



## **STATEMENT OF NEED AND REASONABLENESS**

Proposed Amendment to Rules Relating to the  
Minnesota Electrical Code, Minnesota Rules  
Chapter 1315; R-04985

May 2026

General information:

1. Availability: The State Register notice, this Statement of Need and Reasonableness (SONAR), and the proposed rule will be available during the public comment period on the Agency's Public Notices website: [Rulemaking docket for Minnesota Rules Chapter 1315 ; R-04778 | Minnesota Department of Labor and Industry \(mn.gov\)](#)
2. View older rule records at: [Revisor's Office | Minnesota Rule Status](#)
3. Agency contact for information, documents, or alternative formats: Upon request, this Statement of Need and Reasonableness can be made available in an alternative format, such as large print, braille, or audio. To make a request, contact Krystle Conley, Department of Labor and Industry, 443 Lafayette Road North, St. Paul, MN 55155; telephone 651-284-5315; email [dli.rules@state.mn.us](mailto:dli.rules@state.mn.us); or use your preferred telecommunications relay service.

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## Acronyms

ANSI	American National Standards Institute
APA	Administrative Procedures Act
Board	Minnesota Board of Electricity
Department	Minnesota Department of Labor and Industry
MMB	Minnesota Management and Budget
MN	Minnesota
NEC	National Electrical Code ( <i>aka</i> “NFPA70®”)
NFPA	National Fire Protection Association
CAH	Court of Administrative Hearings
SONAR	Statement of Need and Reasonableness
TIA	Tentative Interim Amendment

# Introduction and Overview

## Introduction

The Minnesota Board of Electricity (“Board”) presents these proposed permanent rule amendments that update the existing Minnesota Electrical Code to incorporate by reference the most recent edition of the National Electrical Code (“NEC”) as published by the National Fire Protection Association (“NFPA”).<sup>1</sup>

## Background

The Board proposes adopting amendments to the rules governing the Minnesota Electrical Code in Minnesota Rules, Chapter 1315. The Minnesota Electrical Code is the industry standard which directs and regulates all electrical work conducted in this state and is part of the Minnesota State Building Code. See Minnesota Rules, part 1300.0050 (J) (2016). Minnesota Statutes, section 326B.32, subdivision 2 (a)(3) (2025), requires the Board to adopt the Minnesota Electrical Code, which must be the most current version of the National Electrical Code, and any Minnesota amendments thereto.

Minnesota Statutes, sections 326B.31 to 326B.399, are known as the “Minnesota Electrical Act.” Minnesota Statutes, section 326B.35, of the Minnesota Electrical Act mandates that all electrical wiring, apparatus and equipment for electrical light, heat and power, technology circuits or systems comply with the rules of the Minnesota Department of Labor and Industry and the Board and be installed in conformity with accepted standards of construction for safety to life and property. The safety standards specifically identified therein are the most recently published edition of the National Electrical Code as adopted by the National Fire Protection Association (“NFPA”) and approved by the American National Standards Institute (“ANSI”), and the National Electrical Safety Code as published by the Institute of Electrical and Electronics Engineers, Inc., and approved by ANSI.

The proposed amendments to Minnesota Rules, chapter 1315, incorporate by reference the most current edition of the National Electrical Code. Specifically, the Board proposes to incorporate the 2026 NEC which was developed and published by the NFPA and approved by ANSI.

The changes to the NEC are made at national code hearings conducted by the NFPA. The NEC is written by those who use the code book and utilize ANSI processes to provide maximum input from those who use and are impacted by the code. Each suggested change is reviewed by a national code committee, discussed, and voted on. The accepted revisions are published as a first draft report by the committee. That draft is open to comments from the public. When the comment period is closed, a second draft is prepared but changes can still be made or removed at the annual membership meeting. If a proposal is unsuccessful at the meeting, an appeal can be made directly to the NFPA Standards Council. Board members and Department of Labor and Industry staff were actively involved in the national code development process and are well acquainted with the revisions in the 2026 edition of the NEC.

