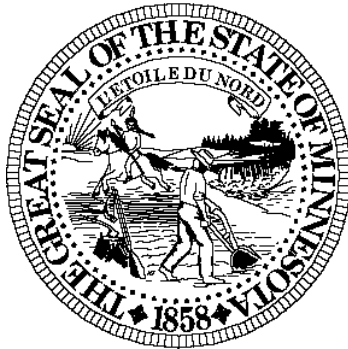


# **STATE OF MINNESOTA BOARD OF ELECTRICITY**



## **THE LAWS AND RULES REGULATING LICENSING OF ELECTRICIANS AND INSPECTION OF ELECTRICAL INSTALLATIONS**

February 2005

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## FOREWARD

This booklet presents the Minnesota Statutes and Minnesota Rules administered by the Board of Electricity. Although every effort has been made to ensure that this booklet is an exact representation of the represented statutes and rules, it may contain errors. The statutes and rules as published by the Office of the Revisor of Statutes represent the official statutes and rules of the State of Minnesota.

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# THE MINNESOTA ELECTRICAL ACT

## Minnesota Statutes, sections 326.01, subdivision 1 through 6m and sections 326.241 through 326.248

### 326.01 DEFINITIONS.

**Subdivision 1. Words, terms and phrases.** For the purpose of this chapter, the terms defined in this section have the meanings ascribed to them.

**Subd. 2. Class A master electrician.** The term "Class A master electrician" means a person having the necessary qualifications, training, experience, and technical knowledge to install, alter, repair, plan, lay out, and supervise the installing, altering, and repairing of electrical wiring, apparatus, and equipment for light, heat, power, and other purposes who is licensed as such by the board of electricity.

**Subd. 3. Class A journeyman electrician.** The term "Class A journeyman electrician" means a person having the necessary qualifications, training, experience, and technical knowledge to install, alter, repair, and supervise the installing, altering, or repairing of electrical wiring, apparatus, and equipment for light, heat, power, and other purposes who is licensed as such by the board of electricity.

**Subd. 4. Special electrician.** The term "special electrician" means a person having the necessary qualifications, training, experience, and technical knowledge to install, alter, repair, and supervise the installing, altering, or repairing of special classes of electrical wiring, apparatus, or equipment for light, heat, power, and other purposes or for special classes of electrical work who is licensed as such by the board of the electricity. The scope of any special electrician license created by the board under section 326.242, subdivision 4, shall be limited to that provided for by the rules adopted by the board.

**Subd. 5. Contractor.** The term "contractor" means a person, partnership, or corporation operating a business that undertakes or offers to undertake to plan for, lay out, or install or to make additions, alterations, or repairs in the installation of electrical wiring, apparatus, or equipment for light, heat, power, and other purposes with or without compensation who is licensed as such by the board of electricity. A contractor's license does not of itself qualify its holder to perform or supervise the electrical work authorized by holding any class of electrician's or other personal electrical license.

**Subd. 6 Class B master electrician.** The term "Class B master electrician" means a person having the necessary qualifications, training, experience, and technical knowledge to install, alter, repair, plan, lay out, and supervise the installing, altering, and repairing of electrical wiring, apparatus, and equipment for single phase systems of not over 200 ampere capacity for light, heat, power, and other purposes on any farm or in any single family dwelling located in any town or municipality which has a population of less than 2500 inhabitants who is licensed as such by the board of electricity.

**Subd. 6a. Class B journeyman electrician.** The term "Class B journeyman electrician" means a person having the necessary qualifications, training, experience, and technical knowledge to install, alter, repair, and supervise the installing, altering, or repairing of electrical wiring apparatus, and equipment for single phase systems of not more than 200 ampere capacity for light, heat, power, and other purposes on any farm or in any single family dwelling located in any town or municipality which has a population of less than 2500 inhabitants who is licensed as such by the board of electricity.

**Subd. 6b. Class A installer.** The term "Class A installer" means a person who has the necessary qualifications, training, experience, and technical knowledge to properly lay out and install electrical wiring, apparatus, and equipment for major electrical home appliances and such other electrical equipment as is determined by the state board of electricity pursuant to section 326.242, subdivision 3, on the load side of the main service on farmsteads or in any town or municipality with less than 1,500 inhabitants, which is not contiguous to a city of the first class and does not contain an established business of a master electrician, and who is licensed as such by the state board of electricity.

**Subd. 6c. Class B installer.** The term "Class B installer" means a person who has the necessary qualifications, training, experience, and technical knowledge to properly lay out and install electrical wiring, apparatus, and equipment on center pivot irrigation booms on the load side of the main service on farmsteads, and install other electrical equipment determined by the state board of electricity. A Class B installer must be licensed by the board of electricity.

**Subd. 6d. Alarm and communication system. Repealed July 1, 2003**

**Subd. 6e. Owner.** An owner is a natural person who physically performs electrical work on premises the person owns and actually occupies as a residence or owns and will occupy as a residence upon completion of construction.

**Subd. 6f. Electrical work.** The term "electrical work" means the installing, altering, repairing, planning, or laying out of electrical wiring, apparatus, or equipment for light, heat, power, or other purposes. The installing, alteration, repairing, planning, or laying out of electrical wiring, apparatus, or equipment for light, heat, power, or other purposes includes, but is not limited to, the performance of any work governed by the standards referred to in section 326.243.

**Subd. 6g. Personal supervision.** The term "personal supervision" means that a person licensed to perform electrical work oversees and directs the electrical work performed by an unlicensed person such that:

- (1) the licensed person actually reviews the electrical work performed by the unlicensed person;
- (2) the licensed person is immediately available to the unlicensed person at all times for assistance and direction; and
- (3) the licensed person is able to and does determine that all electrical work performed by the unlicensed person is performed in compliance with section 326.243.

The licensed person is responsible for the compliance with section 326.243 of all electrical work performed by the unlicensed person.

**Subd. 6h. Complaint committee.** The term "complaint committee" means a committee of the board which is authorized by the board or other provisions of chapter 214 or sections 326.241 to 326.248 to investigate, mediate, or initiate administrative or legal proceedings on behalf of the board with respect to complaints filed with or information received by the board alleging or indicating violations of sections 326.241 to 326.248. The complaint committee shall consist of at least one board member, the board's executive secretary, its assistant executive secretary, and the attorney general staff member assigned to provide legal services to the board.

**Subd. 6i. Demarcation.** "Demarcation" means listed equipment as identified in Minnesota Rules, part 3800.3619, such as a transformer, uninterruptible power supply (UPS), battery, control panel, or other device that isolates technology circuits or systems from nontechnology circuits or systems, including plug or cord and plug connection.

**Subd. 6j. Residential dwelling.** A "residential dwelling" is an individual dwelling of a one-family, two-family, or multifamily dwelling as defined in the National Electrical Code pursuant to section 326.243, including its garage or accessory building.

**Subd. 6k. Power limited technician.** The term "power limited technician" means a person having the necessary qualifications, training, experience, and technical knowledge to install, alter, repair, plan, lay out, and supervise the installing, altering, and repairing of electrical wiring, apparatus, and equipment for technology circuits or systems who is licensed as such by the board of electricity.

**Subd. 6l. Technology circuits or systems.** "Technology circuits or systems" means class 2 or class 3 circuits or systems for, but not limited to, remote control, signaling, control, alarm, and audio signal, including associated components as covered by National Electrical Code, articles 640, 645, 725, 760, 770, and 780 and which are isolated from circuits or systems other than class 2 or class 3 by a demarcation and are not process control circuits or systems; antenna and communication circuits or systems as covered by chapter 8 of the National Electrical Code; and circuitry and equipment for indoor lighting and outdoor landscape lighting systems that are supplied by the secondary circuit of an isolating power supply operating at 30 volts or less as covered by National Electrical Code, article 411. The planning, laying out, installing, altering, and repairing of technology circuits or systems must be performed in accordance with the applicable requirements of the National Electrical Code pursuant to section 326.243.

**Subd. 6m. Process control circuits or systems.** "Process control circuits or systems" are circuits or systems, regardless of electrical classification, that are integrated with a manufacturing, mining, energy, finishing, conveyance of equipment or product, material handling or packaging process that makes or assembles, or similar process. Process control systems does not include premises network and communication systems whose purpose or function is not dedicated to process control circuits or systems.

## **326.241 BOARD OF ELECTRICITY.**

**Subdivision 1. Composition.** The board of electricity shall consist of 11 members, residents of the state, appointed by the governor of whom at least two shall be representatives of the electrical suppliers in the rural areas of the state, two shall be master electricians, who shall be contractors, two journeyman electricians, one registered consulting electrical engineer, two power limited technicians, who shall be technology system contractors primarily engaged in the business of installing technology circuits or systems, and two public members as defined by section 214.02. Membership terms, compensation of members, removal of members, the filling of membership vacancies, and fiscal year and reporting requirements shall be as provided in sections 214.07 to 214.09. The provision of staff, administrative services and office space; the review and processing of complaints; the setting of board fees; and other provisions relating to board operations shall be as provided in chapter 214.

**Subd. 2. Powers.** The board, or the complaint committee on behalf of the board where authorized by law, shall have power to:

(1) Elect its own officers.

(2) Engage and fix the compensation of inspectors, and hire employees. The salary of the executive secretary shall be established pursuant to chapter 43A. All agents and employees other than contract inspectors shall be in the classified service and shall be compensated pursuant to chapter 43A. All inspectors shall hold licenses as master or journeyman electricians under section 326.242, subdivision 1(1) or 2(1), and shall give bond in an amount fixed by the board, conditioned upon the faithful performance of their duties.

(3) Pay such other expenses as it may deem necessary in the performance of its duties, including rent, supplies, and such like.

(4) Enforce the provisions of section 326.241 to 326.248, and provide, upon request, such additional voluntary inspections and reviews as it may deem appropriate.

(5) Issue, renew, refuse to renew, suspend, temporarily suspend, and revoke licenses, censure licensees, assess civil penalties, issue cease and desist orders, and seek injunctive relief and civil penalties in court as authorized by section 326.242 and other provisions of Minnesota law.

(6) Adopt reasonable rules to carry out its duties under sections 326.241 to 326.248 and to provide for the amount and collection of fees for inspection and other services. All rules shall be adopted in accordance with chapter 14.

**Subd. 3. Fees and finances; disposition.** All fees collected under the provisions of sections 326.241 to 326.248 are to be credited to a special account in the state treasury. Money in the account is appropriated to the board of electricity to administer and enforce sections 326.241 to 326.248, to pay indirect costs, to compensate contract electrical inspectors for inspections performed, and to make refunds.

## 326.242 LICENSES.

**Subdivision 1. Master electrician.** Except as otherwise provided by law, no person shall install, alter, repair, plan, lay out, or supervise the installing, altering, or repairing of electrical wiring, apparatus, or equipment for light, heat, power, or other purposes unless the person is: (a) licensed by the board as a master electrician and (b)(i) the electrical work is for a licensed contractor and the person is an employee, partner, or officer of, or is the licensed contractor, or (ii) the electrical work is performed for the person's employer on electric wiring, apparatus, equipment, or facilities owned or leased by the employer which is located within the limits of property which is owned or leased and operated and maintained by the employer.

(1) An applicant for a Class A master electrician's license shall

(a) be a graduate of a four-year electrical course in an accredited college or university; or

(b) shall have had at least one year's experience, acceptable to the board, as a licensed journeyman; or

(c) shall have had at least five years' experience, acceptable to the board, in planning for, laying out, supervising and installing wiring, apparatus, or equipment for electrical light, heat, and power.

(2) As of August 1, 1985, no new Class B master electrician's licenses shall be issued. An individual who has a Class B master electrician's license as of August 1, 1985 may retain the license and exercise the privileges it grants, which include electrical work limited to single phase systems, not over 200 amperes in capacity, on farmsteads or single family dwellings located in towns or municipalities with fewer than 2,500 inhabitants.

