

CCLD REVIEW

Construction Codes and Licensing Division • Minnesota Department of Labor and Industry • Summer 2023

2023 Construction Codes and Licensing legislative session summary

Below is a brief overview of the 2023 legislative session laws related to Construction Codes and Licensing (CCLD). View the full bill language in [Senate File 3035/Ch. 53 \(Champion/Hassan\)](#).

Commercial Energy Code improvements – effective July 1, 2023

Adds additional targets to the adoption of new model commercial energy codes such that the commercial energy code in effect in 2036 and thereafter achieves at least an 80% reduction in annual net energy consumption, using the ASHRAE 90.1-2004 as a baseline. This change also requires a report by Jan. 15 of the year following each new code adoption. (Article 1, Section 29; based on standalone bill HF772/SF1368 (Kraft/Port))

Electric vehicle charging infrastructure – effective July 1, 2023

The Minnesota Department of Labor and Industry (DLI) is directed that the building code shall require a minimum number of electric vehicle ready spaces, electric vehicle capable spaces, and electric vehicle charging stations within or adjacent to new commercial and multifamily structures that provide on-site parking, excluding residential structures with fewer than four units. (Article 1, Sections 24-27, 31)



Safe housing for the elderly and vulnerable adults – effective Aug. 1, 2023

Adds assisted living facilities, including assisted living with dementia care facilities, to the list of state-licensed facilities, giving DLI the authority to provide building and plumbing plan review and inspection services during the construction phase of these facilities. (Article 1, Section 28)

Window cleaning safety – effective May 25, 2023

Removes existing statutory window cleaning safety requirements and replaces them with a requirement that the DLI commissioner adopt rules that require window cleaning safety features that comply with a nationally recognized standard using expedited rulemaking. (Article 1, Section 30)

CCLD fee reduction and reimbursement – effective July 1, 2023

- Reduces fees paid by individuals and businesses in the construction industry when they need to reinstate a license following a license revocation, suspension or voluntary termination.
- It also allows DLI to refund Contractor Recovery Fund fees when a residential building contractor or remodeler license is not approved. (Article 1, Sections 22 and 23)

Solar installers licensed as residential building contractors – effective July 1, 2023

Requires that solar installers be licensed residential building contractors, resulting in solar installers paying into the Contractor Recovery Fund and giving consumers who hire licensed solar installers the ability to make claims to the fund. (Article 1, Section 32; based on standalone bill HF2164/SF2735 (Kraft/McEwen))

■ **'SUMMARY** continues on page 2

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Adult changing stations – effective May 25, 2023

Requires that the DLI commissioner adopt rules that require adult-size changing facilities as part of the State Building Code using expedited rulemaking. (Article 1, Sections 30 and 33; based on standalone bill HF981/SF999 (Hicks/Boldon))

CCLD policy and technical

CCLD policy and technical changes are located in Article 11 of the law and include:

- enabling an applicant for a license to submit a new application for the license 30 days from the date of a failed exam (Section 44), effective July 1, 2023
- requiring certain refrigerants not to be prohibited by code (Section 45), effective July 1, 2023
- establishing certain elevator licensing exemptions (Sections 46-48), effective July 1, 2023
- allowing a licensed master electrician to be qualified as a technology systems contractor (Section 49), effective July 1, 2023
- updating the Board of Electricity and Board of High-Pressure Piping composition (Sections 50 and 55), effective July 1, 2023
- exempting certain load control receivers from inspection for a limited amount of time (Section 51 and 52), effective May 25, 2023
- clarifying residential building contractor licensing exemptions to enhance consumer protection with respect to house flippers (Section 53), effective July 1, 2023
- provides reciprocity with other states with respect to the licensure of high-pressure pipefitters if approved by the Board of High-Pressure Piping Systems (Section 54), effective July 1, 2023
- updating boiler inspection parameters to ensure that inspections occur as needed to maintain safety (Section 56), effective July 1, 2023
- new provisions for the establishment of micro-unit dwellings at sacred communities (Section 57); based on standalone bill HF2213/SF2440 (Nelson M/Mohamed)) effective Jan. 1, 2024.

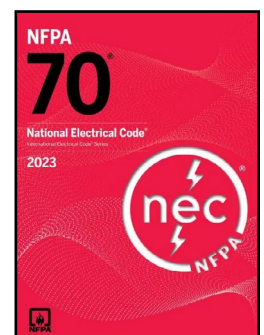
Board of Electricity adopts the 2023 NEC; effective July 1, 2023

The Minnesota Board of Electricity has adopted the 2023 National Electrical Code (NEC) – a national standard for the installation of electrical wiring, apparatus and equipment for electric light, heat, power, technology circuits and systems, and alarm and communication systems. Minnesota's electrical code consists of the NEC as published by the National Fire Protection Association. The effective date is July 1, 2023. Therefore:

- Electrical permits filed before July 1, 2023, must comply with the 2020 NEC.
- Electrical permits filed on or after July 1, 2023, must comply with the 2023 NEC.

