

CHAPTER 3800
BOARD OF ELECTRICITY
LICENSING

- 3800.3500 DEFINITIONS.
- 3800.3520 EXAMINATION; MINIMUM EXPERIENCE REQUIREMENTS FOR LICENSURE; ACCEPTABLE EXPERIENCE.
- 3800.3525 REGISTRATION OF UNLICENSED INDIVIDUAL.
- 3800.3530 REQUIREMENTS FOR SECURING AND MAINTAINING CONTRACTOR'S LICENSE.
- 3800.3540 DESIGNATION OF RESPONSIBLE MASTER ELECTRICIAN OR POWER LIMITED TECHNICIAN ON CONTRACTOR'S LICENSE APPLICATION.
- 3800.3550 DESIGNATION OF RESPONSIBLE MASTER ELECTRICIAN, POWER LIMITED TECHNICIAN, LICENSED MAINTENANCE ELECTRICIAN, OR ELECTRICAL ENGINEER BY AN EMPLOYER.
- 3800.3560 ADVERTISING RESTRICTIONS.
- 3800.3570 MARKING OF CONTRACTOR'S VEHICLES.
- 3800.3600 AUTHORITY; PURPOSE.
- 3800.3601 DEFINITIONS.
- 3800.3602 REQUIREMENTS FOR RENEWAL OF ELECTRICIAN AND POWER LIMITED TECHNICIAN LICENSE AND RENEWAL OF REGISTERED UNLICENSED INDIVIDUAL REGISTRATION.
- 3800.3603 CREDIT FOR INSTRUCTION.

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3800.3500 DEFINITIONS.

Subpart 1. **Words, terms, and phrases.** For the purposes of this chapter and the Minnesota Electrical Act, Minnesota Statutes, sections 326B.31 to 326B.399, the following terms have the meanings given them. The definitions in Minnesota Statutes, sections 326B.01 and 326B.31, also apply to the terms used in this chapter.

Subp. 1a. **Acceptable experience.** "Acceptable experience" means the stated minimum number of months of experience on premises electrical systems, exclusive of manufacturing processes, under properly licensed supervision where supervision is otherwise required by law, for each category of work specified in part 3800.3520, subpart 5.

Subp. 2. [Repealed, 34 SR 473]

Subp. 2a. **Commissioner.** "Commissioner" means the commissioner of labor and industry or a duly designated representative of the commissioner who is either an employee of the Department of Labor and Industry or a person working under contract with the department.

Subp. 2b. **Department.** "Department" means the Department of Labor and Industry.

Subp. 3. **Employee.** "Employee" means:

A. an individual whose compensation for electrical work is reported by the employer on an Internal Revenue Service W-2 form, and is also otherwise considered an employee under applicable laws; or

B. an instructor of an electrical wiring course and the instructor's students, while performing electrical work on projects on the school premises under the direct supervision of a properly licensed employee of a contractor.

Subp. 4. [Repealed, 34 SR 473]

Subp. 5. **Graduate of a four-year electrical course.** "Graduate of a four-year electrical course" means an applicant who has received a bachelor's degree in electrical engineering from an accredited university or college.

Subp. 6. [Repealed, 34 SR 473]

Subp. 7. [Repealed, 34 SR 473]

Subp. 8. **Maintaining and repairing electrical wiring, apparatus, and equipment.** "Maintaining and repairing electrical wiring, apparatus, and equipment" means the adjustment or repair or replacement of worn or defective parts of electrical equipment and replacement of defective receptacle outlets and manual switches for lighting control, but does not include the installation of new wiring, apparatus, and equipment or additions, alterations, or extensions to existing wiring, apparatus, or equipment.

Subp. 9. [Repealed, 34 SR 473]

Subp. 10. **Minor repair work.** "Minor repair work" means the adjustment or repair or replacement of worn or defective parts of electrical equipment and replacement of defective receptacle outlets and manual switches for lighting control.

Subp. 11. [Repealed, 34 SR 473]

Subp. 12. [Repealed, L 2002 c 328 s 31]

Subp. 13. **Registered unlicensed individual.** "Registered unlicensed individual" means an individual who performs electrical work for a contractor or employer and does not hold any class of electrical license issued by the department and is registered with the department as required by Minnesota Statutes, section 326B.33, subdivision 13.