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<sup>1</sup> The 2026 NEC is also known as the “ANSI/NFPA 70®” Standard, Copyright September 2025 by the National Fire Protection Association, One Batterymarch Park, Quincy, Massachusetts 02169-7471.

The 2026 edition of the NEC was prepared by the National Electrical Code Committee of the NFPA and acted on by their membership during their June 19, 2025, NFPA Technical Meeting. The NFPA Standards Council subsequently reviewed the edition and issued the same on August 20, 2025, with an effective date of September 9, 2025. The official 2026 NEC code book was made available to the public in September of 2025 and has been available online and free-of-charge at the NFPA website since its publication. The [2026 National Electrical Code is available here for free viewing](#). To view the code, including all NFPA70® documents and reports which contain the proposed changes made thereto in accordance with the NFPA committee rule development process, click on the link above, choose the 2026 edition of the National Electrical Code in the dropdown menu, then select “View Free Access”. Please note that users not already registered on the NFPA website will need to create a free account to view the 2026 model code.

The Minnesota Electrical Code was last updated in 2023 to incorporate by reference what, at the time, were the most recent NEC standards in the industry. Since that time, the national standards have been updated through the national process identified above to incorporate the latest technology and electrical safety practices. The purpose of both the NEC and the Minnesota Electrical Code is to: (1) promote national and state-wide uniformity in the application of those standards; (2) to further technological improvement and advancements; and (3) to protect the safety of those working on, living with, and utilizing electrical systems in residential, public, and other commercial environments.

At the direction of the Board, the Minnesota Department of Labor and Industry (“Department”) began this rulemaking process on behalf of the Board by publishing a Request for Comments in the *State Register* on Monday, January 26, 2026 ([https://mn.gov/admin/assets/SR50\\_30\\_tcm36-720825.pdf](https://mn.gov/admin/assets/SR50_30_tcm36-720825.pdf)). The Department provides all legal and administrative support to the Board, including for rulemaking.<sup>2</sup>

A technical advisory rules committee was established by the Board Chair and used in this rulemaking to review changes found in the 2026 Edition of the NEC and to determine whether any amendments to those changes were necessary. Members serving on the NEC 2026 Adoption Review Committee represented the public, the Department of Labor and Industry, and various industry sectors, including licensed electrical contractors, electrical inspectors, power limited technicians, and electrical engineers. The advisory committee met three times to review and discuss changes made in the 2026 edition of the NEC on September 25, 2025, October 14, 2025, and October 28, 2025.<sup>3</sup> Public participation was strongly encouraged, and the meetings were well attended.

Review of the 2026 NEC by the advisory committee included an overview of several reorganizations of content and technical updates designed to enhance clarity, safety, and usability as the National Electrical Code transitions toward a new structural format planned for 2029. Major changes reviewed by the committee for the 2026 edition included the consolidation of all load-calculation requirements into the newly created Article 120, along with the introduction of new requirements for Power Control Systems used for load management. In addition, Article 110 now reinforces that manufacturer instructions may not override NEC safety provisions, and arc-flash labeling requirements were expanded to include both service and feeder equipment. Article 210 separated some existing

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<sup>2</sup> See Minnesota Statutes, section 326B.32, subd. 2(c) (2025).

<sup>3</sup> Meeting Agendas, Meeting Minutes, and Meeting Materials for all the committee meetings can be viewed on the Committee’s website at: <https://www.dli.mn.gov/about-department/boards-and-councils/nec-2026-adoption-review-committee>

ground-fault protection rules, plus includes the sunset of the outdoor HVAC exception and the introduction of Class C SPGFCl protection for HVAC equipment. Surge-protection requirements were broadened at both services and feeders where first-responder sleeping quarters are present, and Article 230 provides clearer direction on the required location of service/emergency disconnects for one- and two-family dwelling units. Multiple Chapter 2 articles were added for medium voltage installations to support the structural changes planned for the 2029 NEC. Article 406 was expanded with a new Part III for switches and retitled to “Wiring Devices.” Articles 547, 555, and 682 now include specific construction requirements for equipotential planes. Article 625 revised language for electric-vehicle charging, including clearer rules for disconnecting means and emergency shutoff requirements for installations other than one- and two-family dwellings, and a listing requirement for EV receptacles. Finally, specialty articles—such as marinas, elevators, data systems, and emergency/standby systems—added new coordination, testing, and documentation requirements to enhance system reliability.