Electrical permits are required to be filed at or before commencement of an electrical installation.

Note: Electrical licensing exams will transition to the 2023 NEC beginning July 17, 2023.



More information

2023 NEC adoption rulemaking docket: dli.mn.gov/about-department/rulemaking/rulemaking-docket-minnesota-rules-1315

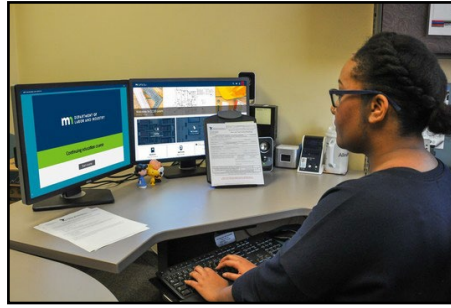
Board of Electricity: dli.mn.gov/about-department/boards-and-councils/board-electricity

Electrical information from DLI: dli.mn.gov/business/electrical-contractors/electrical-codes-and-standards

New course available in CCLD Learn

A new course has been added to CCLD Learn – the online, self-paced learning platform from CCLD at the Minnesota Department of Labor and Industry.

The newest course examines how to properly classify the occupancy of special event centers and to properly apply the building code to these unique venues.



Course catalog

- **NEW** – Understanding the Building Code for Special Event Centers
- International Building Code for Automatic Fire Sprinkler Systems
- 2018 International Mechanical Code (IMC) and International Fuel Gas Code (IFGC) Minnesota Amendments
- 2018 International Residential Code (IRC) Minnesota Amendments
- Glazing and the Residential Code
- Minnesota Plumbing Code Update
- Plumbing in Single-Family Homes

View more about CCLD Learn and register for courses at dli.mn.gov/cclld-learn.

Schedule of board and council meetings

Below is a schedule of meetings for boards and council supported by CCLD. Visit dli.mn.gov/about-department/boards-and-councils to view meeting minutes, agendas, rulemaking documents and schedules for these meetings and additional boards and councils.

Board of Electricity

- July 11, 2023
- Oct. 10, 2023

Plumbing Board

- July 18, 2023
- Oct. 17, 2023

Board of High Pressure Piping

- July 13, 2023
- Oct. 12, 2023

Construction Codes Advisory Council

- TBD

Interested in serving on a board or council?

Minnesotans are encouraged to apply for positions on state councils, boards, task forces and commissions through the Secretary of State's Open Commissions and Appointments process. Visit dli.mn.gov/about-department/boards-and-councils for more information about how to apply.

CCLD Review is a quarterly publication of the Minnesota Department of Labor and Industry.

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[Contact information](#)

[CCLD main contact info](#)

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Visit the [Contact Us](#) page

[Licensing information](#)

DLI.License@state.mn.us

Business/contractor licenses and bonds: 651-284-5034

(Including: electrical, HPP, plumbing, residential, manufactured structures, mechanical bonds, technology system, water conditioning)

Personal licenses and certificates: 651-284-5031

(Including: boiler engineers, electricians, plumbers, power limited technicians, pipefitters, unlicensed individuals, building officials)

[Electrical information](#)

Phone: 651-284-5026
Fax: 651-284-5746
DLI.Electricity@state.mn.us

[Boiler, high-pressure piping, boats-for-hire inspection](#)

Phone: 651-284-5544
Fax: 651-284-5746
DLI.Code@state.mn.us

[Plumbing information](#)

Phone: 651-284-5063
Fax: 651-284-5746
DLI.Plumbing@state.mn.us

[License enforcement details](#)

Phone: 651-284-5069
Fax: 651-284-5746
DLI.Contractor@state.mn.us

[Contractor registration](#)

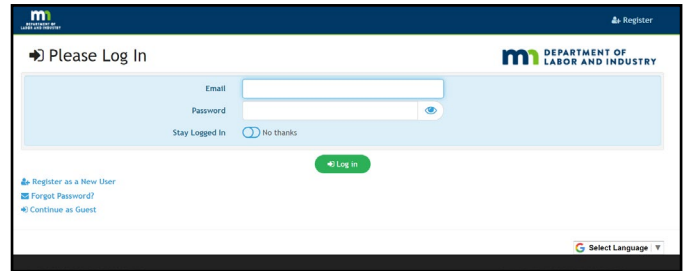
Phone: 651-284-5074
DLI.register@state.mn.us

New licensing system now available for applications, renewals

CCLD licenses building and trades professionals throughout the state and launched a new online licensing system on May 8, 2023.

Why the change?

- The previous licensing system reached the end of its life.
- The new system offers enhancements and integrates with the existing platform for permitting, plan review, inspections and enforcement case management.



What's new?

- The new licensing system – iMS – is web-based, increasing its accessibility.
- Automated renewal reminders and other notices are emailed from iMS.
- Personal licenses are auto-renewed when the fee is paid and any required continuing education is completed.
- Individuals can check continuing education status and completed courses.
- Licensing data can be accessed 24/7 on any device that connects to the internet.

Questions?