**Subd. 2. Journeyman electrician.** (a) Except as otherwise provided by law, no person shall install, alter, repair, or supervise the installing, altering, or repairing of electrical wiring, apparatus, or equipment for light, heat, power, or other purposes unless:

(1) the person is licensed by the board as a journeyman electrician; and

(2) the electrical work is:

(i) for a contractor and the person is an employee, partner, or officer of the licensed contractor; or

(ii) performed under the supervision of a master electrician also employed by the person's employer on electrical wiring, apparatus, equipment, or facilities owned or leased by the employer that is located within the limits of property owned or leased, operated, and maintained by the employer.

(b) An applicant for a Class A journeyman electrician's license shall have had at least four years of experience, acceptable to the board, in wiring for, installing, and repairing electrical wiring, apparatus, or equipment, provided however, that the board may by rule provide for the allowance of one year of experience credit for successful completion of a two-year post high school electrical course approved by the board.

(c) As of August 1, 1985, no new Class B journeyman electrician's licenses shall be issued. An individual who holds a Class B journeyman electrician's license as of August 1, 1985 may retain the license and exercise the privileges it grants, which include electrical work limited to single phase systems, not over 200 amperes in capacity, on farmsteads or single family dwellings located in towns or municipalities with fewer than 2,500 inhabitants.

**Subd. 3. Class A installer.** Notwithstanding the provisions of subdivisions 1, 2, and 6, any person holding a class A installer license may lay out and install and supervise the laying out and installing of electrical wiring, apparatus, or equipment for major electrical home appliances on the load side of the main service on farmsteads and in any town or municipality with fewer than 1,500 inhabitants, which is not contiguous to a city of the first class and does not contain an established business of a contractor.

**Subd. 3a. Class B installer.** Notwithstanding the provisions of subdivisions 1, 2, and 6, any person holding a class B installer license may lay out and install and supervise the laying out and installing of electrical wiring, apparatus, or equipment on center pivot irrigation booms on the load side of the main service on farmsteads, and install such other electrical equipment as is determined by the board.

**Subd. 3b. Coursework or experience.** An applicant for a Class A or B installer license shall have completed a post high school course in electricity acceptable to the board or shall have had at least one year's experience, acceptable to the board in electrical wiring.

**Subd. 3c. Bond.** Every installer, as a condition of licensure, shall give bond to the state in the sum of \$1,000 conditioned upon the faithful and lawful performance of all work contracted for or entered upon by the installer within the state of Minnesota, and such bond shall be for the benefit of persons injured or suffering financial loss by reason of failure of such performance. Such bond shall be in lieu of all other license bonds to any political subdivision of the state. Such bond shall be written by a corporate surety licensed to do business in the state of Minnesota.

**Subd. 3d. Power limited technician.** (a) Except as otherwise provided by law, no person shall install, alter, repair, plan, lay out, or supervise the installing, altering, or repairing of electrical wiring, apparatus, or equipment for technology circuits or systems unless:

(1) the person is licensed by the board as a power limited technician; and

(2) the electrical work is:

(i) for a licensed contractor and the person is an employee, partner, or officer of, or is the licensed contractor; or

(ii) performed under the supervision of a master electrician or power limited technician also employed by the person's employer on technology circuits, systems, apparatus, equipment, or facilities owned or leased by the employer that is located within the limits of property owned or leased, operated, and maintained by the employer.

(b) An applicant for a power limited technician's license shall (1) be a graduate of a four-year electrical course in an accredited college or university; or (2) have had at least 36 months experience, acceptable to the board, in planning for, laying out, supervising, and installing wiring, apparatus, or equipment for power limited systems, provided however, that the board may by rule provide for the allowance of up to 12 months (2,000 hours) of experience credit for successful completion of a two-year post high school electrical course or other technical training approved by the board.

(c) The board may initially set experience requirements without rulemaking, but must adopt rules before July 1, 2004.

(d) Licensees must attain eight hours of continuing education acceptable to the board every renewal period.

(e) A person who has submitted an application by June 30, 2003, to take the alarm and communications examination administered by the board, and who has achieved a minimal score of 70 percent on the examination by September 30, 2003, may obtain a power limited technician license without further examination by submitting an application and a license fee of \$30.

(f) A company holding an alarm and communication license as of June 30, 2003, may designate one person who may obtain a power limited technician license without passing an examination administered by the board by submitting an application and license fee of \$30.

**Subd. 4. Special electrician.** Notwithstanding the provisions of subdivisions 1, 2, 6, and 7, the board may by rule provide for the issuance of special electrician licenses empowering the licensee to engage in a limited class or classes of electrical work, which class or classes shall be specified on the license certificate. Each licensee shall have had at least two years of experience, acceptable to the board, in each such limited class of work for which the licensee is licensed.

**Subd. 5. Unlicensed persons.** (a) An unlicensed person shall not perform electrical work unless the work is performed under the personal supervision of a person actually licensed to perform such work and the licensed and unlicensed persons are employed by the same employer. Licensed persons shall not permit unlicensed persons to perform electrical work except under the personal supervision of a person actually licensed to perform such work. Unlicensed persons shall not supervise the performance of electrical work or make assignments of electrical work to unlicensed persons. Except for technology circuit or system work, licensed persons shall supervise no more than two unlicensed persons. For technology circuit or system work, licensed persons shall supervise no more than three unlicensed persons.

(b) Notwithstanding any other provision of this section, no person other than a master electrician or power limited technician shall plan or lay out electrical wiring, apparatus, or equipment for light, heat, power, or other purposes, except circuits or systems exempted from personal licensing by subdivision 12, paragraph (b).

(c) Contractors employing unlicensed persons performing electrical work shall maintain records establishing compliance with this subdivision, which shall designate all unlicensed persons performing electrical work, except for persons working on circuits or systems exempted from personal licensing by subdivision 12, paragraph (b), and shall permit the board to examine and copy all such records as provided for in section 326.244, subdivision 6.

**Subd. 6. Contractor's license required.** Except as otherwise provided by law, no person other than an employee, partner, or officer of a licensed contractor, as defined by section 326.01, subdivision 5, shall undertake or offer to undertake to plan for, lay out, supervise or install or to make additions, alterations, or repairs in the installation of electrical wiring, apparatus, and equipment for light, heat, power, and other purposes with or without compensation unless the person obtains a contractor's license. A contractor's license does not of itself qualify its holder to perform or supervise the electrical work authorized by holding any class of personal electrical license.

**Subd. 6a. Bond required.** Each contractor shall give and maintain bond to the state in the penal sum of \$5,000 conditioned upon the faithful and lawful performance of all work entered upon by the contractor within the state of Minnesota and such bond shall be for the benefit of persons injured or suffering financial loss by reason of failure of such performance. The bond shall be filed with the board and shall be in lieu of all other license bonds to any political subdivision. Such bond shall be written by a corporate surety licensed to do business in the state of Minnesota.

**Subd. 6b. Insurance required.** Each contractor shall have and maintain in effect general liability insurance, which includes premises and operations insurance and products and completed operations insurance, with limits of at least \$100,000 per occurrence, \$300,000 aggregate limit for bodily injury, and property damage insurance with limits of at least \$25,000 or a policy with a single limit for bodily injury and property damage of \$300,000 per occurrence and \$300,000 aggregate limits. Such insurance shall be written by an insurer licensed to do business in the state of Minnesota and each contractor shall maintain on file with the board a certificate evidencing such insurance which provides that such insurance shall not be canceled without the insurer first giving 15 days written notice to the board of such cancellation.

**Subd. 6c. Employment of master electrician or power limited technician.** (a) No contractor shall engage in business of electrical contracting unless the contractor employs a licensed Class A master or Class B master electrician or power limited technician, who shall be responsible for the performance of all electrical work in accordance with the requirements of sections 326.241 to 326.248 or any rule or order adopted or issued under these sections. The classes of work for which the licensed contractor is authorized shall be limited to those for which such Class A master electrician, Class B master electrician, or power limited technician employed by the contractor is licensed.

(b) When a contractor's license is held by an individual, partnership, limited liability company, or corporation and the individual, one of the partners, one of the members, or an officer of the corporation, respectively, is not the responsible master electrician or power limited technician of record, all requests for inspection shall be signed by the responsible master electrician or power limited technician of record. The designated responsible master electrician or power limited technician of record shall be employed by the individual, partnership, limited liability company, or corporation which is applying for a contractor's license and shall not be employed in any capacity as a licensed electrician or licensed technician by any other contractor or employer designated in subdivision 12.

(c) All applications for contractor's licenses and all renewals shall include a verified statement that the applicant or licensee has complied with this subdivision.

**Subd. 7. Examination.** In addition to the requirements imposed herein and except as herein otherwise provided, as a precondition to issuance of a personal license, each applicant must pass a written or oral examination given by the board to insure the competence of each applicant for license. An oral examination shall be administered only to an applicant who furnishes a written statement from a certified teacher or other professional, trained in the area of reading disabilities stating that the applicant has a specific reading disability which would prevent the applicant from performing satisfactorily on a written test.



The oral examination shall be structured so that an applicant who passes the examination will not impair the applicant's own safety or that of others while acting as a licensed person. No person failing an examination may retake it for six months thereafter, but within such six months the person may take an examination for a lesser grade of license. Any licensee failing to renew a license for two years or more after its expiration shall be required to retake the examination before being issued a new license.

An applicant for a personal license shall submit to the board an application and examination fee at the time of application. Upon approval of the application, the board shall schedule the applicant for the next available examination, which shall be held within 60 days. The applicant shall be allowed one opportunity to reschedule an examination without being required to submit another application and examination fee.

Additionally, an applicant who fails an examination, or whose application has been disapproved, must submit another application and examination fee.

**Subd. 8. License and renewal fees.** All licenses issued hereunder shall expire in a manner as provided by the board. Fees, as set by the board, shall be payable for examination, issuance and renewal of the following:

(1) For examination:

Class A Master.

Class B Master.

Class A Journeyman, Class B Journeyman, Installer, Power Limited Technician, or Special Electrician.

(2) For issuance of original license and renewal:

Class A Master.

Class B Master.

Power Limited Technician.

Class A Journeyman, Class B Journeyman, Installer, or Special Electrician.

Electrical Contractor.

Technology Systems Contractor.

(3) An individual or contractor who fails to renew a license before 30 days after the expiration of the license must submit a late fee equal to one year's license fee in addition to the full renewal fee. Fees for renewed licenses are not prorated. An individual for contractor that fails to renew a license by the expiration date is unlicensed until the license is renewed.

**Subd. 9. Denial, suspension, and revocation of licenses.** The board may by order deny, suspend, revoke, or refuse to renew a license, or may censure a licensee if the board finds (1) in its discretion that the order is in the public interest and (2) that, based upon a preponderance of the evidence presented, the applicant or licensee:

(a) has filed an application for a license which is incomplete in any material respect or contains any statement which, in light of the circumstances under which it is made, is false or misleading with respect to any material fact;

(b) has engaged in any fraudulent, deceptive, or dishonest act or practice;

(c) has been convicted within the past five years of a misdemeanor involving a violation of sections 326.241 to 326.248;

(d) has violated or failed to comply with sections 326.241 to 326.248 or any rule or order adopted or issued under these sections; or

(e) has, in the conduct of the applicant's or licensee's affairs, including, but not limited to, the performance of electrical work, been shown to be incompetent or untrustworthy. If a licensee engages in conduct that is proven by a preponderance of the evidence to be a basis for discipline pursuant to paragraphs (a) to (e), the conduct shall constitute a violation of this subdivision. The board may take action under this subdivision or any other law authorizing action against a licensee regardless of whether the underlying conduct was willful. The board may adopt rules further specifying and defining actions, conduct, and omissions that constitute fraudulent, deceptive, dishonest, or prohibited practices, and establishing standards of conduct for applicants and licensees.

**Subd. 9a. Civil penalties.** Whenever a preponderance of the evidence presented proves that a person has violated or failed to comply with sections 326.241 to 326.248 or any rule or order adopted or issued under these sections, the board may impose a civil penalty upon the person in an amount not to exceed \$10,000 per violation.