Statutory Authority: *MS s 326.241; 326B.32*

History: *14 SR 518; L 2000 c 488 art 2 s 28; L 2002 c 328 s 31; 29 SR 947; L 2007 c 140 art 5 s 32; art 13 s 4; 34 SR 473*

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

Subpart 1. **Examination requirements.** As a precondition to issuance of any class of individual electrical license, an applicant is required to pass an examination for the type of license sought, in accordance with Minnesota Statutes, section 326B.33, subdivision 18.

Subp. 2. **Minimum experience requirements.** Except as otherwise provided for a master electrician license under Minnesota Statutes, section 326B.33, subdivision 1, clause (1)(a), for a Class B installer license under Minnesota Statutes, section 326B.33, subdivision 5, and for a power limited technician license under Minnesota Statutes, section 326B.33, subdivision 7, paragraph (b), clause (1), an applicant for an electrical license shall have acceptable experience, as defined by subpart 4, before examination for licensure under Minnesota Statutes, section 326B.33, subdivision 18.

Subp. 3. **Maximum allowable credit under certain conditions.** The maximum allowable electrical experience credit under the following conditions shall be as stated:

- A. before age 17, none;
- B. in foreign countries, 12 months;
- C. acquired during the school term of a department-approved two-year, post-high school electrical course and other department-approved courses requiring attendance on a full-time daily basis, none; and
- D. experience for a power limited technician only, acquired during the school term of department-approved part-time or night school courses, no restriction.

Subp. 4. **Acceptable experience for certain categories in certain situations.** Experience in the categories of planning for the installation of wiring, apparatus, and equipment for light, heat, and power; laying out for the installation of wiring, apparatus, and equipment for light, heat, and power; supervising the installation of wiring, apparatus, and equipment for light, heat, and power; and wiring and installing electrical wiring, apparatus, and equipment for light, heat, and power is acceptable in the situations described in items A to E.

A. Experience while in the employ of a contractor licensed under Minnesota Statutes, section 326B.33, subdivision 14.

B. Experience while working in Minnesota for an employer who is not required to be licensed as a contractor, if the work is inspected under Minnesota Statutes, section 326B.36, and done under the supervision of a properly licensed electrician.

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.

D. Experience while performing electrical work outside of Minnesota, which the department has determined is substantially equivalent to the work performed while in the employ of a licensed contractor in Minnesota. This determination must be based on a certification by the employer for the type of work performed.

E. Experience while performing electrical work in the armed forces of the United States which the department has determined is substantially equivalent to work performed while in the employ of a licensed contractor in Minnesota. This determination shall be based on a certification by the military for the type of work performed.

Subp. 5. **Schedule of minimum experience requirements and maximum experience allowances.** The minimum required experience and maximum experience allowance under subpart 2 shall be as shown in items A to H for the type of license sought.

- A. Class A master electrician, the minimum total is 60 months, including:
 - (1) planning for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of two months, maximum credit allowance of 12 months;

- (2) laying out for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of two months, maximum credit allowance of 12 months;
- (3) supervising the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of two months, maximum credit allowance of 12 months;
- (4) wiring for and installing electrical wiring, apparatus, and equipment: minimum experience of 12 months, maximum credit allowance of 48 months;
- (5) maintaining and repairing electrical wiring, apparatus, and equipment: minimum experience of zero months, maximum credit allowance of 24 months;
- (6) line work: minimum experience of zero months, maximum credit allowance of three months;
- (7) installing elevators: minimum experience of zero months, maximum credit allowance of six months;
- (8) wiring and maintaining technology circuits or systems: minimum experience of zero months, maximum credit allowance of six months; and
- (9) wiring and maintaining process control circuits or systems: minimum experience of zero months, maximum credit allowance of 12 months.