At its final meeting on October 28, 2025, the committee voted to forward a recommendation to the full board to adopt the 2026 NEC without Minnesota amendments.

The NEC 2026 Adoption Review Committee provided a summary of its 2026 NEC review, cost analysis, and recommendation to adopt the 2026 NEC without amendments to the full board at its regular public meeting on January 15, 2026. The Board discussed the committee’s recommendation and voted unanimously to adopt the 2026 NEC without amendments, including a designated effective date of July 1, 2026, or within five days of publication of the Notice of Adoption in the *Minnesota State Register*, whichever occurs later.<sup>4</sup>

## Public Participation and Stakeholder Involvement

The Board held public board meetings and committee meetings seeking participation from stakeholder groups and the public. Notice of each board or advisory committee meeting was posted on the websites for the Board and the NEC 2026 Adoption Review Committee, respectively. Notice was also emailed to members of the public who had requested to receive notice of board rulemakings. All meetings were posted and open to the public, both in person and remotely. The Board and the NEC 2026 Adoption Review Committee gave all stakeholders and members of the public unfettered opportunity to submit comments or recommendations and to participate and speak freely during these meetings. All meetings were recorded and complied with Minnesota Statutes, Chapter 13D, the Minnesota Open Meeting Law.

## Statutory Authority

The Board’s statutory authority to adopt the NEC is set forth in Minnesota Statutes, section 326B.32, subdivision 2 (a)(3) (2025):

Subd. 2. Powers; duties; administrative support. (a) The board shall have the power to:

- (1) elect its chair, vice-chair, and secretary;
- (2) adopt bylaws that specify the duties of its officers, the meeting dates

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<sup>4</sup> Meeting Agenda, Meeting Minutes, and Meeting Materials for the January 15, 2026 regular board meeting can be viewed on the Board’s website at: <https://www.dli.mn.gov/about-department/boards-and-councils/board-electricity>.

of the board, and containing other provisions as may be useful and necessary for the efficient conduct of the business of the board;

(3) *adopt the Minnesota Electrical Code, which must be the most current edition of the National Electrical Code and any amendments thereto.* The board shall adopt the most current edition of the National Electrical Code and any amendments thereto pursuant to chapter 14....

*Id.* (emphasis added).

This rulemaking is an amendment of an existing rule, so Minnesota Statutes, section 14.125 does not apply. The proposed rule may affect farming operations, so a separate notice and a copy of the proposed rule were provided to the Commissioner of the Minnesota Department of Agriculture on March 30, 2026, as required by Minnesota Statutes, section 14.111 (2025).

Under these statutes, the Board has the necessary statutory authority to adopt the proposed rule.

## Rule-by-Rule Analysis

### 1315.0200 Scope

#### Subpart 1a. **Electrical Code.**

This subpart incorporates by reference the 2026 National Electrical Code for all new electrical wiring, apparatus, and equipment for electric light, heat, power, technology circuits and systems, and alarm communications systems. All references to the 2023 NEC are replaced with references to the 2026 NEC. This change is both necessary and reasonable because Minnesota Statutes, section 326B.32, subdivision 2(a)(3) (2025), requires that the most current edition of the NEC, and any amendments, be adopted. The NEC is updated and republished every three years.

