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DEPT. OF LABOR & INDUSTRY
LEGAL SERVICES



June 23, 2025

Via Certified Mail and Email

Minnesota Department of Labor and Industry
Legal Services Division
443 Lafayette Road North
St. Paul, MN 55155

Re: Request for Formal Legal Interpretation of Minnesota Rule 3801.3620, Subp. 3(D)

To Whom It May Concern:

Please be advised that this correspondence is submitted on behalf of Automation Logistics Corporation ("the Contractor"), in connection with the installation of industrial machinery and associated control systems within the jurisdiction of the State of Minnesota.

The purpose of this letter is to respectfully request a formal legal interpretation of **Minnesota Rule 3801.3620, Subpart 3(D)** (hereinafter, "the Rule"), in light of a directive issued by the State's Chief Electrical Inspector, which—despite the plain language of the Rule—disallows the application of the cited exemption in this instance.

Background and Legal Basis

The Contractor is engaged in the on-site assembly and installation of an industrial process machine comprising integrated control panels, power systems, and equipment subsystems. The installation is being conducted in a non-public, restricted-access facility by technically qualified personnel. The entirety of the system will be subjected to a third-party field evaluation and certification by **TÜV Rheinland**, a Nationally Recognized Testing Laboratory (NRTL).

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Minnesota Rule 3801.3620, Subp. 3(D) provides, in relevant part, as follows:

"The installation of industrial control panels or other electrical equipment that is not listed, labeled, or field evaluated is exempt from the requirements of subpart 1 if: (1) the equipment is installed by a qualified person as part of an industrial process, (2) is not accessible to the general public, and (3) is located in an environment under the supervision of qualified personnel."

The language of the Rule unambiguously provides that it is the **installation of the equipment**—not merely the equipment itself—that is exempted, provided that the three enumerated conditions are satisfied. In the instant matter, there is no dispute that:

1. The equipment is installed as part of an industrial process;
2. The equipment is not accessible to the general public; and
3. The equipment is located within an environment under the supervision of qualified personnel.

Nonetheless, the Chief Electrical Inspector has taken the position that the exemption is inapplicable due to the classification of the work performed—specifically, that the interconnection of machine components constitutes **"field wiring"**, and therefore must be performed by a licensed electrical contractor pursuant to standard provisions of the National Electrical Code (NEC). Respectfully, this interpretation appears to be inconsistent with both the **text and intent** of the Rule.

Request for Legal Determination

In light of the foregoing, and pursuant to applicable administrative and legal process, we hereby request a formal legal opinion or declaratory interpretation from the Department of Labor and Industry's Legal Services Division addressing the following specific points:

1. Whether, under Minnesota Rule 3801.3620, Subp. 3(D), the **installation** of unlisted or unlabeled industrial electrical equipment—as that term is used in the Rule—includes **on-site machine assembly and wiring** performed by qualified personnel in a non-public industrial environment;
2. Whether such installation is exempt from the listing, labeling, or field evaluation requirements of Subpart 1 when the criteria in Subp. 3(D) are satisfied;

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3. Whether the classification of such wiring work as "field wiring" under NEC supersedes the exemption provided by Subp. 3(D), or whether Subp. 3(D) operates independently as a valid administrative exemption under Minnesota law; and
4. Whether the procurement of **third-party NRTL certification (specifically by TÜV Rheinland)** for the completed machine system provides sufficient demonstration of compliance with applicable safety and performance standards under the Rule.

This request is made in good faith to ensure full compliance with Minnesota Rules Chapter 3801 while seeking clarity on an apparent conflict between administrative rule language and its field enforcement. We respectfully request a timely written response from the Department and are prepared to furnish additional documentation—including schematics, certification agreements, and technical descriptions—upon request.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Uwe Herrmann", is written over a light blue horizontal line.

Uwe Herrmann

President

Automation Logistics Corporation

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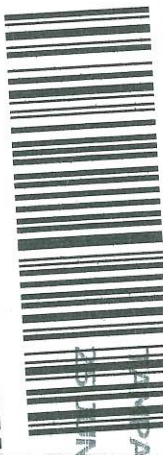


**Automation Logistics
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