B. Class A journeyman electrician, the minimum total is 48 months, including:

- (1) planning for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;
- (2) laying out for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;
- (3) supervising the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;
- (4) wiring for and installing electrical wiring, apparatus, and equipment: minimum experience of 24 months, maximum credit allowance of 48 months;
- (5) maintaining and repairing electrical wiring, apparatus, and equipment: minimum experience of zero months, maximum credit allowance of 24 months;
- (6) line work: minimum experience of zero months, maximum credit allowance of three months;
- (7) installing elevators: minimum experience of zero months, maximum credit allowance of six months;
- (8) wiring and maintaining technology circuits or systems: minimum experience of zero months, maximum credit allowance of six months;
- (9) wiring and maintaining process control circuits or systems: minimum experience of zero months, maximum credit allowance of 12 months; and
- (10) a maximum of one year of experience credit will be allowed for the successful completion of a two-year, post high-school electrical course approved by the department.

C. Master elevator constructor, the minimum total is 60 months, including:

- (1) planning for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of 12 months;
- (2) laying out for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of 12 months;
- (3) supervising the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of 12 months;
- (4) wiring for and installing electrical wiring, apparatus, and equipment: minimum experience of zero months, maximum credit allowance of 48 months;
- (5) maintaining and repairing electrical wiring, apparatus, and equipment: minimum experience of zero months, maximum credit allowance of 24 months;
- (6) line work: minimum experience of zero months, maximum credit allowance of three months;
- (7) installing elevators: minimum experience of 24 months, maximum credit allowance of 60 months;
- (8) wiring and maintaining technology circuits or systems: minimum experience of zero months, maximum credit allowance of six months;
- (9) wiring and maintaining process control circuits or systems: minimum experience of zero months, maximum credit allowance of 12 months; and
- (10) a maximum of one year of experience credit will be allowed for the successful completion of a two-year, post-high school electrical course approved by the department.

D. Elevator constructor, the minimum total is 36 months, including:

- (1) planning for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;
- (2) laying out for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;
- (3) supervising the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;
- (4) wiring for and installing electrical wiring, apparatus, and equipment: minimum experience of zero months, maximum credit allowance of 36 months;
- (5) maintaining and repairing electrical wiring, apparatus, and equipment: minimum experience of zero months, maximum credit allowance of 12 months;
- (6) line work: minimum experience of zero months, maximum credit allowance of three months;
- (7) installing elevators: minimum experience of 12 months, maximum credit allowance of 36 months;

(8) wiring and maintaining technology circuits or systems: minimum experience of zero months, maximum credit allowance of six months;

(9) wiring and maintaining process control circuits or systems: minimum experience of zero months, maximum credit allowance of 12 months; and

(10) a maximum of one year of experience credit will be allowed for the successful completion of a two-year, post-high school electrical course approved by the department.

E. Maintenance electrician, the minimum total is 48 months, including:

(1) planning for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(2) laying out for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(3) supervising the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(4) wiring for and installing electrical wiring, apparatus, and equipment: minimum experience of zero months, maximum credit allowance of 24 months;

(5) maintaining and repairing electrical wiring, apparatus, and equipment: minimum experience of 24 months, maximum credit allowance of 48 months;

(6) line work: minimum experience of zero months, maximum credit allowance of three months;

(7) installing elevators: minimum experience of zero months, maximum credit allowance of six months;

(8) wiring and maintaining technology circuits or systems: minimum experience of zero months, maximum credit allowance of six months;

(9) wiring and maintaining process control circuits or systems: minimum experience of zero months, maximum credit allowance of 12 months; and

(10) a maximum of one year of experience credit will be allowed for the successful completion of a two-year, post-high school technical course approved by the department.

F. Lineman, the minimum total is 48 months, including:

(1) planning for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(2) laying out for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(3) supervising the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;

(4) wiring for and installing electrical wiring, apparatus, and equipment: minimum experience of zero months, maximum credit allowance of 12 months;

- (5) maintaining and repairing electrical wiring, apparatus, and equipment: minimum experience of zero months, maximum credit allowance of 12 months;
- (6) line work: minimum experience of 24 months, maximum credit allowance of 48 months;
- (7) installing elevators: minimum experience of zero months, maximum credit allowance of three months;
- (8) wiring and maintaining technology circuits or systems: minimum experience of zero months, maximum credit allowance of six months; and
- (9) wiring and maintaining process control circuits or systems: minimum experience of zero months, maximum credit allowance of zero months.