The proposed July 1, 2026, effective date was provided by the Board to set a specific effective date that is earlier than the 270-day effective date default provided for by Minnesota Statutes, section 326B.13, subdivision 8 (2025), which states as follows:

A rule to adopt or amend the State Building Code is effective 270 days after publication of the rule's notice of adoption in the State Register. The rule may provide for a later effective date. *The rule may provide for an earlier effective date if the commissioner or board proposing the rule finds that an earlier effective date is necessary to protect public health and safety after considering, among other things, the need for time for training of individuals to comply with and enforce the rule.* The commissioner must publish an electronic version of the entire adopted rule chapter on the department's Web site within ten days of receipt from the revisor of statutes. The commissioner shall clearly indicate the

effective date of the rule on the department's Web site.

*Id.* (emphasis added). The effective date of July 1, 2026, was selected by the Board at its January 15, 2026, regular board meeting after considering the following:

- (1) The latest edition of the National Electrical Code has routinely been adopted in Minnesota and made effective July 1, of each code edition year. The electrical industry in this state strongly supports and is anticipating another July 1, effective date for the revised 2026 NEC and is already in the process of updating and implementing necessary business changes, protocol, training, and practices;
- (2) Industry and enforcement training on the 2026 NEC have already been developed and are scheduled in anticipation of a July 1, 2026, effective date. Training for the 2026 NEC began in the summer of 2025 and continues today; and
- (3) A July 1, effective date would lessen confusion in the industry, expedite installations and increase public and workplace health and safety. A July 1, effective date will also promote uniformity among and between states adopting the 2026 NEC and will result in a freer flow of commerce and employees across state lines.

Based on these considerations, the Board has determined that an effective date of July 1, 2026, or five days after the Notice of Adoption is published in the *State Register*, whichever is later, is needed and the most effective way of meeting industry expectations, providing certainty, improving technology, and protecting public health and electrical safety of electrical workers and the public.

## Regulatory Analysis

Minnesota Statutes, section 14.131, sets out eight factors for a regulatory analysis that must be included in the SONAR. Paragraphs (1) through (8) below quote these factors and then give the Board's response.

**“(1) a description of the classes of persons who probably will be affected by the proposed rule, including classes that will bear the costs of the proposed rule and classes that will benefit from the proposed rule”**

Those who will be affected by the proposed rule, those who will bear the costs of the proposed rule, and those who will benefit from the proposed rule include: Residential and commercial building owners; equipment manufacturers and suppliers; architects and interior designers; electrical contractors; code enforcement authorities, and the public. Although provisions in the 2026 NEC have greater impact on electrical contractors, they also impact technology system contractors and general contractors.

**“(2) the probable costs to the agency and to any other agency of the implementation and enforcement of the proposed rule and any anticipated effect on state revenues”**

Because the Board only adopts the NEC and does not administer it, the Board will not incur any costs associated with the adoption of the 2026 NEC. The Department of Labor and Industry provides administrative support to the Board and administers and enforces rules adopted by the Board.

Costs to the Department include the costs of purchasing code books for state employees who address electrical code issues, as well as the cost of revising state license examinations to reflect the updated code. Adoption of an updated version of the NEC will not affect state revenues because the Department enforces the Minnesota Electrical Code using electrical licensing and permit fees set by statute that go into a dedicated fund to cover administrative and enforcement costs.<sup>5</sup>

**“(3) a determination of whether there are less costly methods or less intrusive methods for achieving the purpose of the proposed rule”**

The purpose of both the NEC and the Minnesota Electrical Code is to: (1) promote national and state-wide uniformity in the application of those standards; (2) to further technological improvement and advancements; and (3) to protect the safety of those working on, living with, and utilizing electrical systems in residential, public, and other commercial environments. See Minnesota Statutes, section 326B.35 (2025).

The Board has determined that there are no less costly or less intrusive methods for achieving the purpose of the proposed rule. The NEC is recognized throughout the United States and many other countries as the prevailing model electrical code. Incorporating the 2026 NEC by reference is the least costly method for adopting a national model code and is in accordance with Minnesota Statutes, section 326B.32, subdivision 2 (a)(3) (2025), which specifically directs adoption of the most recent edition of the National Electrical Code.

