3800 PAYMENT OF INSPECTION FEES.

Except as provided in part 3800.3790, 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 electrical inspection.

All requests for electrical inspection forms and fees submitted by mail by an electrical contractor shall originate from the contractor's principal place of business. Checks issued to the board by an electrical contractor shall be drawn on accounts normally serving the contractor's principal place of business.

Pursuant to Minnesota Statutes, section 15.415, overpayment of inspection fees of less than $5 are not refundable.

3800.3810 FEE SCHEDULE.

Subpart 1. **Schedule.** State electrical inspection fees shall be paid according to the following schedule.

Subp. 2. **Fee for each separate inspection.** The minimum fee for each separate inspection of an installation, replacement, alteration, or repair limited to one inspection only is $15.

Subp. 3. **Fee for services or power supply units.** The inspection fee for each service, change of service, temporary service, power supply unit, addition, alteration, or repair to a service or power supply unit shall be: 0- to and including 200-ampere capacity, $15; for each additional 100-ampere capacity or fraction thereof, $5. A separate request for electrical inspection shall be filed for temporary services.

Subp. 4. **Fee for circuits or feeders.** The fee for each circuit or feeder, or addition, alteration, or repair of a

circuit or feeder including the equipment served, and including circuits fed from feeders, except as provided for in subpart 5, items A to K shall be:

A. 0- to and including 100-ampere capacity, $4; and

B. for each additional 100-ampere capacity or fraction thereof, $2.

Subp. 5. **Limitations and additions to the fees of subparts 2 to 4.**

A. The fee for a single-family dwelling, shall not exceed $55 if the electrical service is not over 200-ampere capacity. This fee includes not more than three inspections. The fee for a single family dwelling over 200- to and including 400-ampere capacity shall not exceed $100. This fee includes not more than four inspections. These fees shall apply to each separate service, and include the service, feeders, circuits, fixtures, and equipment. The fee for additional inspections shall be the reinspection fee in subpart 7. Multifamily dwellings with individual services to each unit are computed at the single family dwelling rate.

B. The fee for each farm building or farm structure with a service not over 200-ampere capacity shall not exceed $55. This fee includes not more than three inspections. The fee for each building or structure with a service over 200- to and including 400-ampere capacity shall not exceed $100. This fee includes not more than four inspections. These fees include the services, feeders, circuits, fixtures, and equipment. The fee for additional inspections shall be the reinspection fee in subpart 7. Pole-top current metering and pole-top disconnecting means on the farm yard pole are exempt from inspection and inspection fees.

C. The fee for each unit of a multifamily dwelling having three to six dwelling units shall not exceed $30. The fee for each multifamily dwelling exceeding six units shall not exceed $20 per dwelling unit. This fee includes only the wiring in an individual dwelling unit and the final feeder to that unit. The fee for the service and all other circuits shall be

as specified in subparts 2 to 4, except that the fee for each house panel shall not exceed $55. A separate request for electrical inspection is required for each building. The fee for a two-unit dwelling or duplex shall be the same as for two single-family dwellings.

D. Recreational vehicle parks fees shall be in accordance with subparts 2 to 4.

E. The fee for mobile home park stalls shall be $6 per unit stall exclusive of the feeder to the mobile home with a minimum fee of $15 per inspection trip. The fee for permanently installed feeders shall be in accordance with subpart 4.

F. In addition to the fees in items A to E, the fee for each street lighting standard shall be $1, and the fee for each traffic signal standard shall be $2. Circuits originating within the standard shall not be used when computing the fee.

G. In addition to the fees in items A to F, the fees for all transformers and generators for light, heat, and power shall be $5 per unit plus $3 per ten-kilovolt-amperes or fraction thereof. The maximum fee for a transformer or generator in this category is $40.

H. In addition to the fees in items A to G, the inspection fees for transformers for signs and outline lighting shall be $5 per unit.

I. In addition to the fees in items A to H, unless included in the maximum fee, the inspection fee for remote control, signal, alarm, or communication circuits and circuits of less than 50 volts shall be $5 for ten openings or devices of each system plus $2 for each additional ten or fraction thereof, with a minimum fee of $15 per inspection trip.

J. In addition to the fees in items A to I, the inspection fee for each separate inspection of a swimming pool shall be $15. Reinforcing steel and bonding for swimming pools requires a rough-in inspection.

K. In addition to the fees in items A to J, the fee for all wiring on center pivot irrigation booms shall be $30. The fees for all other wiring for the irrigation system shall be

as specified in this part.

Subp. 6. **Investigation fees: Work without a request for electrical inspection.**

A. Whenever any work for which a request for electrical inspection is required by the board has begun without first obtaining the request for inspection, a special investigation shall be made before a request for electrical inspection is accepted by the board.

B. An investigation fee, in addition to the full fee required by subparts 1 to 5, shall be paid before an inspection is made. The investigation fee shall be equal to the amount of the fee required by subparts 1 to 5. The payment of the investigation fee does not exempt any person from compliance with all other provisions of the board rules or statutes nor from any penalty prescribed by law.

Subp. 7. **Reinspection fee.** When reinspection is necessary to determine whether unsafe conditions have been corrected and the conditions are not the subject of an appeal pending before the board or any court, a reinspection fee of $15 may be assessed in writing by the inspector.

Subp. 8. **Special inspections.** For inspections not covered in this part, or for requested special inspections or services, the fee shall be $23 per hour, including travel time, plus 24 cents per mile traveled, plus the reasonable cost of equipment or material consumed. This provision is applicable to inspection of empty conduits and other jobs as may be determined by the board.

Subp. 9. **Inspection of transient projects.** For inspection of transient projects, including but not limited to carnivals and circuses, the inspection fees shall be as specified in this subpart.

The fee for inspection of power supply units shall be that fee specified in subpart 3. A like fee will be required for power supply units at each engagement during the season. Rides, devices, or concessions shall be inspected at their first appearance of the season, and the inspection fee shall be $15

per unit.

In addition to the fee for the power supply units, there shall be a general inspection for each engagement during the season at the hourly rate, with a two-hour minimum. In addition to the above fees, inspections required on Saturdays, Sundays, holidays, or after regular business hours will be at the hourly rate, including travel time. An owner of a migratory amusement enterprise shall notify the board of its season itinerary and make application for initial inspection a minimum of 14 days before its first engagement in the state. For subsequent engagements not listed on the itinerary sent to the board, where the board is not notified at least 48 hours in advance, a charge of $100 will be made in addition to all required fees. Also, a fee at the hourly rate will be charged for additional time spent by the inspector if the equipment is not ready for inspection at the time and date specified on the request for electrical inspection. The fee for reinspection of corrections is $15 for each reinspection.

Subp. 10. **Handling fee.** The handling fee to pay the cost of printing and handling of the form requesting an inspection shall be $1. -inpresent

Subp. 11. **National Electrical Code used for interpretation of provisions.** For purposes of interpretation of parts 3800.3760 to 3800.3810, 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.

REPEALER. Minnesota Rules, parts 3800.0200, 3800.0300, 3800.0400, 3800.0500, 3800.0600, 3800.0700, 3800.0800, 3800.0900, 3800.1000, 3800.1001, 3800.1002, 3800.1003, 3800.1004, 3800.1005, 3800.1006, 3800.1100, 3800.1200, 3800.1300, 3800.1400, 3800.1500, 3800.1600, 3800.2700, 3800.2800, 3800.2900, 3800.3000, 3800.3100, are repealed.

RENUMBER. Renumber the part numbers in column A with the

part numbers in column B.

A	B
3800.1700	3800.3820
3800.1800	3800.3830
3800.1900	3800.3840
3800.2000	3800.3850
3800.2100	3800.3860
3800.2200	3800.3870
3800.2300	3800.3880
3800.2400	3800.3890
3800.2500	3800.3900
3800.2600	3800.3910

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED

AUG 8 1989

Anderson Growe
Secretary of State

8:50 AM

Office of the Revisor of Statutes

Administrative Rules

TITLE: Proposed Permanent Rules Relating to Licenses, Inspections, Qualifications for Electrician Licenses

AGENCY: Board of Electricity

MINNESOTA RULES: Chapter 3800

The attached rules are approved for publication in the State Register

Paul M. Marinac
Assistant Deputy Revisor

Board of Electricity

Proposed Permanent Rules Relating to Licenses, Inspections, Qualifications for Electrician Licenses

Rules as Proposed (all new material)

3800.3500 DEFINITIONS.

Subpart 1. **Words, terms, and phrases.** For the purposes of the Minnesota Electrical Act, Minnesota Statutes, sections 326.241 to 326.248, and parts 3800.3500 to 3800.3910, the following terms have the meanings given them.

Subp. 2. **Elevator constructor.** "Elevator constructor" means a person who has the necessary qualifications, training, experience, and technical knowledge to wire for, install, and repair electrical wiring, apparatus, and equipment for elevators and escalators and who is licensed by the Board of Electricity.

Subp. 3. **Employee.** "Employee" means:

A. a person whose compensation for electrical work is reported by the employer on an Internal Revenue Service W-2 form, and is also otherwise considered an employee under applicable laws; or

B. an instructor of an electrical wiring course and the instructor's students, while performing electrical work on projects on the school premises under the personal on-the-job supervision of a properly licensed employee of an electrical contractor.

Subp. 4. **Experience acceptable to the board.** "Experience acceptable to the board" means the stated minimum number of months of experience on premises electrical systems, exclusive of manufacturing processes, under properly licensed supervision where supervision is otherwise required by law, for each category of work specified in part 3800.3520, subpart 5.

Subp. 5. **Graduate of a four-year electrical course.** "Graduate of a four-year electrical course" means an applicant who has received a bachelor's degree in Electrical Engineering

from an accredited university or college.

Subp. 6. **Lineman.** "Lineman" means a person who has the necessary qualifications, training, experience, and technical knowledge to construct and maintain transmission and distribution systems that are or will be owned or leased by an electric utility, and who is licensed by the Board of Electricity.

Subp. 7. **Maintenance electrician.** "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 by the Board of Electricity, or who is exempt from licensing by the Minnesota Electrical Act, Minnesota Statutes, sections 326.241 to 326.248.

Subp. 8. **Maintaining and repairing electrical wiring, apparatus, and equipment.** "Maintaining and repairing electrical wiring, apparatus, and equipment" means the adjustment or repair or replacement of worn or defective parts of electrical equipment and replacement of defective receptacle outlets and manual switches for lighting control, but does not include the installation of new wiring, apparatus, and equipment or additions, alterations, or extensions to existing wiring, apparatus, or equipment.

Subp. 9. **Master elevator constructor.** "Master elevator constructor" means a person who has the necessary qualifications, training, experience, and technical knowledge to properly plan, lay out, and supervise the installation of wiring, apparatus, and equipment for elevators and escalators, and who is licensed by the Board of Electricity.

Subp. 10. **Minor repair work.** "Minor repair work" means the adjustment or repair or replacement of worn or defective parts of electrical equipment and replacement of defective receptacle outlets and manual switches for lighting control.

Subp. 11. **Personal on-the-job supervision and job.**

A. For the purposes of Minnesota Statutes, section 326.242, subdivision 5, "personal on-the-job supervision" means

that the unlicensed person will have a licensed person present on the job and providing supervision the entire working day. A licensed person shall supervise no more than two unlicensed persons.

B. For the purposes of Minnesota Statutes, section 326.242, subdivision 5, "job" means each separate building or structure where electrical work is being performed.

Subp. 12. **Signaling circuit.** "Signaling circuit" means an electric circuit that is used exclusively for the supply of energy to a device that gives a recognizable signal, including but not limited to door bells, digital data displays, and signal lights, and that does not supply energy to any device that controls electrical equipment other than the signaling devices.

3800.3510 PERMITTED WORK.

Subpart 1. **Elevator constructor.** A person licensed as an elevator constructor may install, maintain, and repair electrical wiring, apparatus, and equipment for elevators and escalators while in the employ of an electrical contractor.

Subp. 2. **Lineman.** A person licensed as a lineman may install, maintain, and repair transmission and distribution systems that are or will be owned or leased by an electric utility.

Subp. 3. **Maintenance electrician.** 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 the employer and located within the limits of property owned or leased by the employer.

Subp. 4. **Master elevator constructor.** A person licensed as a master elevator constructor may, as a licensed electrical contractor or in the employ of an electrical contractor, plan, lay out, supervise and install, maintain, and repair wiring, apparatus, and equipment for elevators and escalators.

3800.3520 EXAMINATION; MINIMUM EXPERIENCE REQUIREMENTS FOR LICENSURE; EXPERIENCE ACCEPTABLE TO BOARD.

Subpart 1. **Examination requirements.** As a precondition to issuance of any electrician's license, an applicant is required to pass an examination for the type of license sought, in accordance with Minnesota Statutes, section 326.242, subdivision 7.

Subp. 2. **Minimum experience requirements.** Except as otherwise provided for a master electrician license under Minnesota Statutes, section 326.242, subdivision 1, clause (1), paragraph (a), and for a Class A or B installer license under Minnesota Statutes, section 326.242, subdivision 3b, an applicant for an electrician license shall have experience acceptable to the board before examination for licensure under Minnesota Statutes, section 326.242, subdivision 7.

Subp. 3. **Maximum allowable credit under certain conditions.** The maximum allowable electrical experience credit under the following conditions shall be as stated:

A. before age 12, none;

B. before age 16, six months;

C. in the military service, 12 months;

D. in foreign countries, 12 months; and

E. acquired during the school term of a board-approved post high school electrical course, none.

Subp. 4. **Experience acceptable to board for certain categories in certain situations.** Experience in the categories of planning for the installation of wiring, apparatus, and equipment for light, heat, and power; laying out for the installation of wiring, apparatus, and equipment for light, heat, and power; supervising the installation of wiring, apparatus, and equipment for light, heat, and power; and wiring and installing electrical wiring, apparatus, and equipment for light, heat, and power is acceptable to the board in the situations described in items A to D.

A. Experience while in the employ of an electrical

contractor licensed under Minnesota Statutes, section 326.242, subdivision 6.

B. Experience while working in Minnesota for an employer who is not required to be licensed as an electrical contractor, if the work is inspected under Minnesota Statutes, section 326.244, and done under the supervision of a properly licensed electrician.