**Subd. 9b. Orders for hearing.** The complaint committee may, on behalf of the board, issue an order requiring a licensee or an applicant for a license to appear at a hearing on the issue of whether the license should be revoked or suspended, the licensee censured, the application denied, or a civil penalty imposed. The order shall be calculated to give reasonable notice of the time and place for hearing, and shall state the reasons for the entry of the order. All hearings shall be conducted in accordance with chapter 14. After the hearing, the board shall enter an order making a disposition of the matter as the facts require. If the licensee or applicant fails to appear at a hearing of which that person has been duly notified, the person is in default and the proceedings may be determined against that person upon consideration of the order for hearing, the allegations of which may be deemed to be true.

**Subd. 9c. Temporary suspension.** (a) The complaint committee may, on behalf of the board and in the public interest, temporarily suspend a license pending final determination of an order for hearing. The complaint committee shall not issue a temporary suspension order until an investigation of the facts has been conducted pursuant to section 214.10 by the attorney general. The complaint committee shall issue a temporary suspension order only when the safety of life or property is threatened or to prevent the commission of fraudulent, deceptive, or dishonest acts against the public. Service of the temporary suspension order is effective if the order is served on the licensee or counsel of record personally or by first class mail to the most recent address provided to the board for the licensee or the counsel of record.

(b) If a license is suspended pending final determination of an order for hearing, a hearing on the merits shall be held within 45 days of the issuance of the order of temporary suspension. The administrative law judge shall issue a report within 30 days after closing of the contested case hearing record. The board shall issue a final order within 30 days after receipt of that report and any exceptions.

(c) If the licensee requests a hearing in writing within ten days of service of the order, the board shall hold a hearing before its own members on the sole issue of whether there is a reasonable basis to continue, modify, or vacate the temporary suspension.

The board shall hold the hearing within five working days of the licensee's request for hearing. Evidence presented by the complaint committee or licensee shall be in affidavit form only. The licensee or counsel of record for the licensee may appear for oral argument. Within five working days after the hearing, the board shall issue its order either continuing or vacating the temporary suspension.

**Subd. 9d. Cease and desist order.** (a) Whenever it appears to the complaint committee that any person has engaged or is about to engage in any act or practice constituting a violation of sections 326.241 to 326.248, any other law authorizing the issuance of a cease and desist order, or any rule or order adopted or issued under these sections, the complaint committee may, on behalf of the board, issue and cause to be served upon the person an order requiring the person to cease and desist from violating sections 326.241 to 326.248 or any rule or order adopted or issued under these sections. The complaint committee shall not issue a cease and desist order until an investigation of the facts has been conducted pursuant to section 214.10 by the attorney general. The order shall be calculated to give reasonable notice of the right of the person to request a hearing and shall state the reasons for the entry of the order. If no hearing is requested of the board within 15 days of service of the order, the order shall become final and shall remain in effect until it is modified or vacated by the board and shall not be reviewable by a court.

(b) A hearing shall be held not later than 30 days from the date of the board's receipt of a written hearing request, unless otherwise agreed by the person requesting the hearing and the complaint committee. Within 30 days of receipt of the administrative law judge's report and any exceptions, the board shall issue a final order modifying, vacating, or making permanent the cease and desist order as the facts require. The final order remains in effect until modified or vacated by the board.

**Subd. 9e. Costs of proceeding.** The board may impose a fee to reimburse the board for all or part of the cost of the proceedings resulting in disciplinary action or the imposition of civil penalties or the issuance of a cease and desist order. Such fees include, but are not limited to, the amount paid by the board for services from the office of administrative hearings, attorney fees, court reporters, witnesses, reproduction of records, board members' per diem compensation, board staff time, and expense incurred by board members and staff.

**Subd. 9f. District court action; injunctive relief and civil penalties.** (a) Whenever it appears to the board, or the complaint committee if authorized by the board, that any person has engaged or is about to engage in any act or practice constituting a violation of sections 326.241 to 326.248 or any rule or order adopted or issued under these sections, the board, or the complaint committee if authorized by the board, may bring an action in the name of the board in the Ramsey county district court or the district court of any other county in which venue is proper.

(b) The action may be brought to enjoin the acts or practices and to enforce compliance with sections 326.241 to 326.248, any other law authorizing a civil or injunctive action, or any rule or order adopted or issued under these sections and for a civil penalty not to exceed \$10,000 for each separate violation of sections 326.241 to 326.248, any other law authorizing a civil or injunctive action, or any rule or order adopted or issued under these sections.

(c) A temporary restraining order and other temporary injunctive relief shall be granted in the proceeding whenever it appears that any person has engaged in or is about to engage in any act, conduct, or practice constituting violation of sections 326.241 to 326.248, any other law authorizing a civil or injunctive action, or any rule or order adopted or issued under these sections. The board shall not be required to show irreparable harm.

**Subd. 9g. Other remedies.** The issuance of a cease and desist order or injunctive relief under this section does not relieve a person from criminal prosecution by any competent authority or from disciplinary action by the board and does not prevent the board from exercising any other authority granted to it.

**Subd. 9h. Powers additional.** The powers contained in subdivisions 9 to 9g are in addition to all other powers of the board.

**Subd. 9i. Cooperation required.** A person who is the subject of an investigation, or who is questioned in connection with an investigation, by or on behalf of the board or its complaint committee shall cooperate fully with the investigation. Cooperation includes, but is not limited to:

(1) responding fully and promptly to questions raised by or on behalf of the board or its complaint committee relating to the subject of the investigation;

(2) providing copies of records in the person's possession related to the matter under investigation as requested by the board, its complaint committee, or the attorney general within the time limit set by the board, its complaint committee, or the attorney general;

(3) assisting the board, its complaint committee, or the attorney general in its investigation; and

(4) appearing at conferences or hearings scheduled by the board or its complaint committee.

**Subd. 9j. Disciplinary proceedings closed.** Proceedings held before the board or its complaint committee under chapter 214 or subdivisions 9 to 9d are exempt from the requirements of section 13D,01.

**Subd. 9k. Conflicts of law.** If there is a conflict

between sections 326.241 to 326.248 and chapter 214, sections 326.241 to 326.248 shall control.

**Subd. 10. Continuation of business by estates.** Upon the death of a master who is a contractor, the board may permit the decedent's representative to carry on the business of the decedent for a period not in excess of six months, for the purpose of completing work under contract or otherwise to comply with sections 326.241 to 326.248. The representative shall give such bond as the board may require conditioned upon the faithful and lawful performance of such work and such bond shall be for the benefit of persons injured or suffering financial loss by reason of failure of such performance. Such bond shall be written by a corporate surety licensed to do business in the state of Minnesota. Such representative shall also comply with all public liability and property damage insurance requirements imposed by this chapter upon a licensed contractor.

**Subd. 11. Reciprocity.** To the extent that any other state which provides for the licensing of electricians provides for similar action the board may grant licenses, without examination, of the same grade and class to an electrician who has been licensed by such other state for at least one year, upon payment by the applicant of the required fee and upon the board being furnished with proof that the qualifications of the applicant are equal to the qualifications of holders of similar licenses in Minnesota.

**Subd. 12. Exemptions from licensing.** (a) A maintenance electrician who is supervised by the responsible master electrician for a contractor who has contracted with the maintenance electrician's employer to provide services for which a contractor's license is required or by a master electrician or an electrical engineer registered with the board and who is an employee of an employer and is engaged in the maintenance, and repair of electrical equipment, apparatus, and facilities owned or leased by the employer, and performed within the limits of property which is owned or leased and operated and maintained by said employer, shall not be required to hold or obtain a license under sections 326.241 to 326.248.

(b) Employees of a licensed electrical or technology systems contractor or other employer where provided with supervision by a master electrician in accordance with subdivision 1, or power limited technician in accordance with subdivision 3d, paragraph (a), clause (1), are not required to hold a license under sections 326.241 to 326.248 for the planning, laying out, installing, altering, and repairing of technology circuits or systems except planning, laying out, or installing:

(1) in other than residential dwellings, class 2 or class 3 remote control circuits that control circuits or systems other than class 2 or class 3, except circuits that interconnect these systems through communication, alarm, and security systems are exempted from this paragraph;

(2) class 2 or class 3 circuits in electrical cabinets, enclosures, or devices containing physically unprotected circuits other than class 2 or class 3; or

(3) technology circuits and systems in hazardous classified locations as covered by chapter 5 of the National Electrical Code.

(c) Companies and their employees that plan, lay out, install, alter, or repair class 2 and class 3 remote control wiring associated with plug or cord and plug connected appliances other than security or fire alarm systems installed in a residential dwelling are not required to hold a license under sections 326.241 to 326.248.

(d) Heating, ventilating, air conditioning, and refrigeration contractors and their employees are not required to hold or obtain a license under sections 326.241 to 326.248 when performing heating, ventilating, air conditioning, or refrigeration work as described in section 326.245.

(e) Employees of any electric, communications, or railway utility, cable communications company defined in section 238.02, or a telephone company as defined under section 237.01 or its employees, or of any independent contractor performing work on behalf of any such utility, cable communications company, or telephone company, shall not be required to hold a license under sections 326.241 to 326.248:

1. While performing work on installations, materials, or equipment which are owned or leased, and operated and maintained by such utility, cable communications company, or telephone company in the exercise of its utility, antenna, or telephone function, and which

(i) are used exclusively for the generation, transformation, distribution, transmission, or metering of electric current, or the operation of railway signals, or the transmission of intelligence and do not have as a principal function the consumption or use of electric current or provided service by or for the benefit of any person other than such utility, cable communications or telephone company, and

(ii) are generally accessible only to employees of such utility, cable communications, or telephone company or persons acting under its control or direction, and

(iii) are not on the load side of the service point or point of entrance for communication systems;

2. While performing work on installations, materials, or equipment which are a part of the street lighting operations of such utility; or

3. While installing or performing work on outdoor area lights which are directly connected to a utility's distribution system and located upon the utility's distribution poles, and which are generally accessible only to employees of such utility or persons acting under its control or direction.

(f) An owner shall not be required to hold or obtain a license under sections 326.241 to 326.248.

### **326.2421 ALARM AND COMMUNICATION SYSTEMS.**

#### **Subdivision 1. Repealed.**

**Subd. 2. Exemption.** No licensed power limited technician, technology system contractor, or individual employed by a technology system contractor may be required to obtain any authorization, permit, franchise, or license from, or pay any fee, franchise tax, or other assessment to, any agency, department, board, or political subdivision of the state as a condition for performing any work within the scope of the license.

#### **Subd. 3 through 8 Repealed**

**Subd. 9. Limitation.** Nothing in this section prohibits a unit of local government from charging a franchise fee to the operator of a cable communications company as defined in section 238.02.

### 326.243 SAFETY STANDARDS.

All electrical wiring, apparatus and equipment for electric light, heat and power, technology circuits or systems shall comply with the rules of the Department of Commerce or the Department of Labor and Industry, as applicable, and be installed in conformity with accepted standards of construction for safety to life and property. For the purposes of this chapter, the rules and safety standards stated at the time the work is done in the then most recently published edition of the National Electrical Code as adopted by the National Fire Protection Association, Inc. and approved by the American National Standards Institute, and the National Electrical Safety Code as published by the Institute of Electrical and Electronics Engineers, Inc. and approved by the American National Standards Institute, shall be prima facie evidence of accepted standards of construction for safety to life and property; provided further, that in the event a Minnesota building code is formulated pursuant to section 16B.61, containing approved methods of electrical construction for safety to life and property, compliance with said methods of electrical construction of said Minnesota building code shall also constitute compliance with this section, and provided further, that nothing herein contained shall prohibit any political subdivision from making and enforcing more stringent requirements than set forth herein and such requirements shall be complied with by all licensed electricians and technicians working within the jurisdiction of such political subdivisions.

### 326.244 INSPECTION.

**Subdivision 1. Required inspection.** Except where any political subdivision has by ordinance provided for electrical inspection similar to that herein provided, every new electrical installation in any construction, remodeling, replacement, or repair, except minor repair work as the same is defined by the board by rule, shall be inspected by the board for compliance with accepted standards of construction for safety to life and property.