**“(4) a description of any alternative methods for achieving the purpose of the proposed rule that were seriously considered by the agency and the reasons why they were rejected in favor of the proposed rule”**

No other methods were considered for achieving the purpose of the proposed rule. The National Electrical Code is the only electrical code that is accepted and in use throughout the United States. Unlike other model building codes that may need to be amended at the local level due to specific conditions such as earthquakes, snow loads, wind loads, prevalence of hurricanes, extreme temperatures and so on, the NEC is universally applicable in all jurisdictions. Most importantly, the Board is required by the Legislature to adopt “the most current edition of the National Electrical Code and any amendments thereto” pursuant to Minnesota Statutes, section 326B.32, subdivision 2 (a)(3) (2025). Accordingly, no other alternative model codes or prescriptive standards were considered.

**“(5) the probable costs of complying with the proposed rule, including the portion of the total costs that will be borne by identifiable categories of affected parties, such as separate classes of governmental units, businesses, or individuals”**

The revisions to the 2026 NEC are not anticipated to increase installation or compliance costs, as the updates largely focus on reorganizing existing rules, clarifying long-standing requirements, and improving usability in preparation for the 2029 structural transition of the model code. The changes do not introduce significant new material, equipment, or labor obligations; instead, they streamline code navigation and enhance safety without imposing additional financial burdens on installers, building

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<sup>5</sup> See Minnesota Statutes, section 326B.04 (2025).

owners, or enforcement authorities. For the more significant changes identified in the 2026 NEC review cycle addressed by the Board's NEC 2026 Adoption Review Committee, the overall cost impact is expected to be minimal. For instance, the labeling requirements in Section 110.16 of the NEC can now generally be satisfied by applying the NFPA 70E Table Method to determine the arc-flash boundary and appropriate personal protective equipment, avoiding the need for a full incident-energy analysis and keeping compliance costs low. 2026 NEC Section 230.70 likewise results in no additional cost burden in Minnesota, as the state has already required outdoor emergency disconnects for one- and two-family dwelling units to function as the service disconnect since adoption of the 2020 NEC. For Section 625.43(D), the cost of emergency disconnect devices for Electric Vehicle Service Equipment ("EVSE") installations in occupancies other than one- and two-family dwellings will vary based on equipment configuration and site layout; however, even with these variables, the incremental cost is generally anticipated to remain low relative to the total cost of commercial EVSE installation. Based on analysis conducted by the Board's NEC 2026 Adoption Review Committee, the Board has determined that the cost differences between the 2023 NEC and the 2026 NEC are not anticipated to result in a significant change in costs for any electrical stakeholders.<sup>6</sup> However, any change in costs for any given project will vary from project to project because the type of work being done, the size of the project, and the condition of any existing electrical work may affect any cost differential between complying with the existing electrical code and the 2026 NEC. Finally, there are many revisions, updates and clarifications reflected in the 2026 NEC that can result in lower costs in some instances or higher costs in others. Of course, costs for any particular project may also remain the same under either the 2023 NEC or the 2026 NEC. Any possible cost increases and cost savings are expected to be absorbed by electrical contractors or passed down to and borne by home and building owners.

Affected parties include contractors, inspection departments and designers who will need to purchase copies of the 2026 NEC. The purchase price for an individual copy of the 2026 NEC is approximately \$169.00 and can be obtained directly from the NFPA at: <https://www.nfpa.org/codes-and-standards/nfpa-70-standard-development/70>. Training curriculum will also need to be updated to incorporate any new or changed provisions in the code. However, it should be noted that continuing education is a requirement for all licensed electricians in Minnesota, so training is necessary regardless of which code version is adopted. Finally, training providers will incur minimal expenses including purchasing of the 2026 NEC code book and updating their existing training materials.