C. Experience while performing electrical work in Minnesota for an employer who is exempt from licensing when the work is exempt from inspection under Minnesota Statutes, section 326.244, or when the work is performed on federal property by a federal employee, if the board has determined in either situation that the experience is substantially equal to that acquired in performing work while in the employ of a licensed electrical contractor. The determination shall be made after a personal inspection by not less than two board members and one staff employee of the board on the premises where the applicable work was performed.

D. Experience while performing electrical work outside of Minnesota, which the board has determined is substantially equivalent to the work performed while in the employ of a licensed electrical contractor in Minnesota. This determination must be based on a certification by the employer for the type of work performed.

Subp. 5. **Schedule of minimum experience requirements and maximum experience allowances.** The minimum required experience and maximum experience allowance under subpart 2 shall be as shown in items A to H for the type of license sought.

A. Class A master electrician (60 months required):

(1) planning for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of two months, maximum credit allowance of 12 months;

(2) laying out for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of two months, maximum credit allowance of 12 months;

(3) supervising the installation of wiring,

apparatus, and equipment for light, heat, and power: minimum experience of two months, maximum credit allowance of 12 months;

(4) wiring for and installing electrical wiring, apparatus, and equipment: minimum experience of 12 months, maximum credit allowance of 48 months;

(5) maintaining and repairing electrical wiring, apparatus, and equipment: minimum experience of zero months, maximum credit allowance of 24 months;

(6) line work: minimum experience of zero months, maximum credit allowance of three months;

(7) installing elevators: minimum experience of zero months, maximum credit allowance of six months;

(8) laying out and installing wiring, apparatus, and equipment for home appliances: minimum experience of zero months, maximum credit allowance of three months; and

(9) wiring and maintaining electronic controls: minimum experience of zero months, maximum credit allowance of three months.

B. Class A journeyman electrician (48 months required):

(1) planning for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(2) laying out for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(3) supervising the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(4) wiring for and installing electrical wiring, apparatus, and equipment: minimum experience of 24 months, maximum credit allowance of 48 months;

(5) maintaining and repairing electrical wiring,

apparatus, and equipment: minimum experience of one month, maximum credit allowance of 24 months;

(6) line work: minimum experience of zero months, maximum credit allowance of three months;

(7) installing elevators: minimum experience of zero months, maximum credit allowance of six months;

(8) laying out and installing wiring, apparatus, and equipment for home appliances: minimum experience of zero months, maximum credit allowance of three months;

(9) wiring and maintaining electronic controls: minimum experience of zero months, maximum credit allowance of three months; and

(10) 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.

C. Master elevator constructor; the minimum total shall be 60 months, including:

(1) planning for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of 12 months;

(2) laying out for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of 12 months;

(3) supervising the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of 12 months;

(4) wiring for and installing electrical wiring, apparatus, and equipment: minimum experience of zero months, maximum credit allowance of 48 months;

(5) maintaining and repairing electrical wiring, apparatus, and equipment: minimum experience of zero months, maximum credit allowance of 24 months;

(6) line work: minimum experience of zero

months, maximum credit allowance of three months;

(7) installing elevators: minimum experience of 24 months, maximum credit allowance of 60 months;

(8) laying out and installing wiring, apparatus, and equipment for home appliances: minimum experience of zero months, maximum credit allowance of three months; and

(9) wiring and maintaining electronic controls: minimum experience of zero months, maximum credit allowance of three months.

D. Elevator constructor; the minimum total shall be 36 months, including:

(1) planning for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(2) laying out for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(3) supervising the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(4) wiring for and installing electrical wiring, apparatus, and equipment: minimum experience of zero months, maximum credit allowance of 36 months;

(5) maintaining and repairing electrical wiring, apparatus, and equipment: minimum experience of zero months, maximum credit allowance of 12 months;

(6) line work: minimum experience of zero months, maximum credit allowance of three months;

(7) installing elevators: minimum experience of 12 months, maximum credit allowance of 36 months;

(8) laying out and installing wiring, apparatus, and equipment for home appliances: minimum experience of zero months, maximum credit allowance of three months;

(9) wiring and maintaining electronic controls: minimum experience of zero months, maximum credit allowance of three months.

E. Maintenance electrician; the minimum total shall be 48 months, including:

(1) planning for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(2) laying out for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(3) supervising the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(4) wiring for and installing electrical wiring, apparatus, and equipment: minimum experience of zero months, maximum credit allowance of 24 months;

(5) maintaining and repairing electrical wiring, apparatus, and equipment: minimum experience of 24 months, maximum credit allowance of 48 months;

(6) line work: minimum experience of zero months, maximum credit allowance of three months;

(7) installing elevators: minimum experience of zero months, maximum credit allowance of six months;

(8) laying out and installing wiring, apparatus, and equipment for home appliances: minimum experience of zero months, maximum credit allowance of three months;

(9) wiring and maintaining electronic controls: minimum experience of zero months, maximum credit allowance of three months;

(10) 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.

F. Lineman; the minimum total shall be 48 months, including:

(1) planning for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(2) laying out for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(3) supervising the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(4) wiring for and installing electrical wiring, apparatus, and equipment: minimum experience of zero months, maximum credit allowance of 12 months;

(5) maintaining and repairing electrical wiring, apparatus, and equipment: minimum experience of zero months, maximum credit allowance of 12 months;

(6) line work: minimum experience of 24 months, maximum credit allowance of 48 months;

(7) installing elevators: minimum experience of zero months, maximum credit allowance of three months;

(8) laying out and installing wiring, apparatus, and equipment for home appliances: minimum experience of zero months, maximum credit allowance of three months;

(9) wiring and maintaining electronic controls: minimum experience of zero months, maximum credit allowance of three months.

G. Class A installer; the minimum total shall be 12 months, including:

(1) planning for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(2) laying out for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(3) supervising the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(4) wiring for and installing electrical wiring, apparatus, and equipment: minimum experience of zero months, maximum credit allowance of 12 months;

(5) maintaining and repairing electrical wiring, apparatus, and equipment: minimum experience of zero months, maximum credit allowance of six months;

(6) line work: minimum experience of zero months, maximum credit allowance of three months;

(7) installing elevators: minimum experience of zero months, maximum credit allowance of three months;

(8) laying out and installing wiring, apparatus, and equipment for home appliances: minimum experience of zero months, maximum credit allowance of 12 months;

(9) wiring and maintaining electronic controls: minimum experience of zero months, maximum credit allowance of three months.

H. Class B installer; the minimum total shall be 12 months, including:

(1) planning for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(2) laying out for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(3) supervising the installation of wiring, apparatus, and equipment for light, heat, and power: minimum

experience of zero months, maximum credit allowance of zero months;

(4) wiring for and installing electrical wiring, apparatus, and equipment: minimum experience of zero months, maximum credit allowance of 12 months;

(5) maintaining and repairing electrical wiring, apparatus, and equipment: minimum experience of zero months, maximum credit allowance of six months;

(6) line work: minimum experience of zero months, maximum credit allowance of three months;

(7) installing elevators: minimum experience of zero months, maximum credit allowance of three months;

(8) laying out and installing wiring, apparatus, and equipment for home appliances: minimum experience of zero months, maximum credit allowance of three months;

(9) wiring and maintaining electronic controls: minimum experience of zero months, maximum credit allowance of three months.

3800.3530 REQUIREMENTS FOR SECURING AND MAINTAINING AN ELECTRICAL CONTRACTOR'S LICENSE.

Subpart 1. **Information required to be provided by applicants.** In addition to all other requirements of Minnesota Statutes, section 326.242, subdivision 6, an applicant for an electrical contractor's license shall supply the telephone number, exclusive of answering services, as listed under the contractor's or person's name in telephone directories, the mailing address, and the street 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;

D. each location from which the applicant's electrical contracting business is or will be conducted; and

E. the applicant's responsible master electrician.

Subp. 2. **Information required where the applicant has employees.** In addition to the requirements of subparts 1 and 3, an applicant who has or will have employees shall provide:

A. the applicant's social security account number;

B. the applicant's workers' compensation insurance account number;

C. the applicant's unemployment insurance account number;

D. the applicant's state withholding tax account number;

E. the applicant's federal withholding tax account number; and

F. upon request of the board, the names and employment records of all persons who are or will be performing electrical work for the applicant.

Subp. 3. **Applicants in states not contiguous with Minnesota.** In addition to the information required by subparts 1 and 2, if the applicant's place of doing business is not in a state contiguous with Minnesota, the applicant shall provide the street address and telephone number of the office within Minnesota from which the applicant's electrical contracting business is or will be conducted.

Subp. 4. **Duty to keep information current.** All of the information required by this part must be kept current. Licensees shall notify the board within 30 days of any changes in the required information.

3800.3540 DESIGNATION OF RESPONSIBLE MASTER ELECTRICIAN ON CONTRACTOR'S LICENSE APPLICATION.

Each contractor shall designate the responsible master electrician employed by the contractor on the application for an electrical contractor's license. The board shall not grant a new contractor's license if it appears that the responsible electrician 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 an application for a license renewal, the board shall return the application to the contractor who shall have 15 days to resubmit an application. 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 Minnesota Statutes, section 326.242, subdivision 9, for nonrenewal of the licenses of each contractor by whom the same responsible electrician is employed.

Where the master electrician is not an owner or officer of the corporation of the electrical contractor, the Board of Electricity may require that the owner or chief executive officer of the corporation and the master electrician provide evidence of the manner in which the contractor will comply with the requirements of the Minnesota Electrical Act.

3800.3550 DESIGNATION OF RESPONSIBLE MASTER ELECTRICIAN, LICENSED MAINTENANCE ELECTRICIAN, OR ELECTRICAL ENGINEER BY AN EMPLOYER.

Subpart 1. **Employees required to be licensed.** An employer who has one or more employees who perform electrical work on the employer's premises for which an electrical license is required shall submit to the Board of Electricity a certificate of employment executed by the properly licensed employee who is responsible for compliance with the Minnesota Electrical Act by that employer and the employer's employees.

Subp. 2. **Employees exempt from licensing.** An employer whose maintenance electricians are exempt from licensing under Minnesota Statutes, section 326.242, subdivision 12, shall provide the Board of Electricity with a certificate of employment executed by an employee who holds a bachelor of Electrical Engineering degree from an accredited university or college, or a master electrician license, and is responsible for compliance with the Minnesota Electrical Act by that employer and the employer's employees.

Subp. 3. **Notification of termination of employment.** The designated responsible person on the certificate of employment required under this part shall immediately notify the Board of Electricity in writing of termination of employment with that employer.

Subp. 4. **Evidence of compliance.** The Board of Electricity may require that the employer or designated responsible person provide evidence of the manner in which they will comply with the Minnesota Electrical Act.

3800.3560 ADVERTISING RESTRICTIONS.

The electrical contractor's name as it appears on the contractor's license shall be provided in any advertisement or printed matter that offers or implies the performance of electrical work for which a license is required.

3800.3570 MARKING OF ELECTRICAL CONTRACTOR'S VEHICLES.

Any vehicle used by an electrical contractor while performing electrical work for which an electrical contractor's license is required shall have the electrical contractor's name as it appears on the contractor's license in contrasting color with characters at least three inches high and one-half inch in width affixed to each side of the vehicle.

3800.3580 REVOCATION OF ANY LICENSE.

The board may revoke, suspend, or refuse to renew any license granted pursuant to Minnesota Statutes, sections 326.242 and 326.2421 when the holder of a license:

A. does any of the acts specified in Minnesota Statutes, section 326.246; provided that proof of criminal conviction is not necessary for revocation, denial, or refusal to renew;

B. fails or refuses to pay any examination or license renewal fee required by law;

C. is an installer or electrical contractor or alarm and communication contractor and fails or refuses to furnish and maintain a valid and enforceable installer's or electrical

contractor's bond or alarm and communication contractor's bond, as required by Minnesota Statutes, sections 326.242 and 326.2421; and

D. is an electrical contractor or alarm and communication contractor and fails or refuses to provide and keep in force a public liability insurance policy, as required by Minnesota Statutes, sections 326.242 and 326.2421.

3800.3590 LICENSES; EXPIRATION AND FEES.

Subpart 1. **Expiration.** Except as otherwise provided in this part, all licenses issued or renewed under this part expire two years from the date of issuance or renewal. Class A master and Class B master licenses renewed on March 1, 1988, 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, 1988, expire March 1 of the next odd-numbered year after issuance or renewal. Electrical contractor licenses expire March 1 of each even-numbered year after issuance or renewal. Alarm and communication contractor licenses expire July 1 of each odd-numbered year after issuance or renewal.

Subp. 2. **Examination, issuance, and renewal fees.** The following fees shall be payable for examination, issuance, and renewal:

A. For examination for each class of license, $25.

B. For issuance of original license and renewal:

(1) Class A master and master elevator constructor, $35 a year;

(2) Class B master, $20 a year;

(3) Class A journeyman, Class B journeyman, Class A or B installer, elevator constructor, maintenance, lineman, or special electrician, $10 a year; and

(4) electrical contractor and alarm and communication contractor, $75 a year.

Subp. 3. **Prorating fees.** If a new Class A master license is issued in accordance with subpart 1 for less than two years, the fee for the license shall be prorated on a quarterly basis.

The electrical contractor's and alarm and communication contractor's license fee shall be prorated on a quarterly basis for each quarter or part of a quarter that the license is issued in accordance with subpart 1.

Subp. 4. **Refunds.** 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 subpart 3, the amount of the overpayment shall be refunded.

Subp. 5. **Reissuance fee.** Any electrical contractor or alarm and communication contractor who seeks reissuance of a license after it has been revoked or suspended pursuant to part 3800.3580 of the Board of Electricity shall submit a reissuance fee of $100 before the license is reinstated.

Subp. 6. **Duplicate license fee.** The fee for the issuance of each duplicate license is $5.

Subp. 7. **License service charge.** The fee for reissuance of an electrical contractor or alarm and communication contractor license due to name, structural, or classification change during a license period is $10.

3800.3600 SERVICE CHARGES.

The Board of Electricity may collect administrative costs associated with searching files and providing copies of documents or information in the files, including office staff time and the cost of making copies and postage.

