# Office of the Revisor of Statutes
## Administrative Rules

**TITLE:** Adopted Permanent Rules Regulating Electrical Procedures

**AGENCY:** Department of Labor and Industry

**REVISOR ID:** R-4950

**MINNESOTA RULES:** Chapter 3801

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

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Chief Deputy Revisor

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**Department of Labor and Industry**

**Adopted Permanent Rules Regulating Electrical Procedures**

## 3801.3619 DEFINITIONS.

*[For text of subpart 1, see Minnesota Rules]*

Subp. 1a. **Board.** "Board" means the Board of Electricity.

Subp. 1b. **Department.** "Department" means the Department of Labor and Industry.

*[For text of subparts 2 to 4, see Minnesota Rules]*

Subp. 5. **Testing laboratory.** "Testing laboratory" means an electrical testing laboratory that has provided a written report to the department showing that it has the facilities listed in Section 90.7 of the National Electrical Code or that is accredited under the federal Occupational Safety and Health Administration Nationally Recognized Testing Laboratory program.

## 3801.3620 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 326B.35, and 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 department shall accept one of the applicable methods described in item A, B, or C 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 department and shall state the 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 department finds that the evaluation or evaluation report is incomplete or inaccurate, it retains the right to require further evidence of compliance or to reject the equipment.

B. Evaluations conducted according to the procedures in item A 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 department 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 department 12 months from the date of the evaluation report which lists the serial numbers of the equipment installed in Minnesota over the preceding 12 months.

(1) 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 department. If the manufacturer deviates from the construction established by the evaluation report, the equipment shall be reevaluated and any noncomplying equipment that was sold brought into compliance.

(2) 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 Department of Labor and Industry on (date)."

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

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

A. Industrial machinery as defined by 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 or C, 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, 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.

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, nonelectrical components, and those covered under item B is not required to be listed.

D. 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.

**3801.3770 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 of the wiring method and conductor splicing intended to be concealed, 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.

**3801.3780 REQUEST FOR ELECTRICAL PERMITS, NOTIFICATION FOR FINAL INSPECTION, AND EXPIRATION.**

Subpart 1. **Final inspection.** Installers of electrical wiring shall schedule a final inspection of the work associated with an electrical permit prior to the wiring being utilized by the intended user and the associated space being occupied.

Subp. 2. **Expiration.** Electrical permits with inspection fees of $1,000 or less are void 12 months from the original filing date regardless of whether the wiring is completed. A new electrical permit shall be filed on all unfinished work when the work is not completed within 12 months from the filing date of the original electrical permit. An inspection fee calculated according to Minnesota Statutes, section 326B.37, for all unfinished work shall be submitted with the new electrical permit. Electrical permit fees of $1,000 or less are not refundable after 12 months from the original filing date.

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

Subp. 4. **Nonpayment of permit fees.** The department shall not accept a permit application from an electrical contractor, registered employer, or owner that is delinquent with fees for previously issued permits.

**REPEALER.** Minnesota Rules, parts 3801.3820; 3801.3825; 3801.3830; 3801.3831; 3801.3840; 3801.3845; 3801.3850; 3801.3855; 3801.3860; 3801.3865; 3801.3870; 3801.3880; and 3801.3885, are repealed.

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