

SPECIAL Meeting Minutes: Board of Electricity

Date: August 7, 2025
Time: 9:00 a.m.
Location: DLI, 443 Lafayette Road No., St. Paul, MN 55155 | WebEx | Phone

Members present

1. Keith Colvard
2. Alfreda Daniels Juasemai – WebEx
3. Thomas Fletcher
4. Sarah Gudmunson (Vice Chair)
5. Steve Haiby – WebEx
6. Jeff Heimerl
7. Dean Hunter (CO’s Designee)
8. Jeff Peper – WebEx
9. Travis Thul – WebEx
10. Trevor Turek (Chair)
11. Desiree Weigel (Secretary)

DLI staff & visitors

- Jeff Lebowski (DLI, Board Counsel)
Lyndy Logan (DLI)
Steve Dudley (DLI)
Ken McGurran (DLI) – WebEx
Amanda Spuckler (DLI)
Erik Zercher (DLI)
Ross Hill (Barr) – WebEx
Chad Kurdi (BKV Group) – WebEx
Ryan SanCartier (NECA) – WebEx

Members absent

Cole Funseth

1. **Call to Order**

- A. **Roll Call:** Chair Turek called the meeting to order at 9:03 a.m. Secretary Weigel took the roll call, and a quorum of 11 of 12 voting members was declared. A quorum was maintained throughout the meeting.
- B. **Announcements/Introductions – Chair Turek**
 - Everyone present in person and remotely can hear all discussions.
 - All votes will be taken by roll call if any member is attending remotely.
 - All handouts discussed and WebEx instructions are posted on the [Board’s website](#).
 - Jeff Peper was welcomed to the Board, replacing Duane Hendricks.
- C. WebEx instructions/procedures were explained.

2. **Approval of Meeting Agenda**

Heimerl made a motion, seconded by Colvard, to approve the agenda as presented. The roll call vote was unanimous, with 11 votes in favor of the motion; the motion carried.

3. **Special Business**

Minnesota Rule 3800 and 3801 rulemaking – DLI staff

Dean Hunter provided a presentation – see Attachment A

- Colvard suggested editing 3801.3770, slide 7, to add the word “all” as follows: 3801.3770 – Where wiring is to be concealed, the inspector must be notified sufficiently in advance to permit completion of a rough-in inspection of the wiring method and all conductor splicing before concealment
- **Hunter** explained the current law regarding electrical permits, stating that permits under \$250 do not expire. He noted that this threshold was set for larger projects that typically take longer than 12 months to complete. With recent fee increases, many permits now approach this threshold, even for smaller projects. Hunter suggested raising the threshold to \$1,000 to avoid issues with permits never expiring, as some homeowners exploit this system.

- **Weigel** proposed aligning the expiration rules with the Building Code, which states permits expire after 180 days of inactivity. She mentioned that at the University of Minnesota, they extend permits by 180 days upon request.
- **Hunter** asked the legal team to review the Electrical Act in relation to the building code to determine if they could integrate these requirements.
- **Lebowski** clarified that if there was a conflict, the specific rules for electrical permits would take precedence over the general building code. He confirmed with Amanda Spuckler that the 180-day rule for inactivity remains unchanged.
- **Hunter** acknowledged this and discussed how the 12-month permit period and the 180-day inactivity rule could coexist without conflict. He suggested adding 180 days to the expiration date after the last inspection.
- **Weigel** noted their system automatically expires permits after 180 days of inactivity unless the contractor requests an extension.
- **Hunter** appreciated this information and encouraged the legal team to explore the integration further.
- **Fletcher** suggested adding 90 days to slide 8, 3801.3780 Subp. 4. Nonpayment of permit fees. The department shall not accept a permit application from an electrical contractor, registered employer, or owner that has not paid in full the fees for previously issued permits **in the last 90 days**. **Hunter** noted that he did not support this revision.

Hunter summarized 3801.2620 Approval of Electrical Equipment – see Attachment B

- **Travis Thul** raised a syntax issue, noting that the term "registered" should be removed when referring to engineers, as the Minnesota Board of Engineering only recognizes "licensed" engineers. He suggested checking this with the Department of Labor and Industry (DLI).
- **Steve Dudley** responded that Dean Hedstrom found the terms "registered" and "licensed" to be synonymous according to the Board of Engineering, which is why he hadn't raised the issue.
- **Thul** reiterated that the Board of Engineering only licenses engineers, and the term "registered" has caused confusion in the past. He suggested addressing this in the conversation.
- **Hunter** agreed it was a valid point and suggested bringing it up during the comment period, with Steve conducting a background check to clarify the terminology.
- **Fletcher** noted that the word "department" should not be stricken on page 1, B (1) as follows:
 - (1) Where deficiencies are identified by the initial evaluation report, those deficiencies shall be corrected for all subsequent units, the changes shall be verified by the person who performed the initial evaluation, and an amended report shall be submitted to the **board department**. If the manufacturer deviates from the construction established by the evaluation report, the equipment shall be reevaluated and any noncomplying equipment that was sold brought into compliance.