3800.3610 EXCLUSIVE ADMINISTRATIVE REMEDY.

The procedures prescribed by parts 3800.3660 to 3800.3690 constitute the exclusive administrative remedies for preventing connection or requiring disconnection of the supply of electrical power to a premises.

3800.3620 APPROVAL OF ELECTRICAL EQUIPMENT.

No electrical equipment, including material, fittings, devices, apparatus, fixtures, appliances, utilization equipment, and the like used as part of, or in connection with, an electrical installation shall be approved pursuant to Minnesota

Statutes, sections 326.242 and 326.243, and National Electrical Code, Section 110-2, unless the electrical equipment has been listed by a qualified electrical testing laboratory that is recognized as having the facilities listed in Section 90-6 of the National Electrical Code and that requires suitability for installation under the National Electrical Code. If (a) no suitable published safety standard for a specific type of equipment exists; or (b) the equipment is one-of-a-kind or limited production; or (c) the equipment is a new product that has been submitted for listing, but for which the listing procedure has not been completed, the board may require field testing by a qualified electrical testing laboratory or other procedures that satisfy the board that the equipment is safe. The costs of inspection shall be paid by the manufacturer of the component, apparatus, or appliance or, at the election of the board, the owner or lessee of the property on which the component, apparatus, or appliance is located.

3800.3630 QUALIFICATIONS FOR INSPECTORS.

All inspectors for the board shall hold licenses as master or journeyman electricians under Minnesota Statutes, section 326.242, subdivision 1 or 2 and shall give bond in the amount of $1,000 conditioned upon the faithful performance of their duties.

3800.3640 FORMS FOR ORDERS.

Condemnation, disconnect, and correction orders shall be issued on forms prescribed by the board.

3800.3650 SERVICE OF CORRECTION ORDER.

A correction order made pursuant to part 3800.3680 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.

3800.3660 CONDEMNATION OF HAZARDOUS INSTALLATIONS.

When an electrical inspector finds that a new installation or part of a new installation that is not energized does not comply with accepted standards of construction as required by Minnesota Statutes, section 326.243, safety standards of the Minnesota Electrical Act, the inspector shall, if the installation or the noncomplying part is such as to seriously and proximately endanger human life and property if it was to be energized, order, with the approval of a superior, immediate condemnation of the installation or noncomplying part. When the person responsible for making the installation condemned under this part is notified, the person shall promptly proceed to make the corrections cited in this condemnation order.

3800.3670 DISCONNECTION OF HAZARDOUS INSTALLATION.

If, while making an inspection, the electrical inspector finds that a new installation that is energized does not comply with accepted standards of construction as required by Minnesota Statutes, section 326.243, safety standards of the Minnesota Electrical Act, the inspector shall, if the installation or the noncomplying part is such as to seriously and proximately endanger human life and property, order immediate disconnection of the installation or noncomplying part. When the person responsible for making the installation ordered disconnected under this part is notified, the person shall promptly proceed to make the corrections cited in this disconnect order.

3800.3680 CORRECTION OF NONCOMPLYING INSTALLATIONS.

When a noncomplying 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 ten 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 a superior. If the 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 the 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 the correction order shall be immediately countermanded.

3800.3690 DISCONNECTION OF UNCOMPLETED OR UNINSPECTED INSTALLATIONS.

When a request for electrical inspection has passed the 18-month expiration time and if, after the property owner and occupant have been duly notified in a form prescribed by the board, the electrical installation has not been completed or the owner or occupant has neglected or refused to make arrangements for the electrical inspector to make a final inspection of the installation during normal business hours at a mutually agreeable time, the installation may be presumed to be hazardous, and ordered disconnected pursuant to Minnesota Statutes, section 326.244, subdivision 2, paragraphs (c) and (d), and part 3800.3670.

3800.3700 COUNTERMAND OF CORRECTION ORDER.

A correction order of an inspector properly issued under part 3800.3680 may be countermanded or extended by the inspector

or the inspector's supervisor. Any interested party may demand that an outstanding order be countermanded or extended. The 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 in writing within ten days.

3800.3710 APPEALS TO BOARD: STAY OF ORDER.

Any person aggrieved by a condemnation or disconnect order issued under this chapter may appeal the order 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.

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

3800.3720 CONDEMNATION OR DISCONNECT ORDER STAYED.

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 this fact. The power supplier is also to be notified in those instances where the power supplier has been served.

3800.3730 NOTICE TO ALL INTERESTED PARTIES SERVED WITH ORDER.

Upon receiving the notice of appeal the board shall notify all persons served with the order from which the appeal is taken. The 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 unless otherwise agreed by the interested parties and the board.

3800.3740 REQUESTS FOR NAME OF STATUTORY BONDING COMPANY.

Any political subdivision having an ordinance similar to the Minnesota Electrical Act 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 information.

3800.3750 HEARING AND REVIEW.

Upon receipt of a notice of appeal pursuant to part 3800.3710, the appeal shall be evaluated in accordance with Minnesota Statutes, section 214.10, subdivision 2. If the procedures in Minnesota Statutes, section 214.10, subdivision 2, do not result in the resolution of the issues raised in the notice of appeal, the board shall schedule a contested case hearing in accordance with Minnesota Statutes, chapter 14.

3800.3760 REQUEST FOR INSPECTION.

Subpart 1. **Requested inspections.** The board's inspectors or agents may inspect minor repair work at the request of the owner or person making the repairs.

Subp. 2. **Filing procedures.** At or before commencement of any electrical installation that is required by law to be inspected, the person responsible for the installation shall forward a request for inspection to the board completed in the manner prescribed by the board.

3800.3770 ROUGH-IN INSPECTION OF WIRING TO BE CONCEALED.

Where wiring is to be concealed, the inspector must be notified sufficiently in advance to permit completion of a rough-in inspection before 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.

3800.3780 REQUEST FOR INSPECTION CERTIFICATES EXPIRATION.

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

3800.3790 PRORATED FEE FOR INSPECTION OF CERTAIN INSTALLATIONS.

On installations requiring more than six months in process of construction and in excess of $1,000 total inspection fees, the persons responsible for the installation may, after a minimum filing fee of $500, pay a prorated fee for each month and submit it with an order for payment, initiated by the electrical inspector.

3800.3800 PAYMENT OF INSPECTION FEES.

Except as provided in part 3800.3790, 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 electrical inspection.

All requests for electrical inspection forms and fees submitted by mail by an electrical contractor shall originate from the contractor's principal place of business. Checks issued to the board by an electrical contractor shall be drawn on accounts normally serving the contractor's principal place of business.

Pursuant to Minnesota Statutes, section 15.415, overpayment of inspection fees of less than $5 are not refundable.

3800.3810 FEE SCHEDULE.

Subpart 1. **Schedule.** State electrical inspection fees shall be paid according to the following schedule.

Subp. 2. **Fee for each separate inspection.** The minimum fee for each separate inspection of an installation, replacement, alteration, or repair limited to one inspection only is $15.

Subp. 3. **Fee for services or power supply units.** The inspection fee for each service, change of service, temporary service, power supply unit, addition, alteration, or repair to a service or power supply unit shall be: 0- to and including 200-ampere capacity, $15; for each additional 100-ampere capacity or fraction thereof, $5. A separate request for electrical inspection shall be filed for temporary services.

Subp. 4. **Fee for circuits or feeders.** The fee for each circuit or feeder, or addition, alteration, or repair of a

circuit or feeder including the equipment served, and including circuits fed from feeders, except as provided for in subpart 5, items A to K shall be:

A. 0- to and including 100-ampere capacity, $4; and

B. for each additional 100-ampere capacity or fraction thereof, $2.

Subp. 5. **Limitations and additions to the fees of subparts 2 to 4.**

A. The fee for a single-family dwelling, shall not exceed $55 if the electrical service is not over 200-ampere capacity. This fee includes not more than three inspections. The fee for a single family dwelling over 200- to and including 400-ampere capacity shall not exceed $100. This fee includes not more than four inspections. These fees shall apply to each separate service, and include the service, feeders, circuits, fixtures, and equipment. The fee for additional inspections shall be the reinspection fee in subpart 7. Multifamily dwellings with individual services to each unit are computed at the single family dwelling rate.

B. The fee for each farm building or farm structure with a service not over 200-ampere capacity shall not exceed $55. This fee includes not more than three inspections. The fee for each building or structure with a service over 200- to and including 400-ampere capacity shall not exceed $100. This fee includes not more than four inspections. These fees include the services, feeders, circuits, fixtures, and equipment. The fee for additional inspections shall be the reinspection fee in subpart 7. Pole-top current metering and pole-top disconnecting means on the farm yard pole are exempt from inspection and inspection fees.

C. The fee for each unit of a multifamily dwelling having three to six dwelling units shall not exceed $30. The fee for each multifamily dwelling exceeding six units shall not exceed $20 per dwelling unit. This fee includes only the wiring in an individual dwelling unit and the final feeder to that unit. The fee for the service and all other circuits shall be

as specified in subparts 2 to 4, except that the fee for each house panel shall not exceed $55. A separate request for electrical inspection is required for each building. The fee for a two-unit dwelling or duplex shall be the same as for two single-family dwellings.

D. Recreational vehicle parks fees shall be in accordance with subparts 2 to 4.

E. The fee for mobile home park stalls shall be $6 per unit stall exclusive of the feeder to the mobile home with a minimum fee of $15 per inspection trip. The fee for permanently installed feeders shall be in accordance with subpart 4.

F. In addition to the fees in items A to E, the fee for each street lighting standard shall be $1, and the fee for each traffic signal standard shall be $2. Circuits originating within the standard shall not be used when computing the fee.

G. In addition to the fees in items A to F, the fees for all transformers and generators for light, heat, and power shall be $5 per unit plus $3 per ten-kilovolt-amperes or fraction thereof. The maximum fee for a transformer or generator in this category is $40.

H. In addition to the fees in items A to G, the inspection fees for transformers for signs and outline lighting shall be $5 per unit.

I. In addition to the fees in items A to H, unless included in the maximum fee, the inspection fee for remote control, signal, alarm, or communication circuits and circuits of less than 50 volts shall be $5 for ten openings or devices of each system plus $2 for each additional ten or fraction thereof, with a minimum fee of $15 per inspection trip.

J. In addition to the fees in items A to I, the inspection fee for each separate inspection of a swimming pool shall be $15. Reinforcing steel and bonding for swimming pools requires a rough-in inspection.

K. In addition to the fees in items A to J, the fee for all wiring on center pivot irrigation booms shall be $30. The fees for all other wiring for the irrigation system shall be

as specified in this part.

Subp. 6. **Investigation fees: Work without a request for electrical inspection.**

A. Whenever any work for which a request for electrical inspection is required by the board has begun without first obtaining the request for inspection, a special investigation shall be made before a request for electrical inspection is accepted by the board.

B. An investigation fee, in addition to the full fee required by subparts 1 to 5, shall be paid before an inspection is made. The investigation fee shall be equal to the amount of the fee required by subparts 1 to 5. The payment of the investigation fee does not exempt any person from compliance with all other provisions of the board rules or statutes nor from any penalty prescribed by law.

Subp. 7. **Reinspection fee.** When reinspection is necessary to determine whether unsafe conditions have been corrected and the conditions are not the subject of an appeal pending before the board or any court, a reinspection fee of $15 may be assessed in writing by the inspector.

Subp. 8. **Special inspections.** For inspections not covered in this part, or for requested special inspections or services, the fee shall be $23 per hour, including travel time, plus 24 cents per mile traveled, plus the reasonable cost of equipment or material consumed. This provision is applicable to inspection of empty conduits and other jobs as may be determined by the board.

Subp. 9. **Inspection of transient projects.** For inspection of transient projects, including but not limited to carnivals and circuses, the inspection fees shall be as specified in this subpart.

The fee for inspection of power supply units shall be that fee specified in subpart 3. A like fee will be required for power supply units at each engagement during the season. Rides, devices, or concessions shall be inspected at their first appearance of the season, and the inspection fee shall be $15

per unit.

In addition to the fee for the power supply units, there shall be a general inspection for each engagement during the season at the hourly rate, with a two-hour minimum. In addition to the above fees, inspections required on Saturdays, Sundays, holidays, or after regular business hours will be at the hourly rate, including travel time. An owner of a migratory amusement enterprise shall notify the board of its season itinerary and make application for initial inspection a minimum of 14 days before its first engagement in the state. For subsequent engagements not listed on the itinerary sent to the board, where the board is not notified at least 48 hours in advance, a charge of $100 will be made in addition to all required fees. Also, a fee at the hourly rate will be charged for additional time spent by the inspector if the equipment is not ready for inspection at the time and date specified on the request for electrical inspection. The fee for reinspection of corrections is $15 for each reinspection.

Subp. 10. **Handling fee.** The handling fee to pay the cost of printing and handling of the form requesting an inspection shall be $1.

Subp. 11. **National Electrical Code used for interpretation of provisions.** For purposes of interpretation of parts 3800.3760 to 3800.3810, 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.

REPEALER. Minnesota Rules, parts 3800.0200, 3800.0300, 3800.0400, 3800.0500, 3800.0600, 3800.0700, 3800.0800, 3800.0900, 3800.1000, 3800.1001, 3800.1002, 3800.1003, 3800.1004, 3800.1005, 3800.1006, 3800.1100, 3800.1200, 3800.1300, 3800.1400, 3800.1500, 3800.1600, 3800.2700, 3800.2800, 3800.2900, 3800.3000, 3800.3100, are repealed.

RENUMBER. Renumber the part numbers in column A with the

part numbers in column B.

A	B
3800.1700	3800.3820
3800.1800	3800.3830
3800.1900	3800.3840
3800.2000	3800.3850
3800.2100	3800.3860
3800.2200	3800.3870
3800.2300	3800.3880
3800.2400	3800.3890
3800.2500	3800.3900
3800.2600	3800.3910

Office of the Revisor of Statutes

Administrative Rules

TITLE: Proposed Permanent Rules Relating to Licenses, Inspections, Qualifications for Electrician Licenses

AGENCY: Board of Electricity

MINNESOTA RULES: Chapter 3800

The attached rules are approved for publication in the State Register

Paul M. Marinac
Assistant Deputy Revisor

Board of Electricity

Proposed Permanent Rules Relating to Licenses, Inspections, Qualifications for Electrician Licenses

Rules as Proposed (all new material)

3800.3500 DEFINITIONS.

Subpart 1. **Words, terms, and phrases.** For the purposes of the Minnesota Electrical Act, Minnesota Statutes, sections 326.241 to 326.248, and parts 3800.3500 to 3800.3910, the following terms have the meanings given them.