G. Class B installer, the minimum total is 12 months, including:

- (1) planning for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;
- (2) laying out for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;
- (3) supervising the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;
- (4) wiring for and installing electrical wiring, apparatus, and equipment: minimum experience of zero months, maximum credit allowance of 12 months;
- (5) maintaining and repairing electrical wiring, apparatus, and equipment: minimum experience of zero months, maximum credit allowance of six months;
- (6) line work: minimum experience of zero months, maximum credit allowance of three months;
- (7) installing elevators: minimum experience of zero months, maximum credit allowance of three months;
- (8) wiring and maintaining technology circuits or systems: minimum experience of zero months, maximum credit allowance of three months; and
- (9) wiring and maintaining process control circuits or systems: minimum experience of zero months, maximum credit allowance of zero months.

H. Power limited technician, the minimum total is 36 months, including:

- (1) planning for the installation of wiring, apparatus, and equipment for technology circuits or systems: minimum experience of zero months, maximum credit allowance of six months;
- (2) laying out for the installation of wiring, apparatus, and equipment for technology circuits or systems: minimum experience of zero months, maximum credit allowance of six months;
- (3) supervising the installation of wiring, apparatus, and equipment for technology circuits or systems: minimum experience of zero months, maximum credit allowance of six months;

(4) wiring for and installing technology circuit or system wiring, apparatus, and equipment: minimum experience of 12 months, maximum credit allowance of 36 months;

(5) maintaining and repairing technology circuit or system wiring, apparatus, and equipment: minimum experience of zero months, maximum credit allowance of 24 months;

(6) line work: minimum experience of zero months, maximum credit allowance of zero months;

(7) installing elevators: minimum experience of zero months, maximum credit allowance of zero months;

(8) wiring and maintaining process control circuits or systems: minimum experience of zero months, maximum credit allowance of six months; and

(9) a maximum of up to 12 months or 2,000 hours of experience credit will be allowed for the successful completion of a two-year, post-high school electrical course or other technical training approved by the department.

Statutory Authority: *MS s 326.241; 326B.32*

History: *14 SR 518; 17 SR 139; 29 SR 947; L 2007 c 140 art 5 s 32; art 13 s 4; 34 SR 473*

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3800.3525 REGISTRATION OF UNLICENSED INDIVIDUAL.

Subpart 1. **Unlicensed individual registration requirement.** Individuals who are 17 years of age or older, who do not hold any class of electrical license issued by the department, and who perform electrical work required to be performed by employees of a contractor or employer as defined in part 3800.3550, subpart 6, must be registered with the department.

Subp. 2. **Information required on initial registration application.** Applicants for registration must provide the following information on the initial application form provided by the department:

- A. full name;
- B. date of birth;
- C. Social Security number;
- D. home address;
- E. a different designated address to become public information, if the applicant wishes the home address to remain private;
- F. area code and telephone number, if it exists;
- G. e-mail address, if any;
- H. date of application;
- I. class of work being performed; and
- J. name, address, and telephone number of employer.

Subp. 3. **Duty to keep information current.** All of the information required by subpart 2 must be kept current. Registered individuals must notify the department within 30 days of any changes in the required information.

Subp. 4. **Information required to be provided by applicant for registration renewal application.** Applicants for registration renewal must provide the following information on the renewal application provided by the department:

A. verification of employment by a licensed contractor or employer as defined in part 3800.3550, subpart 6, that includes the following:

- (1) names of employers during the previous 12-month registration term;
- (2) address of each employer;
- (3) telephone number of each employer;
- (4) dates of employment with each employer; and
- (5) class of work performed for each employer; and

B. any changes to the information required in subpart 2, items A, B, D, E, and F.

Subp. 5. **Continuing education required.** Registered unlicensed individuals must earn two hours of continuing education credit as a condition of renewal of their registration. Registrants who do not renew the registration prior to 12 months after expiration must submit an initial registration application in accordance with subpart 2.

Subp. 6. **Registration card.** The unlicensed individual must always carry the registration card issued by the department when performing electrical work and must present it to department representatives or electrical inspection authorities upon request.

Statutory Authority: *MS s 326B.32*

History: *34 SR 473*

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3800.3530 REQUIREMENTS FOR SECURING AND MAINTAINING CONTRACTOR'S LICENSE.