**“(6) the probable costs or consequences of not adopting the proposed rule, including those costs or consequences borne by identifiable categories of affected parties, such as separate classes of government units, businesses, or individuals”**

If the new edition of the NEC is not adopted, the state of Minnesota would continue to rely on the 2023 NEC. This would cause the industry in Minnesota to use an electrical code that does not incorporate all the latest methods and technologies, which is one main purpose of updating and adopting the national model codes. Minnesota would therefore fall behind in electrical standards to the detriment and safety of all stakeholders. Failure to adopt the proposed rule may also have a negative effect on electrical licensing reciprocity with other states that are currently in the process of adopting the 2026 NEC. Finally, failure to adopt the proposed rule would be considered a statutory violation since Minnesota Statutes, section 326B.32, subdivision 2(a)(3) (2025), requires the incorporation of the most recently

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<sup>6</sup> Meeting Agendas, Meeting Minutes, and Meeting Materials for all the committee meetings can be viewed on the Committee's website at: <https://www.dli.mn.gov/about-department/boards-and-councils/nec-2026-adoption-review-committee>.

published edition of the National Electrical Code into Minnesota's electrical code.

**“(7) an assessment of any differences between the proposed rule and existing federal regulations and a specific analysis of the need for and reasonableness of each difference”**

There are no applicable federal regulations that address electrical code issues in the construction of non-federally owned buildings.

**“(8) an assessment of the cumulative effect of the rule with other federal and state regulations related to the specific purpose of the rule”**

There are no applicable federal regulations that address electrical code issues in the construction of non-federally owned buildings, so there is no federal impact or cumulative effect. There are no other state regulations related to the specific purpose of this rule.

## Notice Plan

Minnesota Statutes, section 14.131, requires that a board or agency include in its SONAR a description of its efforts to provide additional notification to persons or classes of persons who may be affected by the proposed rule or must explain why these efforts were not made.

Details on the previous measures taken to ensure stakeholders received both required and additional notice of this rulemaking during the Request for Comments and rule development period can be found on pages 12 to 14 of this SONAR.

## Required Notice

The Board is required to identify and send notice to several groups and associations. The steps the Board will take to meet those statutory requirements are laid out in detail below.

Consistent with Minnesota Statutes, section 14.14, subd. 1a, on the day the Dual Notice for Hearing is published in the State Register, the Board will send via email or U.S. mail a copy of the Dual Notice and the proposed rule to the contacts on the Board's list of all persons who have registered with the Board for the purpose of receiving notice of rule proceedings. There are roughly 20 people on the Board's list of persons who have requested notice via United States Postal Service, and roughly 23,000 persons who have requested noticed of all rule proceedings via email. The Dual Notice will be sent at least 33 days before the end of the comment period.

Consistent with Minnesota Statutes, section 14.116 (b), the Board will send a copy of the Dual Notice, a copy of the proposed rules, and a copy of the SONAR to the chairs and ranking minority party members of the Senate Jobs and Economic Development Committee; Senate Labor Committee; Senate Housing and Homelessness Prevention Committee; House Workforce, Labor and Economic Development Finance and Policy Committee, House Housing Finance and Policy Committee, and the Legislative Coordinating Commission. These documents will be sent at least 33 days before the end of the comment period.

Consistent with Minnesota Statutes, section 14.131, the Board will send a copy of the SONAR to the Legislative Reference Library when the Dual Notice is sent.

Minnesota Statutes, section 14.111, requires the Board to provide the Commissioner of Agriculture with a copy of the proposed rule change if the agency plans to adopt or repeal a rule that may affect farming operations. The proposed rule may affect farming operations, so a separate notice and a copy of the proposed rule were provided to the Commissioner of the Minnesota Department of Agriculture on March 30, 2026.