Subp. 2. **Elevator constructor.** "Elevator constructor" means a person who has the necessary qualifications, training, experience, and technical knowledge to wire for, install, and repair electrical wiring, apparatus, and equipment for elevators and escalators and who is licensed by the Board of Electricity.

Subp. 3. **Employee.** "Employee" means:

A. a person whose compensation for electrical work is reported by the employer on an Internal Revenue Service W-2 form, and is also otherwise considered an employee under applicable laws; or

B. an instructor of an electrical wiring course and the instructor's students, while performing electrical work on projects on the school premises under the personal on-the-job supervision of a properly licensed employee of an electrical contractor.

Subp. 4. **Experience acceptable to the board.** "Experience acceptable to the board" means the stated minimum number of months of experience on premises electrical systems, exclusive of manufacturing processes, under properly licensed supervision where supervision is otherwise required by law, for each category of work specified in part 3800.3520, subpart 5.

Subp. 5. **Graduate of a four-year electrical course.** "Graduate of a four-year electrical course" means an applicant who has received a bachelor's degree in Electrical Engineering

from an accredited university or college.

Subp. 6. **Lineman.** "Lineman" means a person who has the necessary qualifications, training, experience, and technical knowledge to construct and maintain transmission and distribution systems that are or will be owned or leased by an electric utility, and who is licensed by the Board of Electricity.

Subp. 7. **Maintenance electrician.** "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 by the Board of Electricity, or who is exempt from licensing by the Minnesota Electrical Act, Minnesota Statutes, sections 326.241 to 326.248.

Subp. 8. **Maintaining and repairing electrical wiring, apparatus, and equipment.** "Maintaining and repairing electrical wiring, apparatus, and equipment" means the adjustment or repair or replacement of worn or defective parts of electrical equipment and replacement of defective receptacle outlets and manual switches for lighting control, but does not include the installation of new wiring, apparatus, and equipment or additions, alterations, or extensions to existing wiring, apparatus, or equipment.

Subp. 9. **Master elevator constructor.** "Master elevator constructor" means a person who has the necessary qualifications, training, experience, and technical knowledge to properly plan, lay out, and supervise the installation of wiring, apparatus, and equipment for elevators and escalators, and who is licensed by the Board of Electricity.

Subp. 10. **Minor repair work.** "Minor repair work" means the adjustment or repair or replacement of worn or defective parts of electrical equipment and replacement of defective receptacle outlets and manual switches for lighting control.

Subp. 11. **Personal on-the-job supervision and job.**

A. For the purposes of Minnesota Statutes, section 326.242, subdivision 5, "personal on-the-job supervision" means

that the unlicensed person will have a licensed person present on the job and providing supervision the entire working day. A licensed person shall supervise no more than two unlicensed persons.

B. For the purposes of Minnesota Statutes, section 326.242, subdivision 5, "job" means each separate building or structure where electrical work is being performed.

Subp. 12. **Signaling circuit.** "Signaling circuit" means an electric circuit that is used exclusively for the supply of energy to a device that gives a recognizable signal, including but not limited to door bells, digital data displays, and signal lights, and that does not supply energy to any device that controls electrical equipment other than the signaling devices.

3800.3510 PERMITTED WORK.

Subpart 1. **Elevator constructor.** A person licensed as an elevator constructor may install, maintain, and repair electrical wiring, apparatus, and equipment for elevators and escalators while in the employ of an electrical contractor.

Subp. 2. **Lineman.** A person licensed as a lineman may install, maintain, and repair transmission and distribution systems that are or will be owned or leased by an electric utility.

Subp. 3. **Maintenance electrician.** 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 the employer and located within the limits of property owned or leased by the employer.

Subp. 4. **Master elevator constructor.** A person licensed as a master elevator constructor may, as a licensed electrical contractor or in the employ of an electrical contractor, plan, lay out, supervise and install, maintain, and repair wiring, apparatus, and equipment for elevators and escalators.

3800.3520 EXAMINATION; MINIMUM EXPERIENCE REQUIREMENTS FOR LICENSURE; EXPERIENCE ACCEPTABLE TO BOARD.

Subpart 1. **Examination requirements.** As a precondition to issuance of any electrician's license, an applicant is required to pass an examination for the type of license sought, in accordance with Minnesota Statutes, section 326.242, subdivision 7.

Subp. 2. **Minimum experience requirements.** Except as otherwise provided for a master electrician license under Minnesota Statutes, section 326.242, subdivision 1, clause (1), paragraph (a), and for a Class A or B installer license under Minnesota Statutes, section 326.242, subdivision 3b, an applicant for an electrician license shall have experience acceptable to the board before examination for licensure under Minnesota Statutes, section 326.242, subdivision 7.

Subp. 3. **Maximum allowable credit under certain conditions.** The maximum allowable electrical experience credit under the following conditions shall be as stated:

A. before age 12, none;

B. before age 16, six months;

C. in the military service, 12 months;

D. in foreign countries, 12 months; and

E. acquired during the school term of a board-approved post high school electrical course, none.

Subp. 4. **Experience acceptable to board for certain categories in certain situations.** Experience in the categories of planning for the installation of wiring, apparatus, and equipment for light, heat, and power; laying out for the installation of wiring, apparatus, and equipment for light, heat, and power; supervising the installation of wiring, apparatus, and equipment for light, heat, and power; and wiring and installing electrical wiring, apparatus, and equipment for light, heat, and power is acceptable to the board in the situations described in items A to D.

A. Experience while in the employ of an electrical

contractor licensed under Minnesota Statutes, section 326.242, subdivision 6.

B. Experience while working in Minnesota for an employer who is not required to be licensed as an electrical contractor, if the work is inspected under Minnesota Statutes, section 326.244, and done under the supervision of a properly licensed electrician.

C. Experience while performing electrical work in Minnesota for an employer who is exempt from licensing when the work is exempt from inspection under Minnesota Statutes, section 326.244, or when the work is performed on federal property by a federal employee, if the board has determined in either situation that the experience is substantially equal to that acquired in performing work while in the employ of a licensed electrical contractor. The determination shall be made after a personal inspection by not less than two board members and one staff employee of the board on the premises where the applicable work was performed.

D. Experience while performing electrical work outside of Minnesota, which the board has determined is substantially equivalent to the work performed while in the employ of a licensed electrical contractor in Minnesota. This determination must be based on a certification by the employer for the type of work performed.

Subp. 5. **Schedule of minimum experience requirements and maximum experience allowances.** The minimum required experience and maximum experience allowance under subpart 2 shall be as shown in items A to H for the type of license sought.

A. Class A master electrician (60 months required):

(1) planning for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of two months, maximum credit allowance of 12 months;

(2) laying out for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of two months, maximum credit allowance of 12 months;

(3) supervising the installation of wiring,

apparatus, and equipment for light, heat, and power: minimum experience of two months, maximum credit allowance of 12 months;

(4) wiring for and installing electrical wiring, apparatus, and equipment: minimum experience of 12 months, maximum credit allowance of 48 months;

(5) maintaining and repairing electrical wiring, apparatus, and equipment: minimum experience of zero months, maximum credit allowance of 24 months;

(6) line work: minimum experience of zero months, maximum credit allowance of three months;

(7) installing elevators: minimum experience of zero months, maximum credit allowance of six months;

(8) laying out and installing wiring, apparatus, and equipment for home appliances: minimum experience of zero months, maximum credit allowance of three months; and

(9) wiring and maintaining electronic controls: minimum experience of zero months, maximum credit allowance of three months.

B. Class A journeyman electrician (48 months required):

(1) planning for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(2) laying out for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(3) supervising the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(4) wiring for and installing electrical wiring, apparatus, and equipment: minimum experience of 24 months, maximum credit allowance of 48 months;

(5) maintaining and repairing electrical wiring,

apparatus, and equipment: minimum experience of one month, maximum credit allowance of 24 months;

(6) line work: minimum experience of zero months, maximum credit allowance of three months;

(7) installing elevators: minimum experience of zero months, maximum credit allowance of six months;

(8) laying out and installing wiring, apparatus, and equipment for home appliances: minimum experience of zero months, maximum credit allowance of three months;

(9) wiring and maintaining electronic controls: minimum experience of zero months, maximum credit allowance of three months; and

(10) 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.

C. Master elevator constructor; the minimum total shall be 60 months, including:

(1) planning for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of 12 months;

(2) laying out for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of 12 months;

(3) supervising the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of 12 months;

(4) wiring for and installing electrical wiring, apparatus, and equipment: minimum experience of zero months, maximum credit allowance of 48 months;

(5) maintaining and repairing electrical wiring, apparatus, and equipment: minimum experience of zero months, maximum credit allowance of 24 months;

(6) line work: minimum experience of zero

months, maximum credit allowance of three months;

(7) installing elevators: minimum experience of 24 months, maximum credit allowance of 60 months;

(8) laying out and installing wiring, apparatus, and equipment for home appliances: minimum experience of zero months, maximum credit allowance of three months; and

(9) wiring and maintaining electronic controls: minimum experience of zero months, maximum credit allowance of three months.

D. Elevator constructor; the minimum total shall be 36 months, including:

(1) planning for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(2) laying out for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(3) supervising the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(4) wiring for and installing electrical wiring, apparatus, and equipment: minimum experience of zero months, maximum credit allowance of 36 months;

(5) maintaining and repairing electrical wiring, apparatus, and equipment: minimum experience of zero months, maximum credit allowance of 12 months;

(6) line work: minimum experience of zero months, maximum credit allowance of three months;

(7) installing elevators: minimum experience of 12 months, maximum credit allowance of 36 months;

(8) laying out and installing wiring, apparatus, and equipment for home appliances: minimum experience of zero months, maximum credit allowance of three months;

(9) wiring and maintaining electronic controls: minimum experience of zero months, maximum credit allowance of three months.

E. Maintenance electrician; the minimum total shall be 48 months, including:

(1) planning for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(2) laying out for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(3) supervising the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(4) wiring for and installing electrical wiring, apparatus, and equipment: minimum experience of zero months, maximum credit allowance of 24 months;

(5) maintaining and repairing electrical wiring, apparatus, and equipment: minimum experience of 24 months, maximum credit allowance of 48 months;

(6) line work: minimum experience of zero months, maximum credit allowance of three months;

(7) installing elevators: minimum experience of zero months, maximum credit allowance of six months;

(8) laying out and installing wiring, apparatus, and equipment for home appliances: minimum experience of zero months, maximum credit allowance of three months;

(9) wiring and maintaining electronic controls: minimum experience of zero months, maximum credit allowance of three months;

(10) 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.

F. Lineman; the minimum total shall be 48 months, including:

(1) planning for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(2) laying out for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(3) supervising the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(4) wiring for and installing electrical wiring, apparatus, and equipment: minimum experience of zero months, maximum credit allowance of 12 months;

(5) maintaining and repairing electrical wiring, apparatus, and equipment: minimum experience of zero months, maximum credit allowance of 12 months;

(6) line work: minimum experience of 24 months, maximum credit allowance of 48 months;

(7) installing elevators: minimum experience of zero months, maximum credit allowance of three months;

(8) laying out and installing wiring, apparatus, and equipment for home appliances: minimum experience of zero months, maximum credit allowance of three months;

(9) wiring and maintaining electronic controls: minimum experience of zero months, maximum credit allowance of three months.

G. Class A installer; the minimum total shall be 12 months, including:

(1) planning for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(2) laying out for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(3) supervising the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(4) wiring for and installing electrical wiring, apparatus, and equipment: minimum experience of zero months, maximum credit allowance of 12 months;

(5) maintaining and repairing electrical wiring, apparatus, and equipment: minimum experience of zero months, maximum credit allowance of six months;

(6) line work: minimum experience of zero months, maximum credit allowance of three months;

(7) installing elevators: minimum experience of zero months, maximum credit allowance of three months;

(8) laying out and installing wiring, apparatus, and equipment for home appliances: minimum experience of zero months, maximum credit allowance of 12 months;

(9) wiring and maintaining electronic controls: minimum experience of zero months, maximum credit allowance of three months.

H. Class B installer; the minimum total shall be 12 months, including:

(1) planning for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(2) laying out for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(3) supervising the installation of wiring, apparatus, and equipment for light, heat, and power: minimum

experience of zero months, maximum credit allowance of zero months;

(4) wiring for and installing electrical wiring, apparatus, and equipment: minimum experience of zero months, maximum credit allowance of 12 months;

(5) maintaining and repairing electrical wiring, apparatus, and equipment: minimum experience of zero months, maximum credit allowance of six months;

(6) line work: minimum experience of zero months, maximum credit allowance of three months;

(7) installing elevators: minimum experience of zero months, maximum credit allowance of three months;

(8) laying out and installing wiring, apparatus, and equipment for home appliances: minimum experience of zero months, maximum credit allowance of three months;

(9) wiring and maintaining electronic controls: minimum experience of zero months, maximum credit allowance of three months.

3800.3530 REQUIREMENTS FOR SECURING AND MAINTAINING AN ELECTRICAL CONTRACTOR'S LICENSE.

Subpart 1. **Information required to be provided by applicants.** In addition to all other requirements of Minnesota Statutes, section 326.242, subdivision 6, an applicant for an electrical contractor's license shall supply the telephone number, exclusive of answering services, as listed under the contractor's or person's name in telephone directories, the mailing address, and the street 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;

D. each location from which the applicant's electrical contracting business is or will be conducted; and

E. the applicant's responsible master electrician.

Subp. 2. **Information required where the applicant has employees.** In addition to the requirements of subparts 1 and 3, an applicant who has or will have employees shall provide:

A. the applicant's social security account number;

B. the applicant's workers' compensation insurance account number;

C. the applicant's unemployment insurance account number;

D. the applicant's state withholding tax account number;

E. the applicant's federal withholding tax account number; and

F. upon request of the board, the names and employment records of all persons who are or will be performing electrical work for the applicant.

