

**SENATE
STATE OF MINNESOTA
NINETY-THIRD SESSION**

S.F. No. 116

(SENATE AUTHORS: RARICK)

DATE
01/10/2023

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Introduction and first reading
Referred to State and Local Government and Veterans

OFFICIAL STATUS

1.1 A bill for an act
1.2 relating to the State Building Code; clarifying exemptions from inspections for
1.3 load control allowed for electrical utilities; amending Minnesota Statutes 2022,
1.4 section 326B.36, subdivision 7, by adding a subdivision.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2022, section 326B.36, subdivision 7, is amended to read:

1.7 Subd. 7. **Exemptions from inspections.** Installations, materials, or equipment shall not
1.8 be subject to inspection under sections 326B.31 to 326B.399:

1.9 (1) when owned or leased, operated and maintained by any employer whose maintenance
1.10 electricians are exempt from licensing under sections 326B.31 to 326B.399, while performing
1.11 electrical maintenance work only as defined by rule;

1.12 (2) when owned or leased, and operated and maintained by any electrical,
1.13 communications, or railway utility, cable communications company as defined in section
1.14 238.02, or telephone company as defined under section 237.01, in the exercise of its utility,
1.15 antenna, or telephone function; and

1.16 (i) are used exclusively for the generations, transformation, distribution, transmission,
1.17 load control, or metering of electric current, or the operation of railway signals, or the
1.18 transmission of intelligence, and do not have as a principal function the consumption or use
1.19 of electric current by or for the benefit of any person other than such utility, cable
1.20 communications company, or telephone company; and

1.21 (ii) are generally accessible only to employees of such utility, cable communications
1.22 company, or telephone company or persons acting under its control or direction; and

2.1 (iii) are not on the load side of the service point or point of entrance for communication
2.2 systems;

2.3 (3) when used in the street lighting operations of an electrical utility;

2.4 (4) when used as outdoor area lights which are owned and operated by an electrical
2.5 utility and which are connected directly to its distribution system and located upon the
2.6 utility's distribution poles, and which are generally accessible only to employees of such
2.7 utility or persons acting under its control or direction;

2.8 (5) when the installation, material, and equipment are in facilities subject to the
2.9 jurisdiction of the federal Mine Safety and Health Act; or

2.10 (6) when the installation, material, and equipment is part of an elevator installation for
2.11 which the elevator contractor, licensed under section 326B.164, is required to obtain a permit
2.12 from the authority having jurisdiction as provided by section 326B.184, and the inspection
2.13 has been or will be performed by an elevator inspector certified and licensed by the
2.14 department. This exemption shall apply only to installations, material, and equipment
2.15 permitted or required to be connected on the load side of the disconnecting means required
2.16 for elevator equipment under National Electrical Code Article 620, and elevator
2.17 communications and alarm systems within the machine room, car, hoistway, or elevator
2.18 lobby.

2.19 **EFFECTIVE DATE.** This section is effective the day following final enactment.

2.20 Sec. 2. Minnesota Statutes 2022, section 326B.36, is amended by adding a subdivision to
2.21 read:

2.22 **Subd. 8. Electric utility exemptions; additional requirements.** For exemptions to
2.23 inspections exclusively for load control allowed for electrical utilities under subdivision 7,
2.24 clause (2), item (i), the exempted work must be:

2.25 (1) performed by a class A electrical contractor licensed under section 326B.33;

2.26 (2) for replacement or repair of existing equipment for an electric utility other than a
2.27 public utility as defined in section 216B.02, subdivision 4, only; and

2.28 (3) completed on or before December 31, 2030.

2.29 **EFFECTIVE DATE.** This section is effective the day following final enactment.