**Subd. 1a. Technology systems.** (a) The installation of the technology circuits or systems described in paragraph (b), except:

- (1) minor work performed by a contractor;
  - (2) work performed by a heating, ventilating, or air conditioning contractor as described in section 326.245; and
  - (3) work performed by cable company employees when installing cable communication systems or telephone company employees when installing telephone systems, must be inspected as provided in this section for compliance with the applicable provisions of the National Electrical Code and the applicable provisions of the National Electrical Safety Code, as those codes were approved by the American National Standards Institute.
- (b) The inspection requirements in paragraph (a) apply to:
- (1) remote control circuits controlling class 2 or class 3 remote control circuits that control circuits or systems other than class 2 or class 3 and indoor lighting, except circuits that interconnect these systems exempted by section 326.242, subdivision 12, paragraph (b), other than fire alarm; class 2 or class 3 circuits in electrical cabinets, enclosures, or devices containing physically unprotected circuits other than class 2 or class 3; or technology circuits and systems in hazardous classified locations as covered by chapter 5 of the National Electrical Code;
  - (2) fire alarm systems, other than in one- or two-family dwellings, as defined in articles 100 and 760 of the National Electrical Code;
  - (3) technology circuits and systems contained within critical care areas of health care facilities as defined by the safety standards identified in section 326.243, including, but not limited to, anesthesia and resuscitative alarm and alerting systems, medical monitoring, and nurse call systems; and
  - (4) physical security systems within detention facilities.

(c) For the purposes of this subdivision "minor work" means the adjustment or repair and replacement of worn or defective parts of a technology circuit or system. Minor work may be inspected under this section at the request of the owner of the property or the person doing the work.

(d) Notwithstanding this subdivision, if an electrical inspector observes that a contractor, employer, or owner has not complied with accepted standards when the work was performed, as provided in the most recent editions of the National Electrical Code and the National Electrical Safety Code as approved by the American National Standards Institute, the inspector may order the contractor, employer, or owner who has performed the work to file a request for electrical inspection, pay an inspection fee, and make any necessary repairs to comply with applicable standards and require that the work be inspected.

**Subd. 2. Procedure.** (a) At or before commencement of any installation required to be inspected by the board, the contractor, installer, special electrician, or owner making the installation shall submit to the board a request for inspection, in a form prescribed by the board, together with the fees required for the installation.

(b) The fees required are a handling fee and an inspection fee. The handling fee shall be set by the board in an amount sufficient to pay the cost of printing and handling the form requesting an inspection. The inspection fee shall be set by the board in an amount sufficient to pay the actual costs of the inspection and the board's costs in administering the inspection. All fees shall be set pursuant to the procedure of sections 14.001 to 14.69.

(c) If the inspector finds that the installation is not in compliance with accepted standards of construction for safety to life and property as required by section 326.243, the inspector shall by written order condemn the installation or noncomplying portion thereof, or order service to the installation disconnected, and shall send a copy of the order to the board. If the installation or the noncomplying part will seriously and proximately endanger human life and property, the order of the inspector, when approved by the inspector's superior, shall require immediate condemnation or disconnection. In all other cases, the order of the inspector shall permit a reasonable opportunity for the installation to be brought into compliance with accepted standards of construction for safety to life and property prior to the effective time established for condemnation or disconnection.

(d) Copies of each condemnation or disconnection order shall be served personally or by mail upon the property owner, and the contractor, installer, or special electrician making the installation, and other persons as the board by rule may direct. An aggrieved party may appeal any condemnation or disconnection order by filing with the board a notice of appeal within 10 days after (1) service upon the aggrieved party of the condemnation or disconnection order, if this service is required, or (2) filing of the order with the board, whichever is later.

The appeal shall proceed and the order of the inspector shall have the effect the order, by its terms, and the rules of the board provides. The board shall adopt rules providing procedures for the conduct of appeals, including provisions for the stay of enforcement of the order of the inspector pending such appeal when justified by the circumstances.

**Subd. 3. Duty of electrical utility.** No electrical installation subject to inspection by the board shall be newly connected or reconnected for use until there is filed with the electrical utility supplying power a certificate of the property owner or licensed electrician, directing the work that inspection has been requested and that the conditions of the installation are safe for energization, provided further, that in all cases where an order of condemnation or disconnection has been issued against the installation or any part thereof, prior to connection or reconnection there shall also first be filed with the electrical utility supplying the power a copy of an order of the inspector or the board dismissing such prior order of condemnation or disconnection or approving the installation as being in compliance with accepted standards of construction for safety to life and property. With respect to transient projects, the aforesaid certificate shall also contain a certification that the request for inspection has been or will be filed with the board so as to be received by it at least five days prior to the date and time energization of the installation by the utility is to occur, and that the request for inspection states such date and time, and it shall be the responsibility of the board to have inspection of such transient project occur prior to the date and time at which the request states energization is to occur.

**Subd. 4. Powers of Political Subdivisions.** Any political subdivision or the University of Minnesota may make provision for inspection of electrical installations within its jurisdiction, in which case it shall keep on file with the board copies of its current inspection ordinances and codes. No political subdivision or the University of Minnesota shall require any individual, partnership, corporation or other business association holding a license from the board under sections 326.241 to 326.248 to pay any license or registration fee, provided however, that any such political subdivision or the University of Minnesota may provide by ordinance a requirement that each individual, partnership, corporation or other business association doing electrical work within the jurisdiction of such political subdivision or the University of Minnesota have on file with said political subdivision a copy of the current license issued by the board or such other evidence of such license as may be provided by the board.

Each electrical inspector of any political subdivision or the University of Minnesota shall be a licensed master or journeyman electrician under section 326.242, subdivision I, paragraph (1), or 2, paragraph (b), and shall not otherwise engage or be employed in the sale, installing, altering, or repairing of electrical wiring, apparatus, or equipment for light, heat, power, and other purposes and shall have no financial interest in any concern engaged in any such business.

**Subd. 5. Exemptions from inspections.** Installations, materials, or equipment shall not be subject to inspection under sections 326.241 to 326.248:

(1) When owned or leased, operated and maintained by any employer whose maintenance electricians are exempt from licensing under sections 326.241 to 326.248, while performing electrical maintenance work only as defined by board rule;

(2) When owned or leased, and operated and maintained by any electric, communications or railway utility, cable communications company as defined in section 238.02, or telephone company as defined under section 237.01, in the exercise of its utility, antenna, or telephone function; and

(i) are used exclusively for the generation, transformation, distribution, transmission, or metering of electrical current, or the operation of railway signals, or the transmission of intelligence, and do not have as a principal function the consumption or use of electric current by or for the benefit of any person other than such utility, cable communications company, or telephone company; and

(ii) are generally accessible only to employees of such utility, cable communications company, or telephone company or persons acting under its control or direction; and

(iii) are not on the load side of the service point or point of entrance for communication systems;

(3) When used in the street lighting operations of an electric utility;

(4) When used as outdoor area lights which are owned and operated by an electric utility and which are connected directly to its distribution system and located upon the utility's distribution poles, and which are generally accessible only to employees of such utility or persons acting under its control or direction;

(5) When the installation, material, and equipment are in facilities subject to the jurisdiction of the federal Mine Safety and Health Act; or

(6) When the installation, material, and equipment is part of an elevator installation for which the elevator contractor, licensed under section 326.242, is required to obtain a permit from the authority having jurisdiction as provided by section 16B.747, and the inspection has been or will be performed by an elevator inspector certified by the department of administration and licensed by the board of electricity. This exemption shall apply only to installations, material, and equipment permitted or required to be connected on the load side of the disconnecting means required for elevator equipment under National Electric Code Article 620, and elevator communications and alarm systems within the machine room, car, hoistway, or elevator lobby.

**Subd. 6. Site inspections.** The board may, without advance notice, inspect any site at which electrical work is being performed or has been performed or where records concerning the performance of electrical work are kept for purposes of ensuring compliance with sections 326.241 to 326.248 or any rule or order adopted or issued under these sections. With respect to electrical work performed at or records kept in an occupied private dwelling, all inspections permitted by this subdivision shall occur during normal business hours and shall be preceded by advance notice, which need not be in writing. The board shall have the authority to examine and copy all records concerning the performance of electrical work and to question in private all persons employed by a contractor or on the site. No person shall retaliate in any manner against any employee or person who is questioned by, cooperates with, or provides information to the board, its complaint committee, or the attorney general.

### 326.2441 INSPECTION FEE SCHEDULE.

**Subdivision 1. Schedule.** State electrical inspection fees shall be paid according to subdivisions 2 to 13.

**Subd. 2. Fee for each separate inspection.** The minimum fee for each separate inspection of an installation, replacement, alteration, or repair is \$20.

**Subd. 3. Fee for services, generators, other power supply sources, or feeders to separate structures.** The inspection fee for the installation, addition, alteration, or repair of each service, change of service, temporary service, generator, other power supply source, or feeder to a separate structure is:

- (1) 0 ampere to and including 400 ampere capacity, \$25;
- (2) 401 ampere to and including 800 ampere capacity, \$50; and
- (3) ampere capacity above 800, \$75.

Where multiple disconnects are grouped at a single location and are supplied by a single set of supply conductors the cumulative rating of the overcurrent devices shall be used to determine the supply ampere capacity.

**Subd. 4. Fee for circuits, feeders, feeder taps, or sets of transformer secondary conductors.** The inspection fee for the installation, addition, alteration, or repair of each circuit, feeder, feeder tap, or set of transformer secondary conductors, including the equipment served, is:

- (1) 0 ampere to and including 200 ampere capacity, \$5; and
- (2) ampere capacity above 200, \$10.

**Subd. 5. Limitations to fees of subdivisions 3 and 4.** (a) The fee for a one-family dwelling and each dwelling unit of a two-family dwelling with a supply of up to 500 amperes where a combination of ten or more sources of supply, feeders, or circuits are installed, added, altered, repaired, or extended is \$80. This fee applies to each separate installation for new dwellings and additions, alterations, or repairs to existing dwellings and includes not more than two inspections. The fee for additional inspections or other installations is that specified in subdivisions 2 to 4. The installer may submit fees for additional inspections when filing the request for electrical inspection.

(b) The fee for each dwelling unit of a multifamily dwelling with three to 12 dwelling units is \$50 and the fee for each additional dwelling unit is \$25. These fees include only inspection of the wiring within individual dwelling units and the final feeder to that unit. This limitation is subject to the following conditions:

(1) the multifamily dwelling is provided with common service equipment and each dwelling unit is supplied by a separate feeder. The fee for multifamily dwelling services or other power source supplies and all other circuits is that specified in subdivisions 2 to 4; and

(2) this limitation applies only to new installations for multifamily dwellings where the majority of the individual dwelling units are available for inspection during each inspection trip.

(c) A separate request for electrical inspection form must be filed for each dwelling unit that is supplied with an individual set of service entrance conductors. These fees are the one-family dwelling rate specified in paragraph (a).

**Subd. 6. Additions to fees of subdivisions 3 to 5.** (a) The fee for the electrical supply for each manufactured home park lot is \$25. This fee includes the service or feeder conductors up to and including the service equipment or disconnecting means. The fee for feeders and circuits that extend from the service or disconnecting means is that specified in subdivision 4.

(b) The fee for each recreational vehicle site electrical supply equipment is \$5. The fee for recreational vehicle park services, feeders, and circuits is that specified in subdivisions 3 and 4.

(c) The fee for each street, parking lot, or outdoor area lighting standard is \$1, and the fee for each traffic signal standard is \$5. Circuits originating within the standard or traffic signal controller shall not be used when computing the fee.

(d) The fee for transformers for light, heat, and power is \$10 for transformers rated up to ten kilovolt-amperes and \$20 for transformers rated in excess of ten kilovolt-amperes.

(e) The fee for transformers and electronic power supplies for electric signs and outline lighting is \$5 per unit.

(f) The fee for alarm, communication, remote control, and signaling circuits or systems, and circuits of less than 50 volts, is 50 cents for each system device or apparatus.

(g) The fee for each separate inspection of the bonding for a swimming pool, spa, fountain, an equipotential plane for an agricultural confinement area, or similar installation shall be \$20. Bonding conductors and connections require an inspection before being concealed.