Subp. 3. **Applicants in states not contiguous with Minnesota.** In addition to the information required by subparts 1 and 2, if the applicant's place of doing business is not in a state contiguous with Minnesota, the applicant shall provide the street address and telephone number of the office within Minnesota from which the applicant's electrical contracting business is or will be conducted.

Subp. 4. **Duty to keep information current.** All of the information required by this part must be kept current. Licensees shall notify the board within 30 days of any changes in the required information.

3800.3540 DESIGNATION OF RESPONSIBLE MASTER ELECTRICIAN ON CONTRACTOR'S LICENSE APPLICATION.

Each contractor shall designate the responsible master electrician employed by the contractor on the application for an electrical contractor's license. The board shall not grant a new contractor's license if it appears that the responsible electrician 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 an application for a license renewal, the board shall return the application to the contractor who shall have 15 days to resubmit an application. 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 Minnesota Statutes, section 326.242, subdivision 9, for nonrenewal of the licenses of each contractor by whom the same responsible electrician is employed.

Where the master electrician is not an owner or officer of the corporation of the electrical contractor, the Board of Electricity may require that the owner or chief executive officer of the corporation and the master electrician provide evidence of the manner in which the contractor will comply with the requirements of the Minnesota Electrical Act.

3800.3550 DESIGNATION OF RESPONSIBLE MASTER ELECTRICIAN, LICENSED MAINTENANCE ELECTRICIAN, OR ELECTRICAL ENGINEER BY AN EMPLOYER.

Subpart 1. **Employees required to be licensed.** An employer who has one or more employees who perform electrical work on the employer's premises for which an electrical license is required shall submit to the Board of Electricity a certificate of employment executed by the properly licensed employee who is responsible for compliance with the Minnesota Electrical Act by that employer and the employer's employees.

Subp. 2. **Employees exempt from licensing.** An employer whose maintenance electricians are exempt from licensing under Minnesota Statutes, section 326.242, subdivision 12, shall provide the Board of Electricity with a certificate of employment executed by an employee who holds a bachelor of Electrical Engineering degree from an accredited university or college, or a master electrician license, and is responsible for compliance with the Minnesota Electrical Act by that employer and the employer's employees.

Subp. 3. **Notification of termination of employment.** The designated responsible person on the certificate of employment required under this part shall immediately notify the Board of Electricity in writing of termination of employment with that employer.

Subp. 4. **Evidence of compliance.** The Board of Electricity may require that the employer or designated responsible person provide evidence of the manner in which they will comply with the Minnesota Electrical Act.

3800.3560 ADVERTISING RESTRICTIONS.

The electrical contractor's name as it appears on the contractor's license shall be provided in any advertisement or printed matter that offers or implies the performance of electrical work for which a license is required.

3800.3570 MARKING OF ELECTRICAL CONTRACTOR'S VEHICLES.

Any vehicle used by an electrical contractor while performing electrical work for which an electrical contractor's license is required shall have the electrical contractor's name as it appears on the contractor's license in contrasting color with characters at least three inches high and one-half inch in width affixed to each side of the vehicle.

3800.3580 REVOCATION OF ANY LICENSE.

The board may revoke, suspend, or refuse to renew any license granted pursuant to Minnesota Statutes, sections 326.242 and 326.2421 when the holder of a license:

A. does any of the acts specified in Minnesota Statutes, section 326.246; provided that proof of criminal conviction is not necessary for revocation, denial, or refusal to renew;

B. fails or refuses to pay any examination or license renewal fee required by law;

C. is an installer or electrical contractor or alarm and communication contractor and fails or refuses to furnish and maintain a valid and enforceable installer's or electrical

contractor's bond or alarm and communication contractor's bond, as required by Minnesota Statutes, sections 326.242 and 326.2421; and

D. is an electrical contractor or alarm and communication contractor and fails or refuses to provide and keep in force a public liability insurance policy, as required by Minnesota Statutes, sections 326.242 and 326.2421.

3800.3590 LICENSES; EXPIRATION AND FEES.

Subpart 1. **Expiration.** Except as otherwise provided in this part, all licenses issued or renewed under this part expire two years from the date of issuance or renewal. Class A master and Class B master licenses renewed on March 1, 1988, 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, 1988, expire March 1 of the next odd-numbered year after issuance or renewal. Electrical contractor licenses expire March 1 of each even-numbered year after issuance or renewal. Alarm and communication contractor licenses expire July 1 of each odd-numbered year after issuance or renewal.

Subp. 2. **Examination, issuance, and renewal fees.** The following fees shall be payable for examination, issuance, and renewal:

A. For examination for each class of license, $25.

B. For issuance of original license and renewal:

(1) Class A master and master elevator constructor, $35 a year;

(2) Class B master, $20 a year;

(3) Class A journeyman, Class B journeyman, Class A or B installer, elevator constructor, maintenance, lineman, or special electrician, $10 a year; and

(4) electrical contractor and alarm and communication contractor, $75 a year.

Subp. 3. **Prorating fees.** If a new Class A master license is issued in accordance with subpart 1 for less than two years, the fee for the license shall be prorated on a quarterly basis.

The electrical contractor's and alarm and communication contractor's license fee shall be prorated on a quarterly basis for each quarter or part of a quarter that the license is issued in accordance with subpart 1.

Subp. 4. **Refunds.** 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 subpart 3, the amount of the overpayment shall be refunded.

Subp. 5. **Reissuance fee.** Any electrical contractor or alarm and communication contractor who seeks reissuance of a license after it has been revoked or suspended pursuant to part 3800.3580 of the Board of Electricity shall submit a reissuance fee of $100 before the license is reinstated.

Subp. 6. **Duplicate license fee.** The fee for the issuance of each duplicate license is $5.

Subp. 7. **License service charge.** The fee for reissuance of an electrical contractor or alarm and communication contractor license due to name, structural, or classification change during a license period is $10.

3800.3600 SERVICE CHARGES.

The Board of Electricity may collect administrative costs associated with searching files and providing copies of documents or information in the files, including office staff time and the cost of making copies and postage.

3800.3610 EXCLUSIVE ADMINISTRATIVE REMEDY.

The procedures prescribed by parts 3800.3660 to 3800.3690 constitute the exclusive administrative remedies for preventing connection or requiring disconnection of the supply of electrical power to a premises.

3800.3620 APPROVAL OF ELECTRICAL EQUIPMENT.

No electrical equipment, including material, fittings, devices, apparatus, fixtures, appliances, utilization equipment, and the like used as part of, or in connection with, an electrical installation shall be approved pursuant to Minnesota

Statutes, sections 326.242 and 326.243, and National Electrical Code, Section 110-2, unless the electrical equipment has been listed by a qualified electrical testing laboratory that is recognized as having the facilities listed in Section 90-6 of the National Electrical Code and that requires suitability for installation under the National Electrical Code. If (a) no suitable published safety standard for a specific type of equipment exists; or (b) the equipment is one-of-a-kind or limited production; or (c) the equipment is a new product that has been submitted for listing, but for which the listing procedure has not been completed, the board may require field testing by a qualified electrical testing laboratory or other procedures that satisfy the board that the equipment is safe. The costs of inspection shall be paid by the manufacturer of the component, apparatus, or appliance or, at the election of the board, the owner or lessee of the property on which the component, apparatus, or appliance is located.

3800.3630 QUALIFICATIONS FOR INSPECTORS.

All inspectors for the board shall hold licenses as master or journeyman electricians under Minnesota Statutes, section 326.242, subdivision 1 or 2 and shall give bond in the amount of $1,000 conditioned upon the faithful performance of their duties.

3800.3640 FORMS FOR ORDERS.

Condemnation, disconnect, and correction orders shall be issued on forms prescribed by the board.

3800.3650 SERVICE OF CORRECTION ORDER.

A correction order made pursuant to part 3800.3680 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.

3800.3660 CONDEMNATION OF HAZARDOUS INSTALLATIONS.

When an electrical inspector finds that a new installation or part of a new installation that is not energized does not comply with accepted standards of construction as required by Minnesota Statutes, section 326.243, safety standards of the Minnesota Electrical Act, the inspector shall, if the installation or the noncomplying part is such as to seriously and proximately endanger human life and property if it was to be energized, order, with the approval of a superior, immediate condemnation of the installation or noncomplying part. When the person responsible for making the installation condemned under this part is notified, the person shall promptly proceed to make the corrections cited in this condemnation order.

3800.3670 DISCONNECTION OF HAZARDOUS INSTALLATION.

If, while making an inspection, the electrical inspector finds that a new installation that is energized does not comply with accepted standards of construction as required by Minnesota Statutes, section 326.243, safety standards of the Minnesota Electrical Act, the inspector shall, if the installation or the noncomplying part is such as to seriously and proximately endanger human life and property, order immediate disconnection of the installation or noncomplying part. When the person responsible for making the installation ordered disconnected under this part is notified, the person shall promptly proceed to make the corrections cited in this disconnect order.

3800.3680 CORRECTION OF NONCOMPLYING INSTALLATIONS.

When a noncomplying 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 ten 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 a superior. If the 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 the 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 the correction order shall be immediately countermanded.

3800.3690 DISCONNECTION OF UNCOMPLETED OR UNINSPECTED INSTALLATIONS.

When a request for electrical inspection has passed the 18-month expiration time and if, after the property owner and occupant have been duly notified in a form prescribed by the board, the electrical installation has not been completed or the owner or occupant has neglected or refused to make arrangements for the electrical inspector to make a final inspection of the installation during normal business hours at a mutually agreeable time, the installation may be presumed to be hazardous, and ordered disconnected pursuant to Minnesota Statutes, section 326.244, subdivision 2, paragraphs (c) and (d), and part 3800.3670.

3800.3700 COUNTERMAND OF CORRECTION ORDER.

A correction order of an inspector properly issued under part 3800.3680 may be countermanded or extended by the inspector

or the inspector's supervisor. Any interested party may demand that an outstanding order be countermanded or extended. The 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 in writing within ten days.

3800.3710 APPEALS TO BOARD: STAY OF ORDER.

Any person aggrieved by a condemnation or disconnect order issued under this chapter may appeal the order 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.

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

3800.3720 CONDEMNATION OR DISCONNECT ORDER STAYED.

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 this fact. The power supplier is also to be notified in those instances where the power supplier has been served.

3800.3730 NOTICE TO ALL INTERESTED PARTIES SERVED WITH ORDER.

Upon receiving the notice of appeal the board shall notify all persons served with the order from which the appeal is taken. The 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 unless otherwise agreed by the interested parties and the board.

3800.3740 REQUESTS FOR NAME OF STATUTORY BONDING COMPANY.

Any political subdivision having an ordinance similar to the Minnesota Electrical Act 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 information.

3800.3750 HEARING AND REVIEW.

Upon receipt of a notice of appeal pursuant to part 3800.3710, the appeal shall be evaluated in accordance with Minnesota Statutes, section 214.10, subdivision 2. If the procedures in Minnesota Statutes, section 214.10, subdivision 2, do not result in the resolution of the issues raised in the notice of appeal, the board shall schedule a contested case hearing in accordance with Minnesota Statutes, chapter 14.

3800.3760 REQUEST FOR INSPECTION.

Subpart 1. **Requested inspections.** The board's inspectors or agents may inspect minor repair work at the request of the owner or person making the repairs.

Subp. 2. **Filing procedures.** At or before commencement of any electrical installation that is required by law to be inspected, the person responsible for the installation shall forward a request for inspection to the board completed in the manner prescribed by the board.

3800.3770 ROUGH-IN INSPECTION OF WIRING TO BE CONCEALED.

Where wiring is to be concealed, the inspector must be notified sufficiently in advance to permit completion of a rough-in inspection before 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.

3800.3780 REQUEST FOR INSPECTION CERTIFICATES EXPIRATION.

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

3800.3790 PRORATED FEE FOR INSPECTION OF CERTAIN INSTALLATIONS.

On installations requiring more than six months in process of construction and in excess of $1,000 total inspection fees, the persons responsible for the installation may, after a minimum filing fee of $500, pay a prorated fee for each month and submit it with an order for payment, initiated by the electrical inspector.

3800.3800 PAYMENT OF INSPECTION FEES.

Except as provided in part 3800.3790, 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 electrical inspection.

All requests for electrical inspection forms and fees submitted by mail by an electrical contractor shall originate from the contractor's principal place of business. Checks issued to the board by an electrical contractor shall be drawn on accounts normally serving the contractor's principal place of business.

Pursuant to Minnesota Statutes, section 15.415, overpayment of inspection fees of less than $5 are not refundable.

3800.3810 FEE SCHEDULE.

Subpart 1. **Schedule.** State electrical inspection fees shall be paid according to the following schedule.

Subp. 2. **Fee for each separate inspection.** The minimum fee for each separate inspection of an installation, replacement, alteration, or repair limited to one inspection only is $15.

Subp. 3. **Fee for services or power supply units.** The inspection fee for each service, change of service, temporary service, power supply unit, addition, alteration, or repair to a service or power supply unit shall be: 0- to and including 200-ampere capacity, $15; for each additional 100-ampere capacity or fraction thereof, $5. A separate request for electrical inspection shall be filed for temporary services.

Subp. 4. **Fee for circuits or feeders.** The fee for each circuit or feeder, or addition, alteration, or repair of a

circuit or feeder including the equipment served, and including circuits fed from feeders, except as provided for in subpart 5, items A to K shall be:

A. 0- to and including 100-ampere capacity, $4; and

B. for each additional 100-ampere capacity or fraction thereof, $2.

Subp. 5. **Limitations and additions to the fees of subparts 2 to 4.**

A. The fee for a single-family dwelling, shall not exceed $55 if the electrical service is not over 200-ampere capacity. This fee includes not more than three inspections. The fee for a single family dwelling over 200- to and including 400-ampere capacity shall not exceed $100. This fee includes not more than four inspections. These fees shall apply to each separate service, and include the service, feeders, circuits, fixtures, and equipment. The fee for additional inspections shall be the reinspection fee in subpart 7. Multifamily dwellings with individual services to each unit are computed at the single family dwelling rate.