Minnesota Statutes, section 14.116 (c), requires the Board to “make reasonable efforts to send a copy of the notice and the statement to all sitting legislators who were chief House of Representatives and Senate authors of the bill granting the rulemaking authority” if it is within two years of the effective date of the law granting rulemaking authority. This requirement does not apply because the Board was previously granted rulemaking authority for adoption of the Minnesota Electrical Code well before that timeframe and no bill within the past two years granted the Board additional authority for this rulemaking.

In addition to the rulemaking lists required by statute, the Board will be mailing or emailing the Notice of Intent to Adopt and proposed rule to organizations and trade associations anticipated to be substantially affected by the proposed rules. Those organizations and associations are as follows.

## **Additional Notice**

In addition to the required notice referenced above, the Board will make the Dual Notice, SONAR, and proposed Rule available on the Board’s webpage created for this rulemaking.

The Board intends to send an electronic notice with a hyperlink to electronic copies of the Dual Notice, SONAR, and the proposed rule to:

- Anoka Technical College
- Dakota County Technical College
- Dunwoody College of Technology
- Hibbing Community College (now part of Minnesota North College)
- Lake Superior College
- Leech Lake Tribal College
- Minnesota State Community & Technical College (Moorhead)
- Minnesota State Community & Technical College (Wadena)
- Minnesota West Community & Technical College (Canby)
- Minnesota West Community & Technical College (Jackson)
- Northland Community & Technical College

- Northwest Technical College
- Ridgewater College (Hutchinson & Willmar)
- Riverland Community College
- St. Cloud Technical & Community College
- St. Paul College
- Builders Association of Minnesota (“BAM”)
- Building Owners and Managers Association (“BOMA”) – Minnesota chapters (St. Paul, Duluth, and Greater Minneapolis)
- Central Minnesota Builders Association (“CMBA”)
- Electrical Association
- Housing First Minnesota
- International Brotherhood of Electrical Workers (“IBEW”) Minnesota State Council
- League of Minnesota Cities
- Local chapters of the Association of Minnesota Building Officials (“AMBO”) (Arrowhead, Southeast, 10,000 Lakes, Southwest, and Northwest)
- Local chapters of the IBEW (Locals 23, 110, 160, 242, 292, 294, 343, 731, 949, and 1999)
- Manufactured & Modular home Association of Minnesota (“MMHA”)
- Minnesota chapter of the International Association of Electrical Inspectors (“IAEI”)
- Minnesota Electronic Security and Technology Association
- Minnesota Mechanical Contractors Association
- Minnesota Solar Energy Industries Association (“MnSEIA”)
- National Electrical Contractors Association (“NECA”) – Minnesota Chapters (Twin Cities and Twin Ports)

On April 09, 2026, the Board received an Order from CAH confirming that these steps meet the notice requirements for persons or classes of persons who may be affected by the proposed amendments to these rules under Minnesota Statutes, section 14.14, subd. 1a, and Minnesota Rules, part 1400.2060.

## Performance-Based Rules

Minnesota Statutes, section 14.002, requires state agencies and boards, whenever feasible, to develop rules that are not overly prescriptive and inflexible, and rules that emphasize achievement of

the board's regulatory objectives while allowing maximum flexibility to regulated parties and to the board in meeting those objectives.

The proposed rules are based on national model standards. The proposed rules are performance-based in that they balance the method with the end result of the electrical work within a framework of standards. The proposed rules are performance-based standards to the extent practicable while maintaining clear, predictable, and enforceable rules.

## **Consult with MMB on Local Government Impact**

As required by Minnesota Statutes, section 14.131, the Board consulted with Minnesota Management and Budget ("MMB"). The Board did this by sending MMB copies of the documents that were sent to the Governor's Office for review and approval, including the Governor's Office Proposed Rule and SONAR Form, the proposed rules, and the near-final SONAR. MMB Executive Budget Officer Mary Baumgartner responded, in part, as follows in a memo dated April 29, 2026:

"The adoption of the 2026 version of the National Electrical Code/NFPA 70® (NEC) is not anticipated to have a substantial cost to local units of government, as the changes are not expected to increase installation or compliance costs. Rather, changes primarily include reorganizing existing rules, clarifying long-standing requirements, and enhancing usability. Though the Minnesota Board of Electricity does not expect significant cost changes to any stakeholders, when there are cost changes, contractors are expected to bear most of them or pass them onto building owners. Local governments may incur nominal costs associated with purchasing new code books (\$169) and any educational expenses necessary for the training of enforcement officials.