Weigel made a motion, seconded by Thul, to adopt the Board's resolution approving the opening of Chapter 3800 for proposed amendments. Additionally, I authorize the chair to sign the necessary requests for comments, the dual notices of intent to adopt rules, and any other documents required to proceed with the proposed rulemaking. The motion passed by a majority vote, with one member abstaining (Hunter); the motion carried.

4. **Announcements**

Regularly scheduled meetings occur on the second Tuesday of each quarter at 9:00 a.m., in person at DLI, with WebEx/Phone options

- Oct. 14, 2025
- Jan. 13, 2026
- April 14, 2026
- July 14, 2026 (annual meeting – election of officers)

5. Adjournment

Heimerl made a motion, seconded by Gudmunson, to adjourn the meeting at 10:00 a.m. The roll call vote was unanimous, with 11 votes in favor of the motion; the motion carried.

Respectfully submitted,

Desiree Weigel

Desiree Weigel, Secretary

Green meeting practices

The State of Minnesota is committed to minimizing environmental impacts by following green meeting practices. DLI is minimizing the environmental impact of its events by following green meeting practices. DLI encourages you to use electronic copies of handouts or to print them on 100% post-consumer processed chlorine-free paper, double-sided.

2023



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

Proposed Rulemaking

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

Proposed draft language highlights: Deletion

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

Proposed to remove part (C)

~~C. Experience while performing electrical work in Minnesota for an employer who is exempt from licensing when the work is exempt from inspection under Minnesota Statutes, section 326B.36, or when the work is performed on federal property by a federal employee, if the department has determined in either situation that the experience is substantially equal to that acquired in performing work while in the employ of a licensed contractor. The determination shall be made after a personal inspection by not less than two department representatives on the premises where the applicable work was performed.~~

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

Proposed draft language highlights: Relocation and minor revisions

Electrical Training Programs

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

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

Proposed draft language highlights: Deletion

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

~~D. Custom-made electrical equipment or related installations that are designed and manufactured to a purchaser's specifications and are not marketed to the general public are exempt from listing and labeling requirements. Equipment or installations exempt under this item are subject to the following:~~

~~(1) they must be determined to be safe for their intended use by the manufacturer on the basis of test data which the purchaser keeps and makes available to the electrical inspection authority having jurisdiction, as required by Code of Federal Regulations, title 29, section 1910.399 (1991), for equipment or installations subject to national occupational safety and health laws; or~~

~~(2) they must be inspected by the electrical inspection authority having jurisdiction for compliance with the construction requirements of the applicable electrical standards used by electrical testing laboratories to evaluate the equipment, or the National Electrical Code. Schematic wiring diagrams, component layout diagrams, and component electrical rating information shall be provided to enable evaluation under this subitem.~~

Minnesota Rule 3801

Proposed draft language highlights: Deletion

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

~~D. Custom-made electrical equipment or related installations that are designed and manufactured to a purchaser's specifications and are not marketed to the general public are exempt from listing and labeling requirements. Equipment or installations exempt under this item are subject to the following:~~

~~(1) they must be determined to be safe for their intended use by the manufacturer on the basis of test data which the purchaser keeps and makes available to the electrical inspection authority having jurisdiction, as required by Code of Federal Regulations, title 29, section 1910.399 (1991), for equipment or installations subject to national occupational safety and health laws; or~~

~~(2) they must be inspected by the electrical inspection authority having jurisdiction for compliance with the construction requirements of the applicable electrical standards used by electrical testing laboratories to evaluate the equipment, or the National Electrical Code. Schematic wiring diagrams, component layout diagrams, and component electrical rating information shall be provided to enable evaluation under this subitem.~~

Proposed draft language highlights: Revisions

- 3801.3770 - Where wiring is to be concealed, the inspector must be notified sufficiently in advance to permit completion of a rough-in inspection of the wiring method and conductor splicing before concealment.....
- 3801.3780 Subp. 1. **Final inspection.** Installers of electrical wiring shall schedule a final inspection of the work associated with an electrical permit prior to the wiring being utilized by the intended user and the associated space being occupied. **Removed the words “or otherwise notify”**

Proposed draft language highlights: **Revisions**

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

Questions and/or Discussion

Minnesota Administrative Rules

3801.3620 APPROVAL OF ELECTRICAL EQUIPMENT.

Subpart 1. **National standards.** Except as otherwise provided in subpart 2 or 3, as a condition for approval under Minnesota Statutes, section [326B.35](#), and ~~Section 110-2 of~~ the National Electrical Code, all electrical equipment, including material, fittings, devices, apparatus, fixtures, appliances, and utilization equipment, used as part of, or in connection with, an electrical installation shall be listed and labeled by a testing laboratory.

Subp. 2. **Alternatives to listing and labeling.** With the exception of electrical equipment of types specifically required to be listed by the National Electrical Code, the ~~board~~ [department](#) shall accept one of the applicable methods described in item A, ~~or B, or C~~ as an alternative to listing and labeling.