B. The fee for each farm building or farm structure with a service not over 200-ampere capacity shall not exceed $55. This fee includes not more than three inspections. The fee for each building or structure with a service over 200- to and including 400-ampere capacity shall not exceed $100. This fee includes not more than four inspections. These fees include the services, feeders, circuits, fixtures, and equipment. The fee for additional inspections shall be the reinspection fee in subpart 7. Pole-top current metering and pole-top disconnecting means on the farm yard pole are exempt from inspection and inspection fees.

C. The fee for each unit of a multifamily dwelling having three to six dwelling units shall not exceed $30. The fee for each multifamily dwelling exceeding six units shall not exceed $20 per dwelling unit. This fee includes only the wiring in an individual dwelling unit and the final feeder to that unit. The fee for the service and all other circuits shall be

as specified in subparts 2 to 4, except that the fee for each house panel shall not exceed $55. A separate request for electrical inspection is required for each building. The fee for a two-unit dwelling or duplex shall be the same as for two single-family dwellings.

D. Recreational vehicle parks fees shall be in accordance with subparts 2 to 4.

E. The fee for mobile home park stalls shall be $6 per unit stall exclusive of the feeder to the mobile home with a minimum fee of $15 per inspection trip. The fee for permanently installed feeders shall be in accordance with subpart 4.

F. In addition to the fees in items A to E, the fee for each street lighting standard shall be $1, and the fee for each traffic signal standard shall be $2. Circuits originating within the standard shall not be used when computing the fee.

G. In addition to the fees in items A to F, the fees for all transformers and generators for light, heat, and power shall be $5 per unit plus $3 per ten-kilovolt-amperes or fraction thereof. The maximum fee for a transformer or generator in this category is $40.

H. In addition to the fees in items A to G, the inspection fees for transformers for signs and outline lighting shall be $5 per unit.

I. In addition to the fees in items A to H, unless included in the maximum fee, the inspection fee for remote control, signal, alarm, or communication circuits and circuits of less than 50 volts shall be $5 for ten openings or devices of each system plus $2 for each additional ten or fraction thereof, with a minimum fee of $15 per inspection trip.

J. In addition to the fees in items A to I, the inspection fee for each separate inspection of a swimming pool shall be $15. Reinforcing steel and bonding for swimming pools requires a rough-in inspection.

K. In addition to the fees in items A to J, the fee for all wiring on center pivot irrigation booms shall be $30. The fees for all other wiring for the irrigation system shall be

as specified in this part.

Subp. 6. **Investigation fees: Work without a request for electrical inspection.**

A. Whenever any work for which a request for electrical inspection is required by the board has begun without first obtaining the request for inspection, a special investigation shall be made before a request for electrical inspection is accepted by the board.

B. An investigation fee, in addition to the full fee required by subparts 1 to 5, shall be paid before an inspection is made. The investigation fee shall be equal to the amount of the fee required by subparts 1 to 5. The payment of the investigation fee does not exempt any person from compliance with all other provisions of the board rules or statutes nor from any penalty prescribed by law.

Subp. 7. **Reinspection fee.** When reinspection is necessary to determine whether unsafe conditions have been corrected and the conditions are not the subject of an appeal pending before the board or any court, a reinspection fee of $15 may be assessed in writing by the inspector.

Subp. 8. **Special inspections.** For inspections not covered in this part, or for requested special inspections or services, the fee shall be $23 per hour, including travel time, plus 24 cents per mile traveled, plus the reasonable cost of equipment or material consumed. This provision is applicable to inspection of empty conduits and other jobs as may be determined by the board.

Subp. 9. **Inspection of transient projects.** For inspection of transient projects, including but not limited to carnivals and circuses, the inspection fees shall be as specified in this subpart.

The fee for inspection of power supply units shall be that fee specified in subpart 3. A like fee will be required for power supply units at each engagement during the season. Rides, devices, or concessions shall be inspected at their first appearance of the season, and the inspection fee shall be $15

per unit.

In addition to the fee for the power supply units, there shall be a general inspection for each engagement during the season at the hourly rate, with a two-hour minimum. In addition to the above fees, inspections required on Saturdays, Sundays, holidays, or after regular business hours will be at the hourly rate, including travel time. An owner of a migratory amusement enterprise shall notify the board of its season itinerary and make application for initial inspection a minimum of 14 days before its first engagement in the state. For subsequent engagements not listed on the itinerary sent to the board, where the board is not notified at least 48 hours in advance, a charge of $100 will be made in addition to all required fees. Also, a fee at the hourly rate will be charged for additional time spent by the inspector if the equipment is not ready for inspection at the time and date specified on the request for electrical inspection. The fee for reinspection of corrections is $15 for each reinspection.

Subp. 10. **Handling fee.** The handling fee to pay the cost of printing and handling of the form requesting an inspection shall be $1.

Subp. 11. **National Electrical Code used for interpretation of provisions.** For purposes of interpretation of parts 3800.3760 to 3800.3810, 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.

REPEALER. Minnesota Rules, parts 3800.0200, 3800.0300, 3800.0400, 3800.0500, 3800.0600, 3800.0700, 3800.0800, 3800.0900, 3800.1000, 3800.1001, 3800.1002, 3800.1003, 3800.1004, 3800.1005, 3800.1006, 3800.1100, 3800.1200, 3800.1300, 3800.1400, 3800.1500, 3800.1600, 3800.2700, 3800.2800, 3800.2900, 3800.3000, 3800.3100, are repealed.

RENUMBER. Renumber the part numbers in column A with the

part numbers in column B.

A	B
3800.1700	3800.3820
3800.1800	3800.3830
3800.1900	3800.3840
3800.2000	3800.3850
3800.2100	3800.3860
3800.2200	3800.3870
3800.2300	3800.3880
3800.2400	3800.3890
3800.2500	3800.3900
3800.2600	3800.3910

Department of Administration

Board of Electricity

Proposed Permanent Rules Relating to Licenses, Inspections, Qualifications for Electrician Licenses

Notice of Intent to Adopt Rules Without a Public Hearing

Notice is hereby given that the State Board of Electricity ("Board") proposes to adopt the above-entitled rule without a public hearing. The Board has determined that the proposed adoption of this rule will be noncontroversial in nature and has elected to follow the procedures set forth in Minn. Stat. § 14.22 to 142.8. Authority for the adopting of this rule is contained in Minn. Stat. § 326.241, subd. 6. Additionally, a statement of need and reasonableness that describes the need for and identifies the data and information relied upon to support the proposed rule, has been prepared and is available from Mr. Quinn upon request.

All persons have 30 days in which to submit comment in support of or in opposition to the proposed rule or any part or subpart of the rule. Comment is encouraged. Each comment should identify the portion of the proposed rule addressed, the reason for the comment, and any change proposed.

Any person may make a written request for a public hearing on the rule within the 30-day comment period. If 25 or more persons submit a written request for a public hearing within the 30-day comment period, a public hearing will be held unless a sufficien number withdraw their requests in writing. Any person requesting a public hearing should state his or her name and address, and is encouraged to identify the portion of the proposed rule addressed, the reason for the request, and any change proposed. If a public hearing is required, the agency will proceed pursuant to Minnesota Statutes, sections 14.13 to 14.20. If no hearing is requested, the agency will adopt the proposed rule effective five working days after final publication in the State Register.

Persons who wish to submit comments or a written request for a public hearing should submit such comments or request to:

Mr. John Quinn
Executive Secretary
State Board of Electricity
S-173, Griggs-Midway Building
1821 University Avenue
St. Paul, Minnesota 55104
Telephone: 612/642-0800

The proposed rule may be modified if the modifications are supported by data and views submitted to the agency and do not result in a substantial change in the proposed rule noticed.

A copy of the proposed rule is attached to this notice. Additional copies may be obtained by contacting Mr. Quinn.

A Statement of Need and Reasonableness that describes the need for and reasonableness of each provision of the proposed rule and identifies the data and information relied upon to support the proposed rule has been prepared and is available from the agency upon request.

You are hereby advised, pursuant to Minn. Stat. § 14.115 (1986), "Small business considerations in rulemaking," that the proposed rule amendments will have no adverse effect on small businesses.

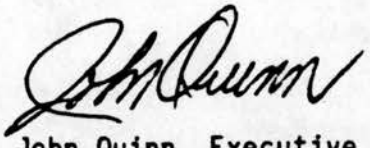
Minnesota Statutes, Chapter 10A, requires each lobbyist to register with the Ethical Practices Board within five days after he or she commences lobbying. A lobbyist is defined in Minnesota Statutes, section 10A.10, Subdivision 11, as an individual:

(a) Engaged for pay or other consideration, or authorized by another individual or association to spend money, who spends more than five hours in any month or more than $250.00, not including travel expenses and membership dues, in any year, for the purpose of attempting to influence legislation or administrative action by communicating or urging others to communicate with public officials; or,

(b) Who spends more than $250.00, not including travel expenses and membership dues, in any year, for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials.

The statute provides certain exceptions. Questions should be directed to the Ethical Practices Board, 625 North Robert Street, St. Paul, Minnesota 55101, (612) 296-5148.

If no hearing is required, upon adoption of the rule, the rule and the required supporting documents will be submitted to the Attorney General's Office for review as to legality and form to the extent the form relates to legality. Any person requesting notification of the date of submission of this material to the Attorney General, or who wishes to receive a copy of the adopted rule, must submit a written request to the State Board of Electricity.



John Quinn, Executive Secretary
State Board of Electricity

Department of Administration

Board of Electricity

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John Quinn, Executive Secretary
State Board of Electricity

STATE BOARD OF ELECTRICITY

Proposed Permanent Rules Relating to Licenses, Inspections, Qualifications for Electrician Licenses

Statement of Need and Reasonableness

MINNESOTA RULE PARTS 3800.3500 THROUGH 3800.3810

All new material.

The Board is restructuring its administrative rules to be more easily read and understood by users. The existing rules have been modified many times and are no longer in logical sequence. In addition, certain rules, as described below, have been added to correct the problems noted. All old rule numbers are repealed.

The Minnesota Electrical Act requires that electricians be licensed and that electrical installations be inspected for compliance with acceptable standards for safety to life and property. Minn. Stat. §§ 326.242-.243 (1988). It also makes provision for unlicensed persons to perform electrical work under the supervision of a licensed electrician. Neither the Act nor existing rules of the Board of Electricity define the level of supervision which the Act requires. Minn. Stat. § 326.242, subd. 5 (1986). Minn. Rules pt. 3800.0900 (1987).

The Board has learned from numerous electrical contractors that they have had difficulty competing with or are unable to bid competitively against other electrical contractors because they employ fewer licensed electricians and more unlicensed individuals. The Board is concerned and has a great deal of evidence that those unlicensed individuals are performing electrical work without the level of supervision contemplated by the Act or the Board's rules. Minn. Stat. § 326.242, subd. 5 (1986). Minn. Rules pt. 3800.0900 (1987). This raises concerns as to the quality of the electrical work being performed by unlicensed individuals and the safety hazards such work may present to the public.

3800.3500 DEFINITIONS.

Subp. 3. **Employee.** This section was added so electrical contractors would not be permitted to subcontract with unlicensed and unqualified people to do electrical work. Students of vocational schools would be considered employees while performing work on projects on school premises.

Subp. 8. **Maintaining and repairing electrical wiring, apparatus, and equipment.** This section was changed to clarify the present rule, which provides that maintaining electrical work does not include the installation of new wiring, apparatus or equipment.

Subp. 10. **Minor repair work.** This section was changed to correctly state the intent that maintenance electricians may replace outlets and switches for lighting controls.

Subp. 12. **Signaling circuit.** The definition of a signaling circuit was added to clarify that circuits that control electrical equipment other than the signaling devices are not signaling circuits.

3800.3530 REQUIREMENTS FOR SECURING AND MAINTAINING AN ELECTRICAL CONTRACTOR'S LICENSE.

Subpart 1. **Information required to be provided by applicants.**
Subp. 2. **Information required where the applicant has employees.** The Board receives many complaints from the public concerning unscrupulous contractors. Many of these contractors have only a box number or answering service, and it is difficult or impossible for the Board to contact them when it is necessary to have hazardous installations corrected. It was necessary for the Board to require applicants for an electrical contractor's license to supply the telephone numbers and addresses that will enable the Board to contact persons who have violated the Electrical Act or installed wiring that is not in compliance with the safety standards, and the requirement to furnish the Board, on request, the employment records of all persons who are or will be performing electrical work for the applicant is provided so that the Board can determine whether electrical contractors who are the subject of complaints received from the public are complying with the electrical licensing requirements.

Subp. 3. **Applicants in states not contiguous with Minnesota.** The Board has found it necessary to require that out-of-state contractors in states not contiguous with Minnesota have a business address and telephone number within the state so that the Board can locate electrical contractors who are the subject of complaints received from the public.

Subp. 4. **Duty to keep information current.** The Board has problems with electrical contractors who move or have their telephones disconnected or numbers changed and believes it to be necessary to require them to keep all information current so that the Board can locate contractors who are the subject of complaints received from the public, or who have not complied with the safety standards.

3800.3540 DESIGNATION OF RESPONSIBLE MASTER ELECTRICIAN ON CONTRACTOR'S LICENSE APPLICATION. Where the master electrician is not an owner or officer of the corporation of the electrical contractor, the Board has found many instances where unlicensed and unqualified persons were performing electrical work for the public. This new part will require the contractor, applicant and master electrician to provide evidence to the Board that the contractor's operation will conform.

3800.3550 DESIGNATION OF RESPONSIBLE MASTER ELECTRICIAN, LICENSED MAINTENANCE ELECTRICIAN, OR ELECTRICAL ENGINEER BY AN EMPLOYER.

Subpart 1. **Employees required to be licensed.** Where an employer has employees performing in-house electrical work, the Board has no record to show that there are licensed, qualified persons doing the work. This will require the responsible licensed employee to submit to the Board a certificate of employment.

Subp. 3. **Notification of termination of employment.** The designated responsible person on the certificate of employment will be required to notify the Board in writing of termination of employment so the Board will know whether a properly licensed employee is supervising the electrical work.

Subp. 4. **Evidence of compliance.** The requirement that the employer or designated responsible person provide evidence of how they will comply with the Minnesota Electrical Act is intended to resolve situations where there is evidence of violations of the licensing and inspection requirements.