Subpart 1. **Information required to be provided by applicants.** In addition to the requirements of Minnesota Statutes, section 326B.33, subdivision 14, an applicant for a contractor's license shall also supply the information described in items A to G:

A. The telephone number, exclusive of answering services, as listed under the applicant's name in telephone directories.

B. The mailing address, and the street address of:

- (1) the owner, if the applicant is a sole proprietorship;
- (2) each partner, if the applicant is a partnership or limited liability partnership;
- (3) each member, if the applicant is a limited liability company;
- (4) the corporate officers, if the applicant is a corporation;

(5) the primary location from which the contracting business is conducted;

(6) the registered office or registered agent of the corporation or limited liability company, or the specified office or specified agent of the limited liability partnership when the company is located in a state that is not contiguous with Minnesota; and

(7) each additional location from which the applicant's contracting business is conducted.

C. The Social Security number of each individual, partner, corporate officer, or member as required by Minnesota Statutes, section 270C.72, subdivision 4.

D. Except for an individual or a partnership making application using the individual's or all partners' own full true names as the contractor name, a copy of the certificate of assumed name or a copy of the certificate of good standing issued by the Office of the Secretary of State.

E. The applicant's Minnesota business identification number and federal employer identification number, unless the applicant has no employees, does not make taxable sales or leases, does not perform taxable services, and is either a sole proprietor or a one-member limited liability company. Instead of a Minnesota business identification number, the applicant may provide a statement from the Minnesota Department of Revenue that the applicant is not required to have a Minnesota business identification number.

F. When the applicant has employees, the applicant's worker's compensation insurance account number and unemployment insurance account number. A worker's compensation insurance account number is not required for an applicant who only employs individuals excluded under Minnesota Statutes, section 176.041. An applicant not providing worker's compensation insurance must provide an affidavit that Minnesota Statutes, section 176.041, does not require worker's compensation insurance for the applicant's employees.

G. A certificate of master electrician or power limited technician identifying the licensed individual responsible for the contractor's license as required by part 3800.3540.

Subp. 2. [Repealed, 29 SR 947]

Subp. 3. [Repealed, 29 SR 947]

Subp. 4. **Duty to keep information current.** All of the information required by this part must be kept current. Licensees shall notify the department within 30 days of any changes in the required information.

Statutory Authority: *MS s 326.241; 326B.32*

History: *14 SR 518; L 1997 c 66 s 80; L 1999 c 107 s 66; L 2000 c 343 s 4; 29 SR 947; L 2005 c 151 art 1 s 116; L 2007 c 140 art 5 s 32; art 13 s 4; 34 SR 473*

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3800.3540 DESIGNATION OF RESPONSIBLE MASTER ELECTRICIAN OR POWER LIMITED TECHNICIAN ON CONTRACTOR'S LICENSE APPLICATION.

Subpart 1. **Responsible licensed individual for contractor limited to one contractor license.** Each contractor shall designate the responsible master electrician or power limited technician employed by the contractor on the application for a contractor's license. The department shall not grant a contractor's license if it appears that the responsible electrician or power limited technician designated is also employed

by any other contractor or employer. In the event that an applicant for a contractor license has designated an employee as the responsible master electrician or power limited technician who is the responsible master electrician or power limited technician for another contractor or employer, or is employed by another contractor or employer, the department shall return the application to the applicant.

Subp. 2. **Notice required for resignation, termination, or separation of responsible licensed individual.** The responsible master electrician or power limited technician for a contractor shall give a minimum 15-day notice to the contractor and department before resigning as the responsible master electrician or power limited technician for the contractor. The contractor and responsible master electrician or power limited technician shall immediately notify the department upon the termination or separation of the contractor's responsible master electrician or power limited technician.

Subp. 3. **Replacement certificate of employment of responsible licensed individual.** The contractor shall submit a replacement certificate of responsible licensed individual form identifying the replacement responsible master electrician or power limited technician within 30 days from the date of termination or separation. If the contractor is unable to acquire a replacement responsible master electrician or power limited technician within 30 days from the date of termination, the contractor's license is invalid and the contractor shall cease and desist from performing any electrical work and return the contractor's license for voluntary termination. Upon acquiring a replacement responsible master electrician or power limited technician, the contractor may request reinstatement of the terminated license.

