

2023



August 7, 2025 - Board of Electricity “special meeting”
MN Rules 3800 and 3801

Proposed Rulemaking

- Proposed Amendment to Rules Relating to Licensing, Minnesota Rules, Chapter 3800; Minnesota Board of Electricity
- Proposed Amendment to Rules Relating to Electrical Procedures and Repeal of Rules Relating to Training, Minnesota Rules, Chapter 3801; Minnesota Department of Labor and Industry Construction Codes and Licensing Division

Proposed draft language highlights: Deletion

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

Proposed to remove part (C)

~~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 326B.36, or when the work is performed on federal property by a federal employee, if the department 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 department representatives on the premises where the applicable work was performed.~~

- Not reasonable to expect department personnel to review an individual's time, and work experience during an on-site inspection.

Proposed draft language highlights: Relocation and minor revisions

Electrical Training Programs

Proposed parts 3800.3620 through 3800.3685 are relocated (with minor changes) from parts 3801.3820 through 3801.3885 and address requirements for electrical training programs that can be used to fulfill the experience credit requirements for electrical license applicants.

The rules governing approval of electrical training programs are currently located in chapter 3801, which is adopted by the Department. The Department is proposing the repeal of those amendments to chapter 3801 as part of a rulemaking so that they may be adopted by the Board, which has the authority to adopt rules governing licensure of the electrical industry, including the adoption of rules governing the requirements for approval of electrical training programs.

Proposed draft language highlights: Deletion

- Delete requirements for exemption from “listing for custom equipment” in 3801.3620 Subpart 3 (D).
 - Minnesota Rules Chapter 3801.3620, Subpart 3(D)(1) is often misunderstood. While custom-made electrical equipment may be exempt from listing and labeling, it must still be tested by the manufacturer to all applicable national standards. The resulting test data is subject to review and approval by the department, just as it would be for a third-party field evaluation.

~~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, section 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.~~

Minnesota Rule 3801

Proposed draft language highlights: Deletion

- Delete requirements for exemption from “listing for custom equipment” in 3801.3620 Subpart 3 (D).
 - Minnesota Rules Chapter 3801.3620, Subpart 3(D)(2) refers to an inspection program that was envisioned years ago but never implemented. The department lacks the resources, staffing, and expertise to evaluate complex custom-made equipment. If such a situation arose, the department would contract a third-party entity to perform the evaluation—a process that could take several months. It is more efficient and cost-effective for the equipment purchaser or manufacturer to directly engage a third-party evaluator.

~~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, section 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.~~

Proposed draft language highlights: Revisions

- 3801.3770 - 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 before concealment.....
- 3801.3780 Subp. 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. **Removed the words “or otherwise notify”**

Proposed draft language highlights: **Revisions**

- 3801.3780 Subp. 2. - **Expiration.** Electrical permits with inspection fees of ~~\$250~~ **\$1000** or less are void 12 months from the original filing date...
- 3801.3780 Subp. 4. **Nonpayment of permit fees.** The department shall not accept a permit application from an electrical contractor, registered employer, or owner that has not paid in full the fees for previously issued permits.

Questions and/or Discussion