3800.3560 ADVERTISING RESTRICTIONS. The Board has found that many electrical contractors advertising to do work for the public do not advertise under the name on their contractor's license. This should give the public an opportunity to know the name of the contractor and check with the Board to determine whether they are, in fact, licensed. This rule will also make it easier for the Board to identify the contractor and determine license status in the event that a complaint is filed by the public.

3800.3570 MARKING OF ELECTRICAL CONTRACTOR'S VEHICLES. The marking of electrical contractor's vehicles will aid the Board's inspectors in the ability to police illegal wiring.

3800.3590 LICENSES; EXPIRATION AND FEES.

Subp. 7. **License service charge.** Due to the cost to the Board of reissuing contractor licenses due to name, structural or classification changes, the Board is now charging a service charge of $10.

3800.3600 SERVICE CHARGES. Due to the time and cost of searching files and providing copies of documents, the Board will now charge a service charge for the costs of making copies and for postage.

3800.3620 APPROVAL OF ELECTRICAL EQUIPMENT. The Board has found all types of electrical equipment, material and fittings that are being sold in the market that do not meet the minimum safety standards. Where there is a national standard, this equipment will be required to be listed by a qualified electrical testing laboratory for the protection of the public.

3800.3690 DISCONNECTION OF UNCOMPLETED OR UNINSPECTED INSTALLATIONS. The Board has had great difficulty in completing the electrical inspections on many properties. Once the electrical service has been connected, the owners or occupants have not cooperated in completing the electrical installation, and these installations are often being used in unsafe conditions. This rule will allow the Board to take action to ensure compliance with minimum safety standards.

3800.3750 HEARING AND REVIEW. This section was updated to comply with other Minnesota Statutes.

3800.3790 PRORATED FEE FOR INSPECTION OF CERTAIN INSTALLATIONS. This section is outdated with the increased inspection fees incurred since this rule was first adopted many years ago. The Board has increased its minimum filing fee on installations in excess of $1,000 to a minimum filing fee of $500.

SMALL BUSINESS CONSIDERATIONS IN RULEMAKING.

Most of the businesses regulated by the Board of Electricity are small businesses. The Board estimates that 80 percent of all licensed electrical contractors are small business as defined by Minn. Stat. § 14.115 (1986). The Board has framed all of these regulations considering the needs of small business by making the regulations easy to understand and comply with.

a) The compliance and reporting requirements under Minn. Rules pt. 3800.0900 (1987) were framed with the needs of small business in mind.

b) The compliance and reporting requirements contained in amendments to this rule were drafted with the needs of small business in mind. The Board will notify all contractors concerning the amended rule so that small businesses will not have to monitor the laws or research the requirements.

c) The language was condensed and reorganized in the rule to be easily understood.

d) This requirement is inapplicable to these requirements.

e) It is not possible to exempt small business from this rule since it would compromise safety standards if 80 percent of the Board's licensees were exempt from the rules.

STATE BOARD OF ELECTRICITY

Proposed Permanent Rules Relating to Licenses, Inspections, Qualifications for Electrician Licenses

Statement of Need and Reasonableness

MINNESOTA RULE PARTS 3800.3500 THROUGH 3800.3810

All new material.

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The Minnesota Electrical Act requires that electricians be licensed and that electrical installations be inspected for compliance with acceptable standards for safety to life and property. Minn. Stat. §§ 326.242-.243 (1988). It also makes provision for unlicensed persons to perform electrical work under the supervision of a licensed electrician. Neither the Act nor existing rules of the Board of Electricity define the level of supervision which the Act requires. Minn. Stat. § 326.242, subd. 5 (1986). Minn. Rules pt. 3800.0900 (1987).

The Board has learned from numerous electrical contractors that they have had difficulty competing with or are unable to bid competitively against other electrical contractors because they employ fewer licensed electricians and more unlicensed individuals. The Board is concerned and has a great deal of evidence that those unlicensed individuals are performing electrical work without the level of supervision contemplated by the Act or the Board's rules. Minn. Stat. § 326.242, subd. 5 (1986). Minn. Rules pt. 3800.0900 (1987). This raises concerns as to the quality of the electrical work being performed by unlicensed individuals and the safety hazards such work may present to the public.

3800.3500 DEFINITIONS.

Subp. 3. **Employee.** This section was added so electrical contractors would not be permitted to subcontract with unlicensed and unqualified people to do electrical work. Students of vocational schools would be considered employees while performing work on projects on school premises.

Subp. 8. **Maintaining and repairing electrical wiring, apparatus, and equipment.** This section was changed to clarify the present rule, which provides that maintaining electrical work does not include the installation of new wiring, apparatus or equipment.

Subp. 10. **Minor repair work.** This section was changed to correctly state the intent that maintenance electricians may replace outlets and switches for lighting controls.

Subp. 12. **Signaling circuit.** The definition of a signaling circuit was added to clarify that circuits that control electrical equipment other than the signaling devices are not signaling circuits.

3800.3530 REQUIREMENTS FOR SECURING AND MAINTAINING AN ELECTRICAL CONTRACTOR'S LICENSE.

Subpart 1. **Information required to be provided by applicants.**
Subp. 2. **Information required where the applicant has employees.**
The Board receives many complaints from the public concerning unscrupulous contractors. Many of these contractors have only a box number or answering service, and it is difficult or impossible for the Board to contact them when it is necessary to have hazardous installations corrected. It was necessary for the Board to require applicants for an electrical contractor's license to supply the telephone numbers and addresses that will enable the Board to contact persons who have violated the Electrical Act or installed wiring that is not in compliance with the safety standards, and the requirement to furnish the Board, on request, the employment records of all persons who are or will be performing electrical work for the applicant is provided so that the Board can determine whether electrical contractors who are the subject of complaints received from the public are complying with the electrical licensing requirements.

Subp. 3. **Applicants in states not contiguous with Minnesota.** The Board has found it necessary to require that out-of-state contractors in states not contiguous with Minnesota have a business address and telephone number within the state so that the Board can locate electrical contractors who are the subject of complaints received from the public.

Subp. 4. **Duty to keep information current.** The Board has problems with electrical contractors who move or have their telephones disconnected or numbers changed and believes it to be necessary to require them to keep all information current so that the Board can locate contractors who are the subject of complaints received from the public, or who have not complied with the safety standards.

3800.3540 DESIGNATION OF RESPONSIBLE MASTER ELECTRICIAN ON CONTRACTOR'S LICENSE APPLICATION. Where the master electrician is not an owner or officer of the corporation of the electrical contractor, the Board has found many instances where unlicensed and unqualified persons were performing electrical work for the public. This new part will require the contractor, applicant and master electrician to provide evidence to the Board that the contractor's operation will conform.

3800.3550 DESIGNATION OF RESPONSIBLE MASTER ELECTRICIAN, LICENSED MAINTENANCE ELECTRICIAN, OR ELECTRICAL ENGINEER BY AN EMPLOYER.

Subpart 1. **Employees required to be licensed.** Where an employer has employees performing in-house electrical work, the Board has no record to show that there are licensed, qualified persons doing the work. This will require the responsible licensed employee to submit to the Board a certificate of employment.

Subp. 3. **Notification of termination of employment.** The designated responsible person on the certificate of employment will be required to notify the Board in writing of termination of employment so the Board will know whether a properly licensed employee is supervising the electrical work.

Subp. 4. **Evidence of compliance.** The requirement that the employer or designated responsible person provide evidence of how they will comply with the Minnesota Electrical Act is intended to resolve situations where there is evidence of violations of the licensing and inspection requirements.

3800.3560 ADVERTISING RESTRICTIONS. The Board has found that many electrical contractors advertising to do work for the public do not advertise under the name on their contractor's license. This should give the public an opportunity to know the name of the contractor and check with the Board to determine whether they are, in fact, licensed. This rule will also make it easier for the Board to identify the contractor and determine license status in the event that a complaint is filed by the public.

3800.3570 MARKING OF ELECTRICAL CONTRACTOR'S VEHICLES. The marking of electrical contractor's vehicles will aid the Board's inspectors in the ability to police illegal wiring.

3800.3590 LICENSES; EXPIRATION AND FEES.

Subp. 7. **License service charge.** Due to the cost to the Board of reissuing contractor licenses due to name, structural or classification changes, the Board is now charging a service charge of $10.

3800.3600 SERVICE CHARGES. Due to the time and cost of searching files and providing copies of documents, the Board will now charge a service charge for the costs of making copies and for postage.

3800.3620 APPROVAL OF ELECTRICAL EQUIPMENT. The Board has found all types of electrical equipment, material and fittings that are being sold in the market that do not meet the minimum safety standards. Where there is a national standard, this equipment will be required to be listed by a qualified electrical testing laboratory for the protection of the public.

3800.3690 DISCONNECTION OF UNCOMPLETED OR UNINSPECTED INSTALLATIONS. The Board has had great difficulty in completing the electrical inspections on many properties. Once the electrical service has been connected, the owners or occupants have not cooperated in completing the electrical installation, and these installations are often being used in unsafe conditions. This rule will allow the Board to take action to ensure compliance with minimum safety standards.

3800.3750 HEARING AND REVIEW. This section was updated to comply with other Minnesota Statutes.

3800.3790 PRORATED FEE FOR INSPECTION OF CERTAIN INSTALLATIONS. This section is outdated with the increased inspection fees incurred since this rule was first adopted many years ago. The Board has increased its minimum filing fee on installations in excess of $1,000 to a minimum filing fee of $500.

SMALL BUSINESS CONSIDERATIONS IN RULEMAKING.

Most of the businesses regulated by the Board of Electricity are small businesses. The Board estimates that 80 percent of all licensed electrical contractors are small business as defined by Minn. Stat. § 14.115 (1986). The Board has framed all of these regulations considering the needs of small business by making the regulations easy to understand and comply with.

a) The compliance and reporting requirements under Minn. Rules pt. 3800.0900 (1987) were framed with the needs of small business in mind.

b) The compliance and reporting requirements contained in amendments to this rule were drafted with the needs of small business in mind. The Board will notify all contractors concerning the amended rule so that small businesses will not have to monitor the laws or research the requirements.

c) The language was condensed and reorganized in the rule to be easily understood.

d) This requirement is inapplicable to these requirements.

e) It is not possible to exempt small business from this rule since it would compromise safety standards if 80 percent of the Board's licensees were exempt from the rules.

In the Matter of the
Proposed Permanent Rules
Relating to Licenses,
Inspections, Qualifications
for Electrician Licenses

AFFIDAVIT OF MAILING THE
NOTICE OF INTENT TO ADOPT
A RULE WITHOUT A PUBLIC
HEARING AND CERTIFICATE
OF MAILING LIST

STATE OF MINNESOTA)
) ss.
COUNTY OF RAMSEY)

Cleona R. Yates, being sworn says:

I hereby certify that the list of persons and associations who have requested, pursuant to Minnesota Statutes, Sections 14.14, Subdivision 1a and 14.22 or 14.30, that their names be placed on the State Board of Electricity rulemaking mailing list is accurate, complete, and current as of this 2nd day of March, 1989.

That on the 2nd day of March, 1989, at the City of St. Paul, County of Ramsey, State of Minnesota, I mailed the attached Notice of Intent to Adopt a Rule Without a Public Hearing by depositing in the United States mail a copy thereof, with postage prepaid, to all persons and associations on the aforementioned mailing list.

Cleona R. Yates

Cleona R. Yates
Assistant Office Manager

Subscribed and sworn to before me
this 2nd day of March, 1989.

Joanne P. Peterson

JOANNE P. PETERSON
NOTARY PUBLIC-MINNESOTA
RAMSEY COUNTY
MY COMMISSION EXPIRES SEPTEMBER 18, 1990

In the Matter of the
Proposed Permanent Rules
Relating to Licenses,
Inspections, Qualifications
for Electrician Licenses

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Cleona R. Yates

Cleona R. Yates
Assistant Office Manager

Subscribed and sworn to before me
this 2nd day of March, 1989.

Joanne P. Peterson

JOANNE P. PETERSON
NOTARY PUBLIC-MINNESOTA
RAMSEY COUNTY
MY COMMISSION EXPIRES SEPTEMBER 18, 1990

MAILING LIST - THE FOLLOWING PERSONS WISH TO BE NOTIFIED OF PROPOSED NEW OR REVISED RULE

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Mpls., MN. 55406

Dennis R. Johnson
3837 - 24th Ave. S.
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Edina, MN. 55435

Mr. Glenn Strub, Manager
Minnesota Electrical Association
3100 Humboldt Avenue So.
Mpls., MN. 55408

MN. School of Electricity, Inc.
Mr. Wm. Polta
8053 E. Bloomington Freeway
Bloomington, MN. 55420

Mankato State University
Mr. Steve Olinger, Elect. Foreman
Mankato, MN. 56001

Frundt, Frundt & Johnson
117 W. 5th St.
Blue Earth, MN. 56013

POST Board
333 Sibley St., Suite 495
St. Paul, MN. 55101

Lowell Torseth, Exec. Secretary
Board of Architecture, Engineering,
Land Surveying & Landscape Architecture
500 Metro Square
St. Paul, MN. 55101

Building Code Division
ATTN: Peggi Opalinski
408 Metro Square Bldg.
7th & Robert Sts.
St. Paul, MN. 55101

Building Code Division
Norman Osterby
408 Metro Square Bldg.
St. Paul, MN. 55101

RETIRED

Building Code Division
Dick Brooks, Asst Director
408 Metro Square Bldg.
St. Paul, MN. 55101

Buildign Code Division
Elroy Berdahl, Code Consultant
408 Metro Square Bldg.
St. Paul, MN. 55101

Wolverton Engineering Co.
3953 N.E. Arthur Street
Columbia Heights, MN. 55421

Jean Dawson, Editor
Minnesota Government Report
B-12, Press Room, State Capitol Bldg.
St. Paul, MN. 55155

Thomas M. Polt
Attorney at Law
McCarthy Bldg.
Eyota, MN. 55934

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459 Rice St.
St. Paul, MN. 55103

Antitrust Division
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Mr. Tom Catania
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St. Paul, MN. 55101

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Fredrik M. Christiansen
Room 911, Capitol Square Bldg.
St. Paul, MN. 55101

Sam Ruhle
Office of Administrative Hearings
400 Summit Bank Bldg.
310 S. Fourth Ave.
Mpls., MN. 55415

Kathleen Burek, Executive Director
L.C.R.A.R.
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R. K. Larson, Executive Dir.
Outdoor Amusement Bus. Assn., Inc.
4600 W. 77th Street
Mpls., MN 55435

DEPARTMENT OF ADMINISTRATION

BOARD OF ELECTRICITY

In the Matter of the Proposed
Adoption of the Permanent Rules of
the State Board of Electricity
Relating to Licenses, Inspections
Qualifications for Electrician Licenses

CERTIFICATE OF BOARD'S

AUTHORIZING RESOLUTION

"Resolved, that the Board of Electricity has examined all the documents and has received two requests for public hearing and three comments which have been duly noted. The Rules Relating to Licensing, Inspection, Qualifications for Electrician Licenses published in the State Register March 6, 1989, pages 2128 through 2140 are hereby adopted as published effective five (5) working days after final publication in the State Register and that John Quinn, Executive Secretary of the Board of Electricity is hereby authorized to take all steps necessary for the final adoption of these rules."