[View more information about iMS](#), call 651-284-5034 or email dli.license@state.mn.us.

Contractor fined \$45,000 for failing to complete projects

- A licensed Blaine residential building contractor was found to have breached contracts with several homeowners by failing to complete projects after receiving payments. DLI revoked the contractor's license and assessed a \$45,000 fine.
- A licensed Sleepy Eye residential building contractor was found to have engaged in elevator work without being licensed. The contractor was censured, ordered to cease and desist from performing elevator work and fined \$5,000, which was stayed contingent on future compliance.
- A licensed Chaska electrical contractor failed to comply with supervision requirements. The contractor was censured and fined \$8,000, of which \$5,000 was stayed contingent on future compliance.
- An unlicensed contractor based in Cottage Grove was found to have engaged in unlicensed residential building contractor and plumbing activities. The contractor was ordered to cease and desist from engaging in the unlicensed activity and fined \$10,000, of which \$6,000 was stayed contingent on future compliance.
- An Alabama contractor was found to have engaged in unlicensed electrical work. The contractor was ordered to cease and desist from the unlicensed activity and fined \$5,000, of which \$4,000 was stayed contingent on future compliance.



Enforcement actions
View enforcement and license actions levied against licensees.

More information

View summaries of enforcement actions at dli.mn.gov/workers/homeowners/file-complaint-and-view-enforcement-actions. Contact us at 651-284-5069 or dli.contractor@state.mn.us.

DLI adoption of ASHRAE 90.1-2019

DLI has completed the process of updating the Minnesota Commercial Energy Code to adopt *ANSI/ASHRAE/IES Standard 90.1-2019 Energy Standard for Buildings Except Low-Rise Residential Buildings*, with amendments. The new code becomes effective on Jan. 5, 2024, and applies to permit applications made on or after that date.

DLI is working with ASHRAE and the International Code Council to develop a custom code book that includes Minnesota's amendments to ASHRAE 90.1-2019 in the body of the changed section and reads as a unified code book.

Q&A: residential basements

Question: Does the 2020 Minnesota Residential Code require an emergency escape and rescue opening (EERO) in basements of new dwellings that do not have sleeping rooms?

Answer: New basements

Yes, section R310.1 requires an operable EERO in basements of all new dwellings, including those without sleeping rooms. New basements with sleeping rooms must have an EERO in each sleeping room but they are not required in adjoining spaces such as family rooms and storage areas.



The only exceptions from the EERO requirement in new basements and basement sleeping rooms are:

1. The basement is used only to house mechanical equipment and has a total floor area of 200 square feet or less.
2. An automatic sprinkler system protects the entire building.
3. An automatic sprinkler system protects the entire basement, including the means of egress to the level of exit discharge, and the areas on the level of exit discharge open to the means of egress.

Answer: Existing basements

Section R310.6 clarifies the EERO requirements for existing basements. An EERO is not required when existing basements undergo alterations or repairs unless a new sleeping room is created in the existing basement. The only exception from the EERO requirement for new sleeping rooms in existing basements is when the entire basement, including the means of egress to the level of exit discharge, and the areas on the level of exit discharge open to the means of egress are protected with an automatic sprinkler system.

Any automatic sprinkler systems installed in dwellings must comply with IRC Section P2904 or NFPA 13D.

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- apprenticeship
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www.dli.mn.gov/about-department/news-and-media/sign-news-department-labor-and-industry

CCLD staff changes

High pressure piping unit hires two inspectors

Scott Solbro, scott.solbro@state.mn.us, 651-440-0932. Inspection area: west and northwest areas of Minnesota.
Rob Lenz, rob.lenz@state.mn.us, 651-440-0618. Inspection area: east, northeast areas of Minnesota.

Solbro has 15 years of experience with installation and welding on both ammonia refrigeration systems and high-pressure steam systems. Lenz has 14 years welding experience on ammonia refrigeration systems and high-pressure steam systems along with being a certified welding inspector. View contact information for CCLD staff at dli.mn.gov/about-department/our-areas-service/phone-and-email-directory.



Construction management programs available

Dakota County Technical College offers construction management courses that prepare individuals for supervisory and management positions in the construction industry. The online courses offer:

- construction management degrees,
- construction codes and inspection certificates, and
- construction codes and permitting specialist certificates.

Construction management is an ideal career choice if you have a strong, general interest in building and design plus an aptitude for taking the lead role on big projects from start to finish.

As a construction manager, you'll oversee all phases of a project, from planning to budgeting to production.

View more information at dctc.edu/academics/programs-majors/construction-manufacturing/construction-management.

Translated documents, Language Line available

A selection of documents and web pages related to building codes, workers' compensation, workplace safety, apprenticeship and more have been translated into various languages.

Additionally, DLI has access to Language Line, a free language translation service for limited-English speakers.

View the translated documents and access Language Line at www.dli.mn.gov/about-department/about-dli/translated-materials.



Looking for a phone number or email address?

Visit dli.mn.gov/about-department/our-areas-service for contact information for staff members.