(h) The fee for all wiring installed on center pivot irrigation booms is \$40.

(i) The fee for retrofit modifications to existing lighting fixtures is 25 cents per lighting fixture.

**Subd. 7. 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 the request for electrical inspection form being filed with the board, a special investigation shall be made before a request for electrical inspection form is accepted by the board.

(b) An investigation fee, in addition to the full fee required by subdivisions 1 to 6, shall be paid before an inspection is made. The investigation fee is two times the hourly rate specified in subdivision 10 or the inspection fee required by subdivisions 1 to 6, whichever is greater, not to exceed \$1,000. 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.

**Subd. 8. 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 \$20 may be assessed in writing by the inspector.

**Subd. 9. Supplemental fee.** When inspections scheduled by the installer are preempted, obstructed, prevented, or otherwise not able to be completed as scheduled due to circumstances beyond the control of the inspector, a supplemental inspection fee of \$20 may be assessed in writing by the inspector.

**Subd. 10. Special inspection.** For inspections not covered in this section, or for requested special inspections or services, the fee shall be \$30 per hour, including travel time, plus 31 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. This fee may also be assessed when installations are not accessible by roadway and require alternate forms of transportation.

**Subd. 11. Inspection of transitory projects.** (a) For inspection of transitory projects including, but not limited to, festivals, fairs, carnivals, circuses, shows, production sites, and portable road construction plants, the inspection procedures and fees are as specified in paragraphs (b) to (i).

(b) The fee for inspection of each generator or other source of supply is that specified in subdivision 3. A like fee is required at each engagement or setup.

(c) In addition to the fee for generators or other sources of supply, there must be an inspection of all installed feeders, circuits, and equipment at each engagement or setup at the hourly rate specified in subdivision 10, with a two-hour minimum.

(d) An owner, operator, or appointed representative of a transitory enterprise including, but not limited to, festivals, fairs, carnivals, circuses, production companies, shows, portable road construction plants, and similar enterprises shall notify the board of its itinerary or schedule and make application for initial inspection a minimum of 14 days before its first engagement or setup. An owner, operator, or appointed representative of a transitory enterprise who fails to notify the board 14 days before its first engagement or setup may be subject to the investigation fees specified in subdivision 7. The owner, operator, or appointed representative shall request inspection and pay the inspection fee for each subsequent engagement or setup at the time of the initial inspection. For subsequent engagements or setups not listed on the itinerary or schedule submitted to the board and where the board is not notified at least 48 hours in advance, a charge of \$100 may be made in addition to all required fees.

(e) Amusement rides, devices, concessions, attractions, or other units must be inspected at their first appearance of the year. The inspection fee is \$20 per unit with a supply of up to 60 amperes and \$30 per unit with a supply above 60 amperes.

(f) An additional fee at the hourly rate specified in subdivision 10 must be charged for additional time spent by each inspector if equipment is not ready or available for inspection at the time and date specified on the application for initial inspection or the request for electrical inspection form.

(g) In addition to the fees specified in paragraphs (a) and (b), a fee of two hours at the hourly rate specified in subdivision 10 must be charged for inspections required to be performed on Saturdays, Sundays, holidays, or after regular business hours.

(h) The fee for reinspection of corrections or supplemental inspections where an additional trip is necessary may be assessed as specified in subdivision 8.

(i) The board may retain the inspection fee when an owner, operator, or appointed representative of a transitory enterprise fails to notify the board at least 48 hours in advance of a scheduled inspection that is canceled.

**Subd. 12. Handling fee.** The handling fee to pay the cost of printing and handling of the form requesting an inspection is \$1.

**Subd. 13. National electrical code used for interpretation of provisions.** For purposes of interpretation of this section and Minnesota Rules, chapter 3800, the most recently adopted edition of the National Electrical Code shall be prima facie evidence of the definitions, interpretations, and scope of words and terms used.

### **326.245 MANUFACTURING, INSTALLATION, ALTERATION, OR REPAIR OF ELECTRICAL APPARATUS; EXEMPT.**

**Subdivision 1. Manufacturers.** Electrical components, apparatus, or appliances being manufactured within the limits of property which is owned or leased by a manufacturer and such manufacturer's production employees are not covered by sections 326.241 to 326.248.

**Subd. 2. Electrical appliance units.** Installation, alteration, or repair of electrical appliance units are not covered by sections 326.241 to 326.248. For the purposes of this section, "electrical appliance units" means all electrical and fossil fuel appliances that use electricity including, but not limited to, furnaces, water heaters, stoves, clothes washers, dryers, and dishwashers. The installation of electrical wiring to an electrical appliance unit is covered by sections 326.241 to 326.248.

**Subd. 3. Other units.** Planning, laying out, and installation of heating, ventilating, air conditioning, or refrigeration units are not covered by sections 326.241 to 326.248. For purposes of this section, heating, ventilating, air conditioning, or refrigeration units include, but are not limited to, air conditioning units, air conditioning evaporators, air conditioning condensers, air conditioning and refrigeration chillers, boilers, furnaces, air handling units, rooftop units, humidifiers, ice makers, and super market, ice arena, and bar/restaurant equipment. The installation of electrical wiring to the unit is covered by sections 326.241 to 326.248.

**Subd. 4. Other equipment.** Planning, laying out, alteration, replacement, or repair of heating, ventilating, air conditioning, or refrigeration equipment, and associated devices, controls, and wiring including wiring in or on the equipment, are not covered by sections 326.241 to 326.248 when the work is performed by an employee of a heating, ventilating, air conditioning, or refrigeration contractor provided that the employee performing the work has received a certificate of completion from a heating, ventilating, air conditioning, or refrigeration apprenticeship program approved by the state of Minnesota or any class of personal electrical license issued by the board. Employees registered in an approved heating, ventilating, air conditioning, or refrigeration program may design, plan, alter, replace, or repair heating, ventilating, air conditioning, or refrigeration equipment, devices, and controls including wiring in or on the equipment, under the direction of an employee who has a certificate of completion from an approved program or any class of personal electrical license issued by the board. The installation of electrical wiring to the unit is covered by sections 326.241 to 326.248.

### **326.246 CRIMES.**

It is a misdemeanor knowingly and willfully to commit, or to order, instruct, or direct another to commit, any of the following acts:

- (1) to make a false statement in any license application, request for inspection, certificate, or other lawfully authorized or required form or statement provided by sections 326.241 to 326.248;
- (2) to perform electrical work without a proper license for such work unless the work is exempt from licensing;
- (3) to fail to file a request for electrical inspection when required;
- (4) to interfere with or refuse entry to an inspector lawfully engaged in the performance of the inspector's duties; and
- (5) to violate any lawful statute, rule or order of the board, or any city ordinance which pertains to powers given to political subdivisions under section 326.244, subdivision 4.

### **326.2461 UNIFORM ELECTRICAL VIOLATION CITATION.**

**Subdivision 1. Citation authorized.** The board of electricity may issue a citation for violations of sections 326.241 to 326.248, rules adopted under those sections, and ordinances of political subdivisions. The citation must be in a form as provided by subdivision 2.

**Subd. 2. Form of citation.** The board of electricity shall pursuant to chapter 14 prescribe the detailed form of an electrical violation citation and shall revise the citation as the board considers necessary and proper to keep the citation in conformity with the board's rules.

**Subd. 3. Political subdivision may alter ticket.** A political subdivision that has made provision for inspection of electrical installations within its jurisdiction under section 326.244, subdivision 4, may use or alter by deletion or addition the electrical violation citation adopted by the board of electricity under subdivision 2.

### **326.247 CONTINUITY.**

Persons now members of the board shall remain in office until the expiration of the terms to which they were appointed. Board rules, regulations, forms, policies and classifications of special electricians now in effect, and not in conflict herewith shall continue until lawfully modified or repealed.

**326.248 CITATION.** Sections 326.241 to 326.248 shall be known as the Minnesota Electrical Act.



**STATE BOARD OF ELECTRICITY  
MINNESOTA RULES CHAPTER 3800  
LICENSES, INSPECTIONS  
QUALIFICATIONS FOR  
ELECTRICIAN LICENSES**

**3800.3500 DEFINITIONS.**

**Subpart 1. Words, terms, and phrases.** For the purposes of this chapter and the Minnesota Electrical Act, Minnesota Statutes, sections 326.241 to 326.248, 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 a 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.

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. Repealed.**

**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, 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 foreign countries, 12 months; and

D. acquired during the school term of a board-approved two-year post high school electrical course and other board-approved courses requiring attendance on a full-time daily basis, none; and

E. experience for a power limited technician only, acquired during the school term of board-approved part-time or night school courses, no restriction.

**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 E.

A. Experience while in the employ of a 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 a 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 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 contractor in Minnesota. This determination must be based on a certification by the employer for the type of work performed.

E. Experience while performing electrical work in the armed forces of the United States which the board has determined is substantially equivalent to work performed while in the employ of a licensed contractor in Minnesota. This determination shall be based on a certification by the military 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 I for the type of license sought.

**A. Class A master electrician, the minimum total is 60 months, including:**

(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) wiring and maintaining technology circuits or systems: minimum experience of zero months, maximum credit allowance of six months; and

(9) wiring and maintaining process control circuits or systems: minimum experience of zero months, maximum credit allowance of 12 months.

**B. Class A journeyman electrician, the minimum total is 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 24 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) wiring and maintaining technology circuits or systems: minimum experience of zero months, maximum credit allowance of six months;
- (9) wiring and maintaining process control circuits or systems: minimum experience of zero months, maximum credit allowance of 12 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 is 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) wiring and maintaining technology circuits or systems: minimum experience of zero months, maximum credit allowance of six months; and
- (9) wiring and maintaining process control circuits or systems: minimum experience of zero months, maximum credit allowance of 12 months.

**D. Elevator constructor, the minimum total is 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) wiring and maintaining technology circuits or systems: minimum experience of zero months, maximum credit allowance of six months; and
- (9) wiring and maintaining process control circuits or systems: minimum experience of zero months, maximum credit allowance of 12 months.

**E. Maintenance electrician, the minimum total is 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) wiring and maintaining technology circuits or systems: minimum experience of zero months, maximum credit allowance of six months;

(9) wiring and maintaining process control circuits or systems: minimum experience of zero months, maximum credit allowance of 12 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 technical course approved by the board.

**F. Lineman, the minimum total is 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) wiring and maintaining technology circuits or systems: minimum experience of zero months, maximum credit allowance of six months; and

(9) wiring and maintaining process control circuits or systems: minimum experience of zero months, maximum credit allowance of zero months.

**G. Class A installer, the minimum total is 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) wiring and maintaining technology circuits or systems: minimum experience of zero months, maximum credit allowance of three months; and

(9) wiring and maintaining process control circuits or systems: minimum experience of zero months, maximum credit allowance of zero months.

**H. Class B installer, the minimum total is 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) wiring and maintaining technology circuits or systems: minimum experience of zero months, maximum credit allowance of three months; and

(9) wiring and maintaining process control circuits or systems: minimum experience of zero months, maximum credit allowance of zero months.

**I. Power limited technician, the minimum total is 36 months, including:**

(1) planning for the installation of wiring, apparatus, and equipment for technology circuits or systems: minimum experience of zero months, maximum credit allowance of six months;

(2) laying out for the installation of wiring, apparatus, and equipment for technology circuits or systems: minimum experience of zero months, maximum credit allowance of six months;

(3) supervising the installation of wiring, apparatus, and equipment for technology circuits or systems: minimum experience of zero months, maximum credit allowance of six months;

- (4) wiring for and installing technology circuit or system wiring, apparatus, and equipment: minimum experience of 12 months, maximum credit allowance of 36 months;
- (5) maintaining and repairing technology circuit or system 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 zero months;
- (7) installing elevators: minimum experience of zero months, maximum credit allowance of zero months;
- (8) wiring and maintaining process control circuits or systems: minimum experience of zero months, maximum credit allowance of six months; and
- (9) a maximum of up to 12 months or 2,000 hours of experience credit will be allowed for the successful completion of a two-year post high school electrical course or other technical training approved by the board.