I hereby certify that the following is a true and correct copy of a resolution adopted by the Board of Electricity.

IN WITNESS WHEREOF, I have hereunto subscribed my name this 9th day of May, 1989.

Leon Barnier

LEON BARNIER, PRESIDENT
State Board of Electricity

ROBERT SEANGER, SECRETARY
State Board of Electricity

STATE OF MINNESOTA
DEPARTMENT OF ADMINISTRATION
BOARD OF ELECTRICITY

In the Matter of the Proposed Adoption of the Permanent Rules of The State Board of Electricity Relating to Licenses, Inspections Qualifications for Electrician Licenses.

SUPPLEMENTAL FINDINGS OF FACT CONCLUSIONS, AND ORDER ADOPTING RULE WITHOUT PUBLIC HEARING

Notice of the Board's intent to adopt the above-entitled rules was published in the State Register on March 6, 1989 and was sent by United States mail to all persons on the list maintained by the agency, pursuant to Minnesota Statutes, Sections 14.14, subdivision 1 a and 14.22 on March 2, 1989. The statement of need and reasonableness was prepared before the notice of intent to adopt a rule without a public hearing was mailed to all persons on the rulemaking list and published in the State Register and was available to the public. Those rules not specifically addressed in the statement of need and reasonableness have only been renumbered and have not been changed in any material way.

All persons were given the opportunity to submit comment on the rules for 30 days after the notice of proposed rulemaking.

The Board received eighty-eight requests for a public hearing. Eighty-four requests came on a form letter from members of the United Association of Pipefitters, Local Union No. 455. These requests were hand delivered to the Board's office by Richard Willits, Assistant Business Manager of Local Union No. 455. Mr. Willits withdrew the eighty-four requests for public hearing on the afternoon of April 11, 1989. See attached letter and Affidavit from Mr. Willits. With the eighty-four requests withdrawn, that left two comments and two requests for public hearing within the 30 day comment period, and one comment that was received past the 30 day comment period.

No persons requested notification of the date of submission of this material to the Attorney General.

Based on the comments and evidence in the record before the agency, we find the following:

1. The change to Minn. Rules pt. 3800.3530, subp. 2A was made to limit the use of the applicant's Social Security number to lawful purposes. It is not a substantial change because it does not change the requirements placed upon applicants;

2. The change to Minn. Rules pt. 3800.3540 limits the discretion of the Board to require additional information to those circumstances in which the application materials do not provide required information. It is not a substantial change because it does not change the requirements placed upon applicants;

3. The change to Minn. Rules pt. 3800.3540 eliminates obsolete language and, for that reason, does not constitute a substantial change;

4. The change to Minn. Rules pt. 3800.3700 clarifies the authority of the inspector and limits his discretion when extending and countermanding correction orders by eliminating contradictory language and providing a standard. It is not a substantial change because it does not expand the authority of the inspector.

5. The changes to Minn. Rules pts. 3800.3720 and 3800.3720 eliminates contradictory language and clarifies when a disconnect or condemnation order which is appealed from is stayed, clarifying the existing language. It is not a substantial change because it only clarifies the Board's intent and existing practice and does not increase the Board's authority.

6. The above-captioned rules are needed and reasonable.

NOW THEREFORE, IT IS HEREBY ORDERED that the rule identified as Permanent Rules Relating to Licenses, Inspections, Qualifications for Electrician Licenses be adopted this 2nd day of August, 1989, pursuant to the authority vested in the Board.

Date: August 2, 1989

Shirlee Puelston

SHIRLEE PUELSTON
President
State Board of Electricity

H.hg2

STATE OF MINNESOTA
DEPARTMENT OF ADMINISTRATION
BOARD OF ELECTRICITY

In the Matter of the Proposed
Adoption of the Permanent Rules of
The State Board of Electricity
Relating to Licenses, Inspections
Qualifications for Electrician Licenses

FINDING OF FACT,
CONCLUSIONS, AND
ORDER ADOPTING RULE
WITHOUT PUBLIC HEARING

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All persons were given the opportunity to submit comment on the rules for 30 days after the notice of proposed rulemaking.

The Board had received eighty-eight requests for a public hearing. Eighty-four requests came on a form letter from members of the United Association of Pipefitters Local Union No. 455. These request were hand delivered to the Board office by Mr. Richard Willits, Assistant Business Manager of Local Union No. 455. Mr. Willits withdrew the eighty-four requests for public hearing on the afternoon of April 11, 1989. See attached letter from Mr. Willits. With the eighty-four requests withdrawn, that left two comments and two requests for public hearing within the 30 day comment period, and one comment that was received past the 30 day comment period.

No persons requested notification of the date of submission of this material to the Attorney General.

Based on the comments and evidence in the record before the agency, we find the following:

The above-captioned rules are needed and reasonable.

NOW THEREFORE, IT IS ORDERED that the rule identified as Permanent Rules Relating to Licenses, Inspections, Qualifications for Electrician Licenses be adopted this 11th day of July, 1989, pursuant to the authority vested in the Board.

SHIRLEE PUELSTON, PRESIDENT
State Board of Electricity

STATE OF MINNESOTA
DEPARTMENT OF ADMINISTRATION
BOARD OF ELECTRICITY

In the Matter of the Proposed
Adoption of the Permanent Rules of
The State Board of Electricity
Relating to Licenses, Inspections
Qualifications for Electrician Licenses

FINDING OF FACT,
CONCLUSIONS, AND
ORDER ADOPTING RULE
WITHOUT PUBLIC HEARING

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Based on the comments and evidence in the record before the agency, we find the following:

The above-captioned rules are needed and reasonable.

NOW THEREFORE, IT IS ORDERED that the rule identified as Permanent Rules Relating to Licenses, Inspections, Qualifications for Electrician Licenses be adopted this 9th day of May, 1989, pursuant to the authority vested in the Board.

Leon Barnier

LEON BARNIER, PRESIDENT
State Board of Electricity

STATE OF MINNESOTA
DEPARTMENT OF ADMINISTRATION
BOARD OF ELECTRICITY

In the Matter of the Proposed Adoption of the Permanent Rules of the State Board of Electricity Relating to Licenses, Inspections Qualifications for Electrician Licenses

DECLARATION OF COUNSEL

I, Louis Hoffman, Special Assistant Attorney General, do hereby declare that I have examined the above-captioned rules, and the supporting rulemaking record, and that, based on my examination, the Administrative Procedures Act and Minnesota Rules, chapter 2010, have been followed. Any exceptions are listed below. For Attorney General billing purposes, the four-digit docket client code is 0138.

Louis Hoffman

LOUIS HOFFMAN
Special Assistant Attorney General

STATE OF MINNESOTA
DEPARTMENT OF ADMINISTRATION
BOARD OF ELECTRICITY

In the Matter of the Proposed
Adoption of the Permanent Rules of
the State Board of Electricity
Relating to Licenses, Inspections
Qualifications for Electrician Licenses

DECLARATION
OF COUNSEL

I, Louis Hoffman, Special Assistant Attorney General, do thereby declare that I have examined the above-captioned rules, and the supporting rulemaking record, and that, based on my examination, the Administrative Procedures Act and Minnesota Rules, chapter 2010, have been followed. Any exceptions are listed below. For Attorney General billing purposes, the four-digit docket client code is 0138.

Louis Hoffman

LOUIS HOFFMAN
Special Assistant
Attorney General

Dated: May 9, 1989

Findings of Fact

Did not attache enclosures - Public Comments.
Does not include stmt ~~of~~ Req number of persons who requested Notice of Submission to A.G.

Authority

326.241 subd 6

Comments

See "AG Copy"

SONAR

No stmnt on "Fees"

Calling Atty: (will let you know of results).

Findings - Attachments Sending
- Any other comments Sending besids 88 requests for hrg.

Rules - Fees { Finance Approval
House Approp + Sen. Finance Notice prior to publishing.

Not needed Rules just renumbered no new or higher fee changes.

I went through the rule + checked all fees that were in previous cites

I put a question mark on 2 fees which I didnt see ~~in the~~ ~~to~~ cited in the old rule.

SF-00006-05 (4/86)

DEPARTMENT : ATTORNEY GENERAL
1100 Bremer Tower

STATE OF MINNESOTA

Office Memorandum

DATE : July 21, 1989

TO : CHRISTIE B. ELLER
Assistant Attorney General

FROM : LOUIS HOFFMAN
Special Assistant
Attorney General LH

PHONE : 296-9418

SUBJECT : Adopted Permanent Rules Relating to Licenses, Inspections, Qualifications for Electrician Licenses (Board of Electricity)

Enclosed please find the above-referenced rules and materials which incorporate changes we discussed, changes I discussed with Marty Casserly and changes John Quinn discussed with you.

Please let me know if you have any questions.

LH/ps.hm9
Enc.
cc: John D. Quinn (w/o enc.)

INDEX

1. Certificate of Board of Electricity's Authorizing Resolution, Minn. Rules pt. 2010.0300C.

2. Copy of proposed rule with a Certificate of Approval as to Form by the Revisor of Statutes, Minn. Rules pt. 2010.0300D. .

3. Notice of Intent to Adopt Rules Without a Public Hearing, as Mailed, Minn. Rules pt. 2010.0300E.

4. Statement of Need and Reasonableness, Minn. Rules pt. 2010.0300F.

5. Affidavit of Mailing Notice of Intent to Adopt Rules Without a Public Hearing plus mailing list. Minn. Rules pt. 2010.0300G.

6. Copy of the Notice of Intent to Adopt Rules Without a Public Hearing as published in the State Register, Minn. Rules pt. 2010.0300H.

7. Four copies of the Rules as adopted, Minn. Rules pt. 2010.0300I.

8. Certificate of Board of Electricity's Resolution Adopting the Rule, Minn. Rules pt. 2010.0300J.

9. Findings of Fact, Conclusions, and Order Adopting Rule Without Public Hearing, Minn. Rules pt. 2010.0300K.

10. Declaration of Counsel, Minn. Rules pt. 2010.0300M.

TO: Kristie Eller

FROM: John Quinn

STATE OF MINNESOTA

OFFICE MEMORANDUM

DEPARTMENT: State Board of Electricity

DATE: June 27, 1989

TO: Paul Marinac
Assistant Deputy Revisor

FROM: John Quinn
Executive Secretary

PHONE: 642-0800

SUBJECT: File No. 1439

The Attorney General with the Department of Administration who reviews Administrative Rules has required the following changes for our Rules before they are approved.

A. 3800.3520 Subp. 2 (Page 4, Line 14)

Acceptable to the board, as defined by subpart 4 of this part before examination for licensure under

B. 3800.3530 Subp. 2A (Page 13, Line 5)

The applicant's social security account number which will be used to ensure compliance with Minnesota Statutes section 270.72 (tax clearance; issuance of licenses);

C. 3800.3540 (Page 14, Line 16)

The requirements of the Minnesota Electrical Act if the materials submitted in support of the application for license by the chief executive officer of the corporation and the master electrician do not indicate the manner in which the contractor will comply with the requirements of the Minnesota Electrical Act.

D. 3800.3590 Subp. 1 (Page 16, Part of Line 11, all of Lines 12, 13, 14, 15 and part of Line 16)

two years from the date of issuance or renewal. Class A master and Class B master licenses renewed on March 1, 1988, 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, 1988, expire March 1 of the next off numbered year after issuance or renewal.~~

E. 3800.3590 Subp. 6 (Page 17, Line 15)

each duplicate license is ~~$5~~ $3

F. 3800.3590 Subp. 7 (Page 17, Lines 16, 17, 18 and 19)

Delete

G. 3800.3700 (Page 20, Line 35) (Page 21, Lines 1 thru 5)

part 3800.3680 shall be countermanded by the inspector or the inspector's supervisor when the required corrections have been completed or it is determined by the inspector or the inspector's supervisor that the correction order is in error. A correction order of an inspector, properly issued under part 3800.3680, may be extended by the inspector's supervisor when the weather, availability of materials or other factors do not permit the work required by the correction order to be completed within the time allowed by the correction order.

shall

3800.3720 (Page 21 after Line 17)

appealed from shall be stayed until final decision of the board, unless the electrical installation ordered condemned is determined by the board to be seriously or [illegible] dangerous to life and property.

INDEX

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4600 W. 77th Street
Mpls., MN 55435

SF-00006-05 (4/86)

DEPARTMENT : ATTORNEY GENERAL - Bremer Tower

STATE OF MINNESOTA

Office Memorandum

DATE : May 10, 1989

TO : CHRISTIE B. ELLER
Assistant Attorney General

FROM : LOUIS HOFFMAN
Special Assistant
Attorney General

PHONE : 6-9418

SUBJECT : PROPOSED PERMANENT RULES RELATING TO LICENSES, INSPECTION, QUALIFICATIONS FOR ELECTRICIAN LICENSES

Enclosed for your review are the proposed permanent rules of the Board of Electricity relating to licenses, inspections and qualifications for electrical licenses. If I can be of any assistance, or if you have any questions, please let me know.

LH:js/.gl0

cc: John D. Quinn (w/o enclosures)
Executive Secretary

Rec'd Pkg 5/11/89
no adopted rules enclosed
5 proposed rules

OK Reed 5/23/89