The Department's findings regarding the fiscal impact of this proposal to local governments are sound."

## **Impact on Local Government Ordinances and Rules**

Minnesota Statutes, section 14.128, subdivision 1, requires an agency or board to determine whether a proposed rule will require a local government to adopt or amend any ordinances or other regulation to comply with the rule. The Minnesota Electrical Code is part of the Minnesota State Building Code. See Minnesota Rules, part 1300.0050 (J). The State Building Code is the standard that applies statewide. Minnesota Statutes, section 326B.121, subdivision 1, mandates compliance with the State Building Code whether or not a local government adopts or amends an ordinance. As a result, an ordinance or other regulation is not required for compliance. If a city wishes that its ordinances accurately reflect legal requirements in a situation in which the Code has superseded the ordinances, then the city may want to amend or update its ordinances. Therefore, the Board has determined that the proposed amendments will not have any effect on local ordinances or regulations. Local governments that currently enforce the Minnesota Electrical Code will continue to enforce the code, including these amendments, in their jurisdiction.

## **Costs of Complying for Small Business or City**

Minnesota Statutes, section 14.127, subdivisions 1 and 2, require a board or agency to determine if the cost of complying with a proposed rule in the first year after the rule takes effect will exceed \$25,000 for any one business that has less than 50 full-time employees, or any one statutory or home rule charter city that has less than ten full-time employees.

The Board has considered whether the cost of complying with the proposed rule in the first year after the rule takes effect will exceed \$25,000 for any small business or small city. A small business is defined as a business, either for profit or nonprofit, with less than 50 full-time employees and a small city is defined as a city with less than ten full-time employees. The Board has determined that the cost of complying with the proposed rule in the first year after the rule takes effect will not exceed \$25,000 for any small business or small city. The Board has made this determination based on the probable costs of complying with the proposed rule as described in the preceding Regulatory Analysis Section of this SONAR.

## Witnesses and SONAR Exhibits

### List of Potential Witnesses

If these rules go to a public hearing, the Board anticipates having the following witnesses testify in support of the need for and reasonableness of the rules:

1. Mr. Trevor Turek, Chair of the Minnesota Board of Electricity, will testify about the Board's interest and actions taken to adopt the 2026 National Electrical Code for use in the State of Minnesota, if necessary;
2. Mr. Dean Hunter, Board Member of the Minnesota Board of Electricity, 2026 NEC/NFPA 70® Committee Panel Member, and Assistant Director of the Minnesota Department of Labor and Industry's Construction Codes and Licensing Division, will testify about the Board's and Department's interests and actions taken to adopt the 2026 National Electrical Code for use in the state of Minnesota, the impact of the 2026 NEC on the state electrical inspection program, and provide any technical explanations and assistance, if necessary; and
3. Mr. Jeffrey F. Lebowski, Board Counsel for the Minnesota Board of Electricity, will represent and advise the Board, introduce the required jurisdictional documents into the record, and provide answers to APA procedural questions, if necessary.

## Conclusion

The Board has established the need for and the reasonableness of amending Minnesota Rules, Chapter 1315, to adopt the 2026 National Electrical Code, without amendments. The Board has provided the necessary notice and, in this SONAR, documented its compliance with all applicable administrative rulemaking requirements of Minnesota statute and rules.

Based on the foregoing, the proposed amendments are both needed and reasonable.

April 30, 2026

  
Trevor Turek, Chair  
Minnesota Board of Electricity

This SONAR was made available for public view, pursuant to Minn. Rules, part 1400.2070, subpart 1, item E, as of May 4, 2026.