Subp. 3a. **Failure to renew or maintain master electrician or power limited technician license.** If the responsible master electrician or power limited technician for the contractor is an owner, partner, member, or officer of the company and fails to renew a license or a license is suspended or revoked, the contractor license is invalid and the contractor shall cease and desist from performing any electrical work until the master electrician or power limited technician license is renewed or reinstated, or a certificate of responsible licensed individual identifying a replacement responsible master electrician or power limited technician is submitted. Upon renewal or reinstatement of the master electrician's or power limited technician's license, or acquiring a replacement responsible master electrician or power limited technician, the contractor may request reinstatement of the license. If the responsible master electrician or power limited technician for the contractor is an employee of the company and fails to renew a license or a license is suspended or revoked, the contractor has 30 days to secure a properly licensed responsible master electrician or power limited technician. If the contractor is unable to acquire a replacement responsible master electrician or power limited technician, or if the master electrician or power limited technician license is not renewed or reinstated within 30 days from the date of the expiration, suspension, or revocation, the contractor's license is invalid and the contractor shall cease and desist from performing any electrical work. Upon renewal or reinstatement of the responsible master electrician's or power limited technician's license, or the contractor submitting a replacement certificate of responsible master electrician or power limited technician, the contractor may request reinstatement of the license.

Subp. 4. **Evidence of compliance with this chapter and the Minnesota Electrical Act.** The owner or principal of a company and the responsible master electrician or power limited technician of the company applying for a contractor license shall provide certification that the contractor will comply with the requirements of this chapter, chapters 1315 and 3801, and the Minnesota Electrical Act.

Subp. 5. **Employer.** For the purpose of this part, "employer" means a person that has one or more employees who perform electrical work on the employer's electrical wiring, apparatus, equipment, or facilities owned or leased by the employer which are located within the limits of property owned or leased and operated and maintained by the employer.

Statutory Authority: *MS s 326.241; 326B.32*

History: *14 SR 518; 29 SR 947; 34 SR 473*

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3800.3550 DESIGNATION OF RESPONSIBLE MASTER ELECTRICIAN, POWER LIMITED TECHNICIAN, LICENSED MAINTENANCE ELECTRICIAN, OR ELECTRICAL ENGINEER BY AN EMPLOYER.

Subpart 1. **Employees required to be licensed.** An employer who has one or more employees who perform electrical work on the employer's premises for which an electrical license is required shall submit to the department a certificate of responsible licensed individual executed by the properly licensed employee who is responsible for compliance with this chapter, chapters 1315 and 3801, and the Minnesota Electrical Act by that employer and the employer's employees.

Subp. 2. **Employees exempt from licensing.** An employer whose maintenance electricians are exempt from licensing under Minnesota Statutes, section 326B.33, subdivision 21, shall provide the department with a certificate of responsible licensed individual executed by an employee who holds a bachelor of electrical engineering degree from an accredited university or college, power limited technician, maintenance electrician, or master electrician license, and is responsible for compliance with this chapter, chapters 1315 and 3801, and the Minnesota Electrical Act by that employer and the employer's employees.

Subp. 3. **Notification of termination of responsible licensed individual.** The designated responsible individual on the certificate of responsible licensed individual required under this part shall immediately notify the department in writing of termination as the responsible licensed individual with that employer.

Subp. 4. **Evidence of compliance.** The department may require that the employer or designated responsible individual provide evidence of the manner in which they will comply with this chapter, chapters 1315 and 3801, and the Minnesota Electrical Act.

Subp. 5. **Resubmittal of designation of responsible master electrician, power limited technician, licensed maintenance electrician, or electrical engineer by an employer.** An employer shall resubmit a certificate of responsible licensed individual executed by the properly certified employee who is responsible for compliance with this chapter, chapters 1315 and 3801, and the Minnesota Electrical Act two years from the date of the previous submittal.

Subp. 6. **Employer.** For the purpose of this part, "employer" means a person, partnership, corporation, or limited liability company who has one or more employees who perform electrical work on the employer's electrical wiring, apparatus, equipment, or facilities owned or leased by the employer which are located within the limits of property owned or leased and operated and maintained by the employer.