**3800.3530 REQUIREMENTS FOR SECURING AND MAINTAINING CONTRACTOR'S LICENSE.**

**Subpart 1. Information required to be provided by applicants.** In addition to the requirements of Minnesota Statutes, section 326.242, subdivision 6, an applicant for a contractor's license shall also supply the information described in A to G:

A. The telephone number, exclusive of answering services, as listed under the contractor's or person's name in telephone directories;

B. The mailing address, and the street address of:

1. the owner, if the applicant is a sole proprietorship;
2. each partner, if the applicant is a partnership or limited liability partnership;
3. each member, if the applicant is a limited liability company;
4. the corporate officers, if the applicant is a corporation;
5. the primary location from which the contracting business is conducted;
6. the registered office or registered agent of the corporation or limited liability company, or the specified office or specified agent of the limited liability partnership when the company is located in a state that is not contiguous with Minnesota; and
7. each additional location from which the applicant's contracting business is conducted.

C. The social security number of each individual, partner, venturer, corporate officer, or member as required by Minnesota Statutes, section 270.72 subdivision 4.

D. Except for an individual or a partnership making application using the individual's or all partners' own full true names as the contractor name, a copy of the certificate of assumed name or a copy of certificate of the good standing issued by the office of the secretary of state.

E. Except for sole proprietor and one-member limited liability companies that do not have employees or do not have taxable sales, the applicant's Minnesota and federal identification numbers. Dependent upon residency of employees and wages paid, applicants from outside Minnesota may not be required to provide a Minnesota identification number. Applicants not providing a Minnesota identification number under this item must provide an affidavit that their company is not required to deduct and withhold employee income tax.

F. When the applicant has employees, the applicant's worker's compensation insurance account number and unemployment insurance account number. A worker's compensation insurance account number is not required for an applicant who only employs persons excluded under Minnesota Statutes, section 176.041. An applicant not providing worker's compensation insurance must provide an affidavit that Minnesota Statutes, section 175.041 does not require worker's compensation insurance for their employees.

G. A certificate of master electrician or power limited technician identifying the licensed person responsible for the contractor's license as required by part 3800.3540.

**Subp. 2. 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 OR POWER LIMITED TECHNICIAN ON CONTRACTOR'S LICENSE APPLICATION.**

**Subpart 1. Responsible licensed person for contractor limited to one contractor license.** Each contractor shall designate the responsible master electrician or power limited technician employed by the contractor on the application for a contractor's license. The board shall not grant a contractor's license if it appears that the responsible electrician or power limited technician designated is also employed by any other contractor or employer. In the event that an applicant for a contractor license has designated an employee as the responsible master electrician or power limited technician who is the responsible master electrician or power limited technician for another contractor or employer, or is employed by another contractor or employer, the board shall return the application to the applicant

**Subp. 2. Notice required for resignation, termination, or separation of responsible licensed person.** The responsible master electrician or power limited technician for a contractor shall give a minimum 15-day notice to the contractor and board before resigning as the responsible master electrician or power limited technician for the contractor. The contractor and responsible master electrician or power limited technician shall immediately notify the board upon the termination or separation of the contractor's responsible master electrician or power limited technician.

**Subp. 3. Replacement certificate of responsible licensed person.** The contractor shall submit a replacement certificate of responsible licensed person form identifying the replacement responsible master electrician or power limited technician within 30 days from the date of termination or separation. If the contractor is unable to acquire a replacement responsible master electrician or power limited technician within 30 days from the date of termination, the contractor's license is invalid and the contractor shall cease and desist from performing any electrical work and return the contractor's license for voluntary termination. Upon acquiring a replacement responsible master electrician or power limited technician, the contractor may request reinstatement of the terminated license.

**Subp. 3a. Failure to renew or maintain master electrician or power limited Technician license.** If the responsible master electrician or power limited technician for the contractor is an owner, partner, member, or officer of the company and fails to renew a license or a license is suspended or revoked, the contractor license is deemed invalid and the contractor shall cease and desist from performing any electrical work until the master electrician or power limited technician license is renewed or reinstated, or a certificate of responsible licensed person identifying a replacement responsible master electrician or power limited technician is submitted. Upon renewal, or reinstatement of the master electrician's or power limited technician's license, or acquiring a replacement responsible master electrician or power limited technician, the contractor may request reinstatement of the license. If the responsible master electrician or power limited technician for the contractor is an employee of the company and fails to renew a license or a license is suspended or revoked, the contractor has 30 days to secure a properly licensed responsible master electrician or power limited technician. If the contractor is unable to acquire a replacement responsible master electrician or power limited technician, or if the master electrician or power limited technician license is not renewed or reinstated within 30 days from the date of the expiration, suspension, or revocation, the contractor's license is invalid and the contractor shall cease and desist from performing any electrical work. Upon renewal, or reinstatement of the responsible master electrician's or power limited technician's license, or the contractor submitting a replacement certificate of responsible master electrician or power limited technician, the contractor may request reinstatement of the license.

**Subp. 4. Evidence of compliance with this chapter and the Minnesota Electrical Act.** The owner or principal of a company and the responsible master electrician or power limited technician of the company applying for a contractor license shall provide certification that the contractor will comply with the requirements of this chapter and the Minnesota Electrical Act.

**Subp. 5. Employer.** For the purpose of this part, "employer" means a person, partnership, corporation, or limited liability company who has one or more employees who perform electrical work on the employer's electrical wiring, apparatus, equipment, or on facilities owned or leased by the employer which are located within the limits of property owned or leased and operated and maintained by the employer.

### **3800.3550 DESIGNATION OF RESPONSIBLE MASTER ELECTRICIAN, POWER LIMITED TECHNICIAN 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 responsible licensed person executed by the properly licensed employee who is responsible for compliance with this chapter and 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 responsible licensed person executed by an employee who holds a bachelor of Electrical Engineering degree from an accredited university or college, power limited technician, maintenance electrician, or a master electrician license, and is responsible for compliance with this chapter and the Minnesota Electrical Act by that employer and the employer's employees.

**Subp. 3. Notification of termination of responsible licensed person.** The designated responsible person on the certificate of responsible licensed person required under this part shall immediately notify the Board of Electricity in writing of termination as the responsible licensed person 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 this chapter and the Minnesota Electrical Act.

**Subp. 5. Resubmittal of designation of responsible master electrician, power limited technician, licensed maintenance electrician, or electrical engineer by an employer.** An employer shall resubmit a certificate of responsible licensed person executed by the properly certified employee who is responsible for compliance with this chapter and the Minnesota Electrical Act two years from the date of the previous submittal.

**Subp. 6. Employer.** For the purpose of this part, "employer" means a person, partnership, corporation, or limited liability company who has one or more employees who perform electrical work on the employer's electrical wiring, apparatus, equipment, or on facilities owned or leased by the employer which are located within the limits of property owned or leased and operated and maintained by the employer.

### **3800.3560 ADVERTISING RESTRICTIONS.**

The 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 CONTRACTOR'S VEHICLES.**

Any vehicle used by a contractor while performing electrical work for which an contractor's license is required shall have the contractor's name and license number 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.**

**Subpart 1. Violation of this chapter and the Minnesota Electrical Act.** The board may revoke, suspend, or refuse to renew any license granted pursuant to Minnesota Statutes, sections 326.242 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 contractor and fails or refuses to furnish and maintain a valid and enforceable installer's or contractor's bond as required by Minnesota Statutes, sections 326.242; and

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

**Subp. 2. Violation of other statute or rule.** The board must revoke, suspend, or refuse to renew any license as provided in Minnesota Statutes, sections 268.0625, 270.72, or 518.551.

### **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. Master licenses expire March 1 of each odd-numbered year after issuance or renewal. Electrical contractor licenses expire March 1 of each even-numbered year after issuance or renewal. Technology system contractor licenses expire August 1 of each even-numbered year after issuance or renewal.

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

A. For application/examination for each class of license, \$35.

B. For issuance of original license and renewal:

(1) Class A master and master elevator constructor, \$40 a year;

(2) Class B master, \$25 a year;

(3) Class A journeyman, power limited technician, Class B journeyman, Class A or B installer, elevator constructor, maintenance, lineman, or special electrician, \$15 a year; and

(4) Electrical contractor and technology system contractor, \$100 a year.

**Subp. 3. Prorating fees.** If a new master or contractor 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.

**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 technology system contractor who seeks reissuance of a license after it has been revoked or suspended pursuant to part 3800.3580 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 \$3.

### **RULES RELATING TO CONTINUING EDUCATION**

#### **3800.3600 AUTHORITY; PURPOSE.**

Parts 3800.3601 to 3800.3604 establish continuing education requirements for renewal of electrician licenses, as authorized by Minnesota Statutes, Section 214.12.

#### **3800.3601 DEFINITIONS.**

**Subpart 1. Words, terms, and phrases.** For the purposes of parts 3800.3600 to 3800.3604, the terms defined in this part have the meanings given them.

**Subp. 2. Educational program.** "Educational program" means a course, seminar, workshop or other educational offering where interactive instruction is provided by one or more instructors, either directly or by interactive media.

**Subp. 3. Hours of instruction.** "Hours of instruction" means the time in hours allowed by the board for attending an educational program pursuant to part 3800.3602.

**Subp. 4. Electrician license.** "Electrician license" means a personal electrical license issued by the board that is required by statute or rule. "Electrician license" does not include "lineman" as defined by part 3800.3500, subpart 6.

**Subp. 4a. Power limited technician.** "Power limited technician" means a person meeting the qualifications of Minnesota Statutes, section 326.242, subdivision 3d, paragraph (b) or (e), and who is licensed by the board.

**Subp. 5. Provider.** "Provider" means a person, partnership, corporation, professional association, government agency, or other entity authorized by law which provides educational programs for credit under part 3800.3602.

#### **3800.3602 REQUIREMENTS FOR RENEWAL OF ELECTRICIAN AND POWER LIMITED TECHNICIAN LICENSE.**

**Subpart 1. License renewal.** The board shall not renew the electrician license of an applicant for renewal who has held the license for at least 24 months unless the applicant has credit for the hours of instruction required by this part.

##### **Subp. 2. Hours of instruction.**

A. Within the 24 months preceding the expiration of an electrician or power limited technician license, each holder of a license shall receive credit for instruction through one or more educational programs as required by this part. Credit shall be allowed only once for any educational program in any 24 month period. Where a licensee holds more than one type of electrician license, the same credits for hours of instruction may be applied to each license.

B. The following license types are required to earn 16 hours of instruction through one or more educational programs:

(1) Class A master electrician;

(2) Class B master electrician;

(3) Class A journeyman electrician;

(4) Class B journeyman electrician;

- (5) master elevator constructor;
- (6) elevator constructor;
- (7) maintenance electrician;
- (8) Class A installer; and
- (9) Class B installer.

C. A power limited technician is required to earn eight hours of instruction through one or more educational programs.

**Subp. 3. Acceptable subjects.** At least 12 hours of instruction for license types identified under subpart 2, item B, must be on the National Electrical Code and the remainder on the statutes and rules governing electrical installations, this chapter, and Minnesota Statutes, sections 326.241 to 326.248, or technical topics related to electrical installations and equipment. At least two hours of instruction for license types identified under subpart 2, item C, must be on the National Electrical Code with the remainder on the statutes and rules governing electrical installations, this chapter, Minnesota Statutes, sections 326.241 to 326.248, or technical topics related to electrical installations and equipment.

### **3800.3603 CREDIT FOR INSTRUCTION.**

**Subpart 1. Approval of educational programs.** To qualify for credit under part 3800.3602, educational programs shall be approved by the board. The provider shall submit an application for approval on a form provided by the board, which shall include an outline of the educational program, the number of hours of instruction provided, and the names, addresses, telephone and facsimile numbers, and qualifications of the instructors. The provider shall submit a new application for approval if the instruction provided deviates substantively from the outline previously submitted or the hours of instruction provided is changed. Applications for approval shall be received by the board at least 30 days prior to the first presentation of an educational program. Approval of individual educational programs expires 36 months from the initial date of approval. If a provider offers a program after three years from initial approval, the provider must resubmit the program for approval. An interactive educational program may also be approved for presentation through electronic media. In addition to the requirements of parts 3800.3600 to 3800.3603, a program presented through electronic media that does not include real-time interaction between the presenter and the licensee must include an examination process that ensures a licensee has successfully completed the program.