A. Evaluation by a testing laboratory or by a registered or licensed electrical engineer who has no financial or other interest in the manufacture or sale of the equipment, provided that any deficiencies identified by the evaluation are corrected and the equipment complies with the listed requirements. A written report of the evaluation shall be submitted directly to the ~~board,~~ [department](#) and shall state the standards that were applied in the evaluation. Evaluation reports by an electrical engineer acting independently of a testing laboratory shall also include an item-by-item comparison of the equipment with the requirements to be listed. If the ~~board~~ [department](#) finds that the evaluation or evaluation report is incomplete or inaccurate, it retains the right to require further evidence of compliance or to reject the equipment.

B. Evaluations conducted according to the procedures in [item A](#) ~~this item~~ shall be considered evidence of compliance of all identical equipment produced by that manufacturer for a period of one year from the time the evaluation was completed, or until the equipment has been listed, whichever is less, provided that the manufacturer has applied for listing of the equipment, or produces fewer than 100 such units per year. Where additional identical equipment will be produced, the manufacturer shall provide the ~~board~~ [department](#) with a written statement giving the equipment model number and agreeing that all subsequent equipment will be identical to that which was evaluated and, where the equipment has not been submitted for listing, shall also provide a written report to the ~~board~~ [department](#) 12 months from the date of the evaluation report which lists the serial numbers of the equipment installed in Minnesota over the preceding 12 months.

(1) Where deficiencies are identified by the initial evaluation report, those deficiencies shall be corrected for all subsequent units, the changes shall be verified by the person who performed the initial evaluation, and an amended report shall be submitted to the ~~board~~ [department](#). If the manufacturer deviates from the construction established by the evaluation report, the equipment shall be reevaluated and any noncomplying equipment that was sold brought into compliance.

(2) Where the evidence of compliance is an evaluation according to this item, the manufacturer shall affix a durable permanent label to the equipment in a readily visible location, which states: "This equipment is identical to equipment that was evaluated by (name), and found

to be in compliance with the requirements to be listed. A copy of the evaluation report was filed with the ~~Minnesota State Board of Electricity~~ [Department of Labor and Industry](#) on (date)."

~~B-C.~~ Where procedures acceptable to the testing laboratory are followed, a manufacturer of unlisted equipment shall be permitted to submit the equipment to another manufacturer of similar listed equipment for evaluation, correction of noncomplying construction, and labeling.

Subp. 3. Equipment exempt from listing requirements. Equipment described in items A to ~~E~~ D is exempt from the requirements in subparts 1 and 2.

A. Industrial machinery as defined by ~~Section 670-2 of~~ the National Electrical Code is not required to be listed where all electrical components of the equipment, including electrical control panels and solid-state motor controls, are in compliance with item B, or C, ~~or D~~, or subpart 1 or 2, and all of the machine electrical wiring is in compliance with the National Electrical Code.

B. Electrical equipment enclosed in a listed cabinet or box suitable for the environment in which it is installed, and electrically connected only to circuits supplied from listed Class 2, ~~logic level~~, communications, or other circuits with maximum open circuit voltage of 30 volts rms AC, or DC, and overcurrent protection of eight amperes or less, or to any combination of such circuits, is not required to be listed, ~~provided further that any printed wiring boards shall be of listed material and shall be permitted to be supplied from a labeled microcomputer power supply.~~

C. Electrical control equipment constructed according to the listed requirements and enclosed in a listed cabinet or box suitable for the environment in which it is located, where the enclosed equipment consists of eight or fewer listed components, other than wires, cables, cords, terminal assemblies, nonelectrical components, and those covered under item B, ~~provided that the devices are not electrically connected to circuits on a printed wiring board other than those circuits covered under item B,~~ is not required to be listed.

~~D. Custom-made electrical equipment or related installations that are designed and manufactured to a purchaser's specifications and are not marketed to the general public are exempt from listing and labeling requirements. Equipment or installations exempt under this item are subject to the following:~~

~~(1) they must be determined to be safe for their intended use by the manufacturer on the basis of test data which the purchaser keeps and makes available to the electrical inspection authority having jurisdiction, as required by Code of Federal Regulations, title 29, section 1910.399 (1991), for equipment or installations subject to national occupational safety and health laws; or~~

~~(2) they must be inspected by the electrical inspection authority having jurisdiction for compliance with the construction requirements of the applicable electrical standards used by electrical testing laboratories to evaluate the equipment, or the National Electrical Code. Schematic wiring diagrams, component layout diagrams, and component electrical rating information shall be provided to enable evaluation under this subitem.~~

~~E.~~ D. Utilization equipment as defined by the National Electrical Code is not required to be listed if:

- (1) the equipment includes eight or fewer electrical components which are listed or are exempt from listing by item B or C; and
- (2) all wiring that is part of the equipment is in compliance with the National Electrical Code.

Statutory Authority:

MS s [326.241](#)

History:

14 SR 518; 15 SR 1842; 17 SR 139; L 2007 c 140 art 5 s 32; art 13 s 4

Published Electronically:

January 21, 2009