Statutory Authority: *MS s 326.241; 326B.32*

History: *14 SR 518; 29 SR 947; L 2007 c 140 art 5 s 32; art 13 s 4; 34 SR 473*

Posted: *November 12, 2009*

3800.3560 ADVERTISING RESTRICTIONS.

The contractor's name as it appears on the contractor's license shall be provided in any advertisement or printed matter that offers or implies the performance of electrical work for which a license is required.

Statutory Authority: *MS s 326.241*

History: *14 SR 518; 29 SR 947*

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3800.3570 MARKING OF CONTRACTOR'S VEHICLES.

Any vehicle used by a contractor while performing electrical work for which a contractor's license is required shall have the contractor's name and license number as it appears on the contractor's license in contrasting color with characters at least three inches high and one-half inch in width affixed to each side of the vehicle.

Statutory Authority: *MS s 326.241*

History: *14 SR 518; 29 SR 947*

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3800.3600 AUTHORITY; PURPOSE.

Parts 3800.3601 to 3800.3603 establish continuing education requirements for renewal of electrician licenses and unlicensed electrical worker registration, as authorized by Minnesota Statutes, section 326B.32, subdivision 2, paragraph (a), clause (6).

Statutory Authority: *MS s 214.12; 326.241; 326B.32*

History: *19 SR 2221; 34 SR 473*

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3800.3601 DEFINITIONS.

Subpart 1. **Words, terms, and phrases.** For the purposes of parts 3800.3600 to 3800.3603, the terms defined in this part have the meanings given them.

Subp. 2. **Educational program.** "Educational program" means a course, seminar, workshop, or other educational offering where interactive instruction is provided by one or more instructors, either directly or by interactive media.

Subp. 3. **Hours of instruction.** "Hours of instruction" means the time in hours allowed by the department for attending an educational program pursuant to part 3800.3602.

Subp. 4. **Electrician license.** "Electrician license" means a personal electrical license issued by the department that is required by statute. "Electrician license" does not include "lineman" as defined by Minnesota Statutes, section 326B.31, subdivision 20.

Subp. 4a. **NEC.** "NEC" means the most recent published edition of the National Electrical Code or the edition adopted in part 1315.0200.

Subp. 5. **Power limited technician.** "Power limited technician" means an individual meeting the qualifications of Minnesota Statutes, section 326B.33, subdivision 7, paragraph (b), (d), or (e), and who is licensed by the department.

Subp. 6. **Provider.** "Provider" means a person, partnership, corporation, limited liability company, professional association, government agency, or other entity authorized by law which provides educational programs for credit under part 3800.3602.

Statutory Authority: *MS s 214.12; 326.241; 326B.32*

History: *19 SR 2221; 29 SR 947; L 2007 c 140 art 5 s 32; art 13 s 4; 34 SR 473*

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3800.3602 REQUIREMENTS FOR RENEWAL OF ELECTRICIAN AND POWER LIMITED TECHNICIAN LICENSE AND RENEWAL OF REGISTERED UNLICENSED INDIVIDUAL REGISTRATION.

Subpart 1. **License renewal.** The department shall not renew the electrician license of an applicant for renewal who has held the license for at least 24 months unless the applicant has credit for the hours of instruction required by this part.

Subp. 2. **Hours of instruction.**

A. Within the term and prior to the renewal of an electrician or power limited technician license, each holder of a license shall receive credit for instruction through one or more educational programs as required by this part. Credit for an educational program may only be used once for a specific renewal of an electrician license. Where a licensee holds more than one type of electrician license, the same credits for hours of instruction may be applied to each license.

B. The following license types are required to earn 16 hours of instruction through one or more educational programs:

- (1) Class A master electrician;
- (2) Class B master electrician;
- (3) Class A journeyman electrician;
- (4) Class B journeyman electrician;
- (5) master elevator constructor;
- (6) elevator constructor;
- (7) maintenance electrician;

- (8) Class A installer;
- (9) Class B installer; and
- (10) power limited technician.