**Subp. 2. Notification of Presentations.** Not less than 14 days prior to a presentation of an educational program, the provider shall notify the board in writing of the date, time, and location of the presentation.

**Subp. 3. Exception to pre-approval.** Notwithstanding subparts 1 and 2, educational programs that are offered in other states and not granted prior approval according to this part shall be considered for credit if the board is provided with evidence that the educational program meets the requirements of part 3800.3602 and is approved for continuing education credit by a public authority licensing electricians or power limited technicians in the other state.

**Subp. 4. Review of Educational Programs.** The board shall have authority to audit or review educational programs and presentations of educational programs for compliance with parts 3800.3600 to 3800.3603 and review the provider's records concerning persons who have attended such presentations for credit. The board shall withdraw approval of any educational program not in compliance with parts 3800.3600 to 3800.3603.

**Subp. 5. Qualifications of instructors.** All educational programs shall be conducted by board-approved instructors who have the qualifications described in at least one of the following items:

A. a personal electrical license and at least four years' experience in electrical inspection, supervising electrical installations, or teaching subjects within the scope of the electrical work permitted by the instructor's license. Not more than four hours of instruction credit will be allowed where the scope of the electrical work permitted by the instructor's license is less than that of the person who attended the educational program;

B. a registered or licensed electrical engineer with at least four years' experience in the design of premises electrical power systems or technology systems;

C. at least five years' practical experience in the subject being taught. Not more than four hours of instruction credit will be allowed for an educational program conducted by an instructor in this category; or

D. for technology systems, an instructor certified by a national training program.

**Subp. 6. Credit for teaching.** Instructors of educational programs approved under this part shall receive three hours of instruction credit for each hour of instruction allowable under subpart 1.

**Subp. 7. Report of credits earned.** Within 14 days after presentation of an educational program for credit under part 3800.3602, the provider shall provide a certificate of completion to each licensee in attendance, and shall forward an attendance list to the board on a form supplied by the board, or in a format approved by the board. Each certificate of completion and attendance list shall include the name of the provider, date and location of the presentation, educational program identification that was provided to the board, hours of instruction or continuing education units, and the licensee's name and license number or the last four digits of the licensee's social security number. The attendance list must be typewritten and provide a summary of each attendee's hours for each course attended.

### **3800.3610 EXCLUSIVE ADMINISTRATIVE REMEDY.**

The procedures prescribed by parts 3800.3650 to 3800.3690 constitute the exclusive administrative remedies for preventing connection or requiring disconnection of the supply of electrical power to a premises.

### **3800.3619 DEFINITIONS.**

**Subpart 1. Scope.** For the purpose of part 3800.3620, the terms defined in this part have the meanings given them.

**Subp. 2. Labeled.** "Labeled" has the meaning given in Article 100 of the National Electrical Code.

**Subp. 3. Listed.** "Listed" has the meaning given in Article 100 of the National Electrical Code.



**Subp. 4. National Electrical Code.** "National Electrical Code" means the National Electrical Code as incorporated by reference in part 1315.0200.

**Subp. 5. Testing Laboratory.** "Testing Laboratory" means an electrical testing laboratory that has provided a written report to the board showing that it has the facilities listed in Section 90-6 of the National Electrical Code or that is accredited under the Federal Occupational Safety and Health Administration Nationally Recognized Testing Laboratory Program.

### **3800.3620 APPROVAL OF ELECTRICAL EQUIPMENT.**

**Subpart 1. National Standards.** Except as otherwise provided in subpart 2 or 3, as a condition for approval under Minnesota Statutes, section 326.243, and Section 110-2 of the National Electrical Code, all electrical equipment, including material, fittings, devices, apparatus, fixtures, appliances, and utilization equipment, used as part of, or in connection with, an electrical installation shall be listed and labeled by a testing laboratory.

**Subp. 2. Alternatives to listing and labeling.** With the exception of electrical equipment of types specifically required to be listed by the National Electrical Code, the board shall accept one of the applicable methods described in item A or B as an alternative to listing and labeling.

A. Evaluation by a testing laboratory or by a registered or licensed electrical engineer who has no financial or other interest in the manufacture or sale of the equipment, provided that any deficiencies identified by the evaluation are corrected and the equipment complies with the listed requirements. A written report of the evaluation shall be submitted directly to the board, and shall state standards that were applied in the evaluation. Evaluation reports by an electrical engineer acting independently of a testing laboratory shall also include an item-by-item comparison of the equipment with the requirements to be listed. If the board finds that the evaluation or evaluation report is incomplete or inaccurate it retains the right require further evidence of compliance or to reject the equipment.

Evaluations conducted according to the procedures in this item shall be considered evidence of compliance of all identical equipment produced by that manufacturer for a period of one year from the time the evaluation was completed, or until the equipment has been listed, whichever is less, provided that the manufacturer has applied for listing of the equipment, or produces fewer than 100 such units per year. Where additional identical equipment will be produced, the manufacturer shall provide the board with a written statement giving the equipment model number and agreeing that all subsequent equipment will be identical to that which was evaluated and, where the equipment has not been submitted for listing, shall also provide a written report to the board 12 months from the date of the evaluation report which lists the serial numbers of the equipment installed in Minnesota over the preceding twelve months.

Where deficiencies are identified by the initial evaluation report, those deficiencies shall be corrected for all subsequent units, the changes shall be verified by the person who performed the initial evaluation, and an amended report shall be submitted to the board. If the manufacturer deviates from the construction established by the evaluation report, the equipment shall be re-evaluated and any non-complying equipment that was sold brought into compliance.

Where the evidence of compliance is an evaluation according to this item, the manufacturer shall affix a durable permanent label to the equipment in a readily visible location, which states: "This equipment is identical to equipment that was evaluated by (name), and found to be in compliance with the requirements to be listed. A copy of the evaluation report was filed with the Minnesota State Board of Electricity on (date)."

B. Where procedures acceptable to the testing laboratory are followed, a manufacturer of unlisted equipment shall be permitted to submit such equipment to another manufacturer of similar listed equipment for evaluation, correction of non-complying construction, and labeling.

**Subp. 3. Equipment exempt from listing requirements.** Equipment described in items A to E is exempt from the requirements in subparts 1 and 2.

A. Industrial machinery as defined by Section 670-2 of the National Electrical Code is not required to be listed where all electrical components of the equipment, including electrical control panels and solid-state motor controls, are in compliance with item B, C, or D, or subpart 1 or 2, and all of the machine electrical wiring is in compliance with the National Electrical Code.

B. Electrical equipment enclosed in a listed cabinet or box suitable for the environment in which it is installed, and electrically connected only to circuits supplied from listed Class 2, logic level, communications, or other circuits with maximum open circuit voltage of 30 volts rms AC, or DC, and overcurrent protection of eight amperes or less, or to any combination of such circuits, is not required to be listed, provided further that any printed wiring boards shall be of listed material and shall be permitted to be supplied from a labeled microcomputer power supply.

C. Electrical control equipment constructed according to the listed requirements and enclosed in a listed cabinet or box suitable for the environment in which it is located, where the enclosed equipment consists of eight or fewer listed components, other than wires, cables, cords, terminal assemblies, non-electrical components, and those covered under item B, provided that the devices are not electrically connected to circuits on a printed wiring board other than those circuits covered under item B, is not required to be listed.

D. Custom-made electrical equipment or related installations that are designed and manufactured to a purchaser's specifications and are not marketed to the general public are exempt from listing and labeling requirements. Equipment or installations exempt under this item are subject to the following:

(1) they must be determined to be safe for their intended use by the manufacturer on the basis of test data which the purchaser keeps and makes available to the electrical inspection authority having jurisdiction, as required by Code of Federal Regulations, title 29, part 1910.399 (1991), for equipment or installations subject to national occupational safety and health laws; or

(2) they must be inspected by the electrical inspection authority having jurisdiction for compliance with the construction requirements of the applicable electrical standards used by electrical testing laboratories to evaluate the equipment, or the National

Electrical Code. Schematic wiring diagrams, component layout diagrams, and component electrical rating information shall be provided to enable evaluation under this subitem.

E. Utilization equipment as defined by the National Electrical Code is not required to be listed if:

- (1) the equipment includes eight or fewer electrical components which are listed or are exempt from listing by item B or C; and
- (2) all wiring that is part of the equipment is in compliance with the National Electrical Code.

### **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 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 other 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 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 12-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 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 owner and the 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, NOTIFICATION FOR FINAL INSPECTION AND EXPIRATION.**

**Subpart 1. Final Inspection.** Installers of electrical wiring shall schedule a final inspection or otherwise notify the electrical inspector that the work associated with a specific request for inspection certificate is completed prior to the wiring being utilized by the intended user and the associated space being occupied.

**Subp. 2. Expiration.** Request for inspection certificates on installations with inspection fees of \$250 or less are void 12 months from the original filing date regardless of whether the wiring is completed. A new request for inspection certificate shall be filed on all unfinished work when the work is not completed within 12 months from the filing date of the original request for inspection certificate. An inspection fee calculated according to Minnesota Statutes, section 326.2441 for all unfinished work shall be submitted with the new request for inspection certificate. Request for inspection certificate inspection fees of \$250 or less are not refundable after 12 months from the original filing date.

**Subp. 3. Authority.** The authority to install electrical wiring associated with a specific request for inspection certificate is void at the time of a final inspection or expiration, whichever occurs first. The Board's authority to inspect wiring covered by a request for inspection certificate continues until the installation is approved at a final inspection.

### **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 a contractor shall originate from the contractor's principal place of business. Checks issued to the board by a 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.

## **Technical Program Approval Rules**

### **3800.3820 PURPOSE.**

Parts 3800.3820 to 3800.3870 establish requirements for approval of programs that will be used to fulfill the experience requirements for electrical license applicants.

### **3800.3825 DEFINITIONS.**

**Subpart 1. Scope.** For the purposes of parts 3800.3820 to 3800.3870, the terms defined in this part have the meanings given them.

**Subp. 2. Advanced standing.** "Advanced Standing" means credit toward program completion for prior education recognized by a postsecondary program through a developed procedure including transfer of credits for courses that are at least 80percent similar to those in an approved program, and credit by examination for up to 25percent of program courses.

**Subp. 3. Approval period.** "Approval period" means a time frame beginning with the approval beginning date and extending until the program is discontinued or board approval is removed or not continued through the reapplication process.

**Subp. 4. Course.** "Course" means a part of a program that consists of an individual knowledge or skill area, or part of a larger knowledge or skill area.

**Subp. 5. Electrical work.** "Electrical Work" means the installing, altering, repairing, planning, or laying out of electrical wiring, apparatus, or equipment for light, heat, power, or other purposes. The installing alteration, repairing, planning, or laying out of electrical wiring apparatus, or equipment for light, heat, power, or other purposes includes, but is not limited to, the performance of any work governed by the standards referred to in Minnesota Statutes section 326.243.

**Subp. 6. Independent study.** "Independent Study" means student learning effort within the specific program content that is outside of lecture, shop or lab time and does not require student/instructor contact.

**Subp. 7. Survey.** "Survey" means collecting and analyzing information to assess compliance with parts 3800.3820 to 3800.3870. Information must be analyzed by multiple methods, including review of requested information and materials, on site evaluation, or interviews and conferences with program administrators, instructors, or students.

### **3800.3830 TWO-YEAR ELECTRICAL PROGRAM.**

To qualify for approval, a two-year electrical program must be a postsecondary program that awards a diploma or an associate of applied science degree at completion and meets the requirements of parts 3800.3820 to 3800.3870. Satisfactory completion of an approved two-year electrical program fulfills the one year's experience credit requirement for a Class A journeyman electrician, power limited technician, or maintenance electrician license applicant according to part 3800.3520, subpart 5, items B, E, and I, and Minnesota Statutes, section 326.242, subdivisions 2, paragraph (b), and 3d, paragraph (b).

