

Minnesota Board of Electricity

REQUEST FOR COMMENTS

Possible Amendment to Rules Governing the Minnesota Electrical Code, *Minnesota Rules, Chapter 1315*

Subject of Rules. The Minnesota Board of Electricity (“Board”) requests comments on its possible amendment to rules governing the Minnesota Electrical Code contained in Minnesota Rules Chapter 1315. The Board is considering rule amendments that incorporate by reference and adopt the 2023 National Electrical Code (*a/k/a* “NFPA 70”), with any Minnesota amendments.

Persons Affected. The amendment to the rules would likely affect electrical contractors, master and journeymen electricians; electrical installers, maintenance electricians, electrical equipment suppliers; elevator contractors and constructors; power limited technicians; code enforcement authorities; employers of persons who perform electrical work; persons who wish to perform electrical work; engineers; residential and commercial building contractors; and building/homeowners, in Minnesota.

Statutory Authority. Minnesota Statutes, section 326B.32, establishes the Minnesota Board of Electricity and the powers and duties of the board, among other things. Specifically, Minnesota Statutes, section 326B.32, subdivision 2(a)(3) (2022), provides the power and authority for the Board to adopt the Minnesota Electrical Code, which must be the most current edition of the National Electrical Code (“NEC”), and any amendments thereto.

Public Comment. Interested persons or groups may submit comments or information on these possible rules in writing until further notice is published in the *State Register* that the Board intends to adopt or to withdraw the rules. The Board will not publish a notice of intent to adopt the rules until more than 60 days have elapsed from the date of this Request for Comments.

Interested persons or groups may view a free online draft of the 2023 National Electrical Code/NFPA 70® at the NFPA website. The website address is www.nfpa.org.

The link to all the proposals considered by the NFPA Electrical Code Committees and the actions taken with respect to those proposals, including the latest version of the draft of the 2023 National Electrical Code/NFPA 70®, can be found at: <https://www.nfpa.org/Codes-and-Standards/All-Codes-and-Standards/List-of-Codes-and-Standards>. To access the latest 2023 NEC draft, click on this link and select “NFPA 70®” from the list on the left-hand margin. Once the NFPA 70® page loads, select “Current Edition.” You will then be asked to either sign-in or create a free profile for access to the copyrighted draft version. It is expected that these online resources will be updated and remain accessible during the comment period. For assistance with accessing the latest draft or final versions of the 2023 NEC/NFPA 70®, please contact the Agency Contact Person listed below.

The Board has appointed an advisory subcommittee to review the updated 2023 NEC and comment on any possible amendments to the full Board, including a final recommendation. Meeting dates and times of the advisory committee will be posted on the Board’s website at:

<https://www.dli.mn.gov/about-department/boards-and-councils/nec-2023-adoption-review-committee>. The public is invited to participate. Public participation is welcomed and encouraged.

Rule Drafts. A draft of the rule adopting the 2023 NEC, including possible amendments, is being compiled. When the Board has approved a near-final draft version of the proposed rule, the draft and other information about the rulemaking will be posted on the Board of Electricity rulemaking docket at: <http://www.dli.mn.gov/about-department/boards-and-councils/board-electricity>.

Agency Contact Person. Written comments, questions, requests to receive a draft of the rules when it has been prepared, and requests for more information on these possible rules should be directed to: Amanda Spuckler at the Department of Labor and Industry, 443 Lafayette Road North, St. Paul, MN 55155, **Phone:** (651) 284-5361, or **Email:** amanda.spuckler@state.mn.us, **fax:** (651) 284-5725.

Alternative Format. Upon request, this Request for Comments can be made available in an alternative format, such as large print, Braille, or cassette tape. To make such a request, please contact the agency contact person at the address or telephone number listed above.

NOTE: Comments received in response to this notice will not necessarily be included in the formal rulemaking record submitted to the administrative law judge if and when a proceeding to adopt rules is started. The Board is required to submit to the judge only those written comments received in response to the rules after they are proposed. If you submitted comments during the development of the rules and you want to ensure that the Administrative Law Judge reviews the comments, you should resubmit the comments after the rules are formally proposed.

Dated: November 01, 2022

/s/ Duane Hendricks
Duane Hendricks, Chair
Minnesota Board of Electricity