Subp. 3. **Acceptable subjects.** For the license types listed in subpart 2, item B, subitems (1) to (9), at least 12 hours of instruction must be on the NEC and the remainder on the statutes and rules governing electrical installations, this chapter, chapter 3801, and Minnesota Statutes, sections 326B.31 to 326B.399, or technical topics related to electrical installations and equipment. For the license type in subpart 2, item B, subitem (10), at least four hours of instruction must be on the NEC with the remainder on the statutes and rules governing electrical installations, this chapter, chapter 3801, Minnesota Statutes, sections 326B.31 to 326B.399, or technical topics related to electrical installations and equipment.

Subp. 4. **Registration renewal.** The department shall not renew the registration of a registered unlicensed individual unless the applicant received credit for two hours of instruction on the NEC through one or more educational programs as required by this part. Credit for an educational program may only be used once for renewal of registration.

Statutory Authority: *MS s 214.12; 326.241; 326B.32*

History: *19 SR 2221; L 2000 c 488 art 2 s 28; 29 SR 947; L 2007 c 140 art 5 s 32; art 13 s 4; 34 SR 473*

Posted: *November 12, 2009*

3800.3603 CREDIT FOR INSTRUCTION.

Subpart 1. **Approval of educational programs.** To qualify for credit under part 3800.3602, educational programs shall be approved by the department. The provider shall submit an application for approval on a form provided by the department, which shall include an outline of the educational program; the number of hours of instruction provided; and the names, addresses, telephone and facsimile numbers, and qualifications of the instructors. The provider shall submit a new application for approval if the instruction provided deviates substantively from the outline previously submitted or the hours of instruction provided is changed. Applications for approval shall be received by the department at least 30 days prior to the first presentation of an educational program. Approval of individual educational programs expires 36 months from the date of approval. An interactive educational program may also be approved for presentation through electronic media. In addition to the requirements of parts 3800.3600 to 3800.3603, a program presented through electronic media that does not include real-time interaction between the presenter and the licensee or registrant must include an examination process that ensures a licensee or registrant has successfully completed the program.

Subp. 2. **Notification of presentations.** Not less than 14 days prior to a presentation of an educational program, the provider shall notify the department in writing of the date, time, and location of the presentation.

Subp. 3. **Exception to preapproval.** Notwithstanding subparts 1 and 2, educational programs that are offered in other states and not granted prior approval according to this part shall be considered for credit if the department is provided with evidence that the educational program meets the requirements of part 3800.3602 and is approved for continuing education credit by a public authority licensing electricians or power limited technicians in the other state.

Subp. 4. **Review of educational programs.** The department shall have authority to audit or review educational programs and presentations of educational programs for compliance with parts 3800.3600 to 3800.3603 and review the provider's records concerning individuals who have attended such presentations for credit. The department shall withdraw approval of any educational program not in compliance with parts 3800.3600 to 3800.3603.

Subp. 5. **Qualifications of instructors.** All educational programs shall be conducted by department-approved instructors who have the qualifications described in at least one of the following items:

A. a personal electrical license and at least four years' experience in electrical inspection, electrical installations, or teaching subjects within the scope of electrical work permitted by the instructor's license;

B. a registered or licensed electrical engineer with at least four years' experience in the design of premises electrical power systems or technology systems;

C. at least five years' practical experience in the subject being taught. An instructor in this category may only be approved for instruction on technical topics related to electrical installations and equipment; or

D. for technology systems, an instructor certified by a national training program.

Subp. 6. **Credit for teaching.** Instructors of educational programs approved under this part shall receive instruction credit for each hour of instruction allowable under subpart 1.

Subp. 7. **Report of credits earned.** Within 14 days after presentation of an educational program for credit under part 3800.3602, the provider shall provide a certificate of completion to each licensee or registrant in attendance and shall forward an attendance list and original attendance sign-in document to the department on a form supplied by the department, or in a format approved by the department. Each certificate of completion and attendance list shall include the name of the provider, date and location of the presentation, educational program identification that was provided to the department, hours of instruction or continuing education units, and the licensee's or registrant's name and license or registration number or the last four digits of the applicant's Social Security number. The attendance list must be typewritten and provide a summary of each attendee's hours for each course attended.

Subp. 8. **Credit for completing an educational program.** Participants in an educational program must complete the entire program to receive credit. Partial credit must not be granted.

Statutory Authority: *MS s 214.12; 326.241; 326B.32*

History: *19 SR 2221; 29 SR 947; 34 SR 473*

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