### **3800.3831 POWER LIMITED TECHNICIAN PROGRAM.**

To qualify for approval, a power limited technician program must either be a two-year electrical program described in part 3800.3830 or other program that has at least 500 hours of student and instructor contact time meeting the program content described in part 3800.3880. Approval for experience credit for programs other than a two-year electrical program is based on increments of 100 hours, or major fraction thereof, of student and instructor contact time up to a maximum of 2,000 hours.

### **3800.3835 TECHNICAL PROGRAM COMMITTEE**

The president of the Minnesota Board of Electricity must appoint a technical program committee consisting of three board members, the board's executive secretary, and its electrical examiner. Appointment of board members must be made at the beginning of each fiscal year.

### **3800.3840 APPLICATION FOR PROGRAM APPROVAL.**

**Subpart 1. Content.** An application for approval of a program must meet each of the requirements in items A to G.

- A. The application must be in a format provided by the board and contain complete, current and accurate information.
- B. The application must include a syllabus for each program course.
- C. The application must include a detailed written description of how the program meets the required program content.

- D. The application must identify course instructors and their qualifications.
- E. The information in the application must be able to be confirmed by survey.
- F. The application must identify a beginning date corresponding to an initial student enrollment date. Students enrolled after the beginning date who successfully complete an approved program within the approval period are eligible for experience credit.
- G. The application must be signed by the administrator and department head or another official representative of the applicant.

**Subp. 2. Processing.** The technical program committee shall review all applications. Items A to E apply to all applications.

- A. Incomplete applications must be immediately returned to the applicant.
- B. Upon review of completed applications, including completion of a survey, any deficiencies must be noted and identified to the applicant.
- C. If no deficiencies are noted or all identified deficiencies have been corrected, the committee shall recommend approval to the full board.
- D. If the applicant fails to correct identified deficiencies, the technical program committee shall recommend disapproval to the full board.
- E. An applicant may request a hearing before the full board to appeal disapproval of a program.

### **3800.3845. REPORTING AND REAPPLICATION FOR APPROVAL.**

- A. By July 1 of each year, the administrator of a program approved for experience credit shall provide an annual report to the board. The annual report must include a copy of course syllabi for approved programs, a detailed description of new courses or courses modified over ten percent, and identification and qualification of instructors, including instructor development. The annual report must be signed by the administrator and department head or another official representative of the program provider.
- B. An approved program must be resubmitted for approval by July 1 of the fifth year from the last approval date. At its discretion, the board may modify the initial time period for resubmission to achieve review of approximately twenty percent of approved programs each year.
- C. The administrator of an approved program shall provide information as part of a survey upon request of the board.
- D. The administrator of an approved program shall notify the board when an approved program is discontinued.

### **3800.3850. REMOVAL OF APPROVAL**

- A. The board shall remove approval of a program based on determination through survey that the program does not meet the requirements for approval.
- B. The board may remove approval of a program if the administrator of an approved program fails to provide the annual report in accordance with Minnesota Rules 3800.3845.
- C. The board may remove approval of a program if the administrator of an approved program fails to resubmit the program for reapplication by July 1 of the fifth year from the last approval date or the year assigned by the board as allowed by part 3800.3845, item B.

### **3800.3855. VERIFICATION OF COMPLETION.**

Upon inquiry by the board, the provider of an approved program shall provide verification that an applicant has completed an approved program.

### **3800.3860. TWO-YEAR ELECTRICAL PROGRAM CONTENT**

**Subpart 1. Contact hours.** A two-year electrical program shall consist of 2,000 or more hours of student/instructor contact time and is subject to the following:

- A. Up to 200 hours of independent study may be substituted for student/instructor contact time.
- B. A minimum of 1,600 hours of contact time must be technical electrical instruction.
- C. At least 30 percent but not more than 40 percent of the technical electrical contact hours must be lecture and the balance shop or lab hours.
- D. Intern programs, whether internal or external, must not be used to comply with the contact hours requirement.
- E. A student may receive advanced standing credit for up to one-third of the courses of an approved program.

**Subp. 2. Attendance policy.** A two-year electrical program must include an attendance policy that requires students to attend a minimum of 95 percent of each required program course. The program must include a provision for students to retake courses or make-up portions of courses when the student does not attend 95 percent or more of each required program course. Attendance records must be kept at the course level.

**Subp. 3. Technical content.** A two-year electrical program must include courses that cover the following knowledge and skill areas:

- A. Electrical Theory;
- B. Electronic Theory;
- C. Lighting Systems;
- D. Heating and cooling systems;
- E. Motors;
- F. Generators;
- G. Transformers;
- H. Panelboards and switchboards;
- I. Overcurrent devices;
- J. Grounding;
- K. Motor controls;
- L. Electronic controls;

- M. Electrical code;
- N. Electrical test equipment and troubleshooting;
- O. Specification and blueprint reading;
- P. Installation and application of electrical materials and equipment;
- Q. Wiring methods;
- R. Conductors and Cables;
- S. Tools, Materials, and handling;
- T. Fire alarm systems;
- U. Communication systems;
- V. Alarm systems;
- W. Data systems;
- X. Electrical and jobsite safety;
- Y. Related mathematics; and
- Z. Related general education.

### **3800.3865. QUALIFICATIONS OF INSTRUCTORS FOR TWO-YEAR PROGRAMS.**

**Subpart 1. Generally.** An instructor for a two-year electrical program shall meet the requirements in subparts 2 and 3.

**Subp. 2. Licensing, experience, and education.** An instructor shall:

- A. Hold a current license issued by the Minnesota Board of Electricity as a Class A Master Electrician or a Class A Journeyman Electrician;
- B. Hold a current license issued by an electrical licensing authority in the state where the school is located if the state has a reciprocal agreement with the Minnesota Board of Electricity for either master or journeyman licenses;
- C. Have a Bachelor of Science degree in electrical engineering and have 4,000 hours of experience performing electrical work;
- D. Have an Associate of Applied Science degree in electrical construction or maintenance, or both, and have 6,000 hours of experience performing electrical work;
- E. Have a two-year diploma for completing a two-year electrical construction or maintenance program, or both, and have 6,000 hours of experience performing electrical work; or
- F. For courses limited to specific technical or general education areas, other than general wiring methods or the application of electrical codes, be a technical expert based on special training or certification or accreditation in the specific knowledge or skill area.

**Subp. 3. Recent initial experience.** Except for instructors of courses in Subpart 2, item F, a minimum of 2,000 hours of the required instructor experience must have been in the five years prior to the application for program approval or the instructor's employment date, whichever is later, and consist of either:

- A. A minimum of 2,000 hours of experience performing electrical work; or
- B. (1) up to 1,500 hours of experience credit for instruction based on a formula in which one hour of instruction equals two hours of experience credit; plus (2) a sufficient number of hours of experience performing electrical work to total 2000 hours.

### **3800.3870. EFFECTIVE DATE.**

Programs that were approved for experience credit prior to February 11, 2002, must be submitted for approval no later than August 11, 2002.

### **3800.3880 POWER LIMITED TECHNICIAN PROGRAM CONTENT.**

**Subpart 1. Contact hours.** A power limited technician program shall consist of a minimum of 500 hours of student and instructor contact time and is subject to the following:

- A. up to ten percent of the approved hours may be independent study;
- B. a minimum of 80 percent of the approved hours must be technical electrical instruction; and
- C. intern programs, whether internal or external, must not be used to comply with the contact hour requirement.

**Subp. 2. Attendance policy.** A power limited technician program must include an attendance policy that requires students to attend a minimum of 95 percent of each required program course. The policy must include a provision for students to retake courses or make up portions of courses when the student does not attend 95 percent or more of each required program course. Attendance records must be kept at the course level.

**Subp. 3. Technical content.** A power limited technician program must include courses that cover the following knowledge and skill areas:

- A. electrical theory;
- B. electronic theory;
- C. Class 2 and Class 3 power supplies;
- D. Class 2 and Class 3 circuits;
- E. grounding;
- F. electrical code;
- G. electrical test equipment and troubleshooting;
- H. specification and blueprint reading;
- I. wiring methods;
- J. conductors and cables;
- K. tools, materials, and handling;
- L. electrical and job site safety;
- M. related mathematics;
- N. related general education; and

O. technology circuits or systems.

A minimum of 30 percent, but not more than 50 percent, of the total student and instructor contact time must be on technology circuits or systems as defined in Minnesota Statutes, section 326.01, subdivision 6l.

**3800.3885 QUALIFICATIONS OF INSTRUCTORS FOR POWER LIMITED TECHNICIAN PROGRAMS.**

**Subpart 1. Generally.** An instructor for a power limited technician program shall meet the requirements of subparts 2 and 3.

**Subp. 2. Licensing, experience, and education.** An instructor shall:

- A. hold a license as issued by the Board of Electricity as a Class A master electrician, Class A journeyman electrician, or power limited technician;
- B. hold a current license issued by an electrical licensing authority in the state where the school is located if the state has a reciprocal agreement with the Board of Electricity for either master, journeyman, or power limited technician, or equivalent licenses;
- C. have a bachelor of science degree in electrical or electronic engineering and have 3,000 hours of experience in engineering, planning, laying out, supervising, or installing technology system wiring;
- D. have an associate of applied science degree in electrical construction or maintenance, or both, and have 4,000 hours of experience performing electrical work;
- E. have a two-year diploma for completing a two-year electrical construction or maintenance program, or both, and have 4,000 hours of experience performing electrical work;
- F. have an associate of applied science degree in technology systems, and have 4,000 hours of experience performing technology system work;
- G. have a two-year diploma for completing a two-year technology systems program, and have 4,000 hours of experience performing technology system work;
- H. be a certified instructor for a nationally recognized training program; or
- I. for courses limited to specific technical or general education areas, other than general wiring methods or the application of electrical codes, be a technical expert based on special training or certification or accreditation in the specific knowledge or skill area.

**Subp. 3. Recent initial experience.** Except for instructors of courses in subpart 2, item I, a minimum of 2,000 hours of the required instructor experience must have been in the five years prior to the application for program approval or the instructor's employment date, whichever is later, and consist of either:

- A. a minimum of 2,000 hours of experience performing electrical work, including technology system work; or
- B. (1) up to 1,500 hours of experience credit for instruction based on a formula in which one hour of instruction equals two hours of experience credit; plus (2) a sufficient number of hours of experience performing electrical work to total 2,000 hours.

The Minnesota Board of Electricity administers Minnesota statutes and rules governing licensing of electricians, electrical contractors, and technology system contractors and inspection of new electrical installations for safety to life and property as set forth in the Minnesota Electrical Act, Minnesota Statutes sections 326.01 and 326.241 through 326.248, and Minnesota Rules Chapter 3800.

The Board examines qualified applicants and licenses those who pass the Board's examinations, assuring licensees have necessary knowledge and skills to provide for safe electrical installations. It also licenses electrical contractors and technology system contractors, who are required to hold a bond and liability insurance to indemnify their clients against defective installations. In addition, the Board registers employers whose employees perform electrical work on their employer's premises. The Board takes appropriate action to prevent unlicensed persons from performing electrical work, and disciplines licensees or revokes or suspends licenses as necessary to prevent incompetent, fraudulent, deceptive or dishonest practices in connection with electrical installations.

Except in cities that have adopted electrical inspection authority as provided by section 326.244 (approximately 40), and with certain other exceptions as stated in that section, the Board inspects all new electrical installations for compliance with nationally recognized standards for safety to life and property, as required by sections 326.243 and 326.244.

The Board licenses approximately 25,000 individuals in one or more of 9 license categories and approximately 3,500 companies as contractors in one of 4 categories. The Board completes inspection on approximately 175,000 installations each year, performing approximately 1,600 inspections each day.

Further information regarding Board activities is available on its website: [www.electricity.state.mn.us](http://www.electricity.state.mn.us).

Individuals interested in filing complaints with the Board regarding violation of electrical licensing and inspection laws may access complaint forms and information under "Complaints" at the same web address.

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