



Oregon

Tina Kotek, Governor



Department of Consumer
and Business Services

Electrical and Elevator Board

Amended meeting agenda (*addition to VII.A.*)

Meeting date: Thursday, March 23, 2023

Time: 9:30 a.m.

In-person attendance: Building Codes Division Salem office in Conference Room A

Virtual connection and online streaming: View the live meeting or access the connection information for the Zoom meeting at: Oregon.gov/bcd/Pages/bcd-video.aspx

I. Board business

- A. Call to order
- B. Roll call
- C. Approval of agenda and order of business
- D. Approval of the draft board meeting minutes of [Jan. 26, 2023](#)
- E. Date of the next scheduled meeting: May 25, 2023

II. Public comment

The board will hear public testimony, including testimony from individuals who have signed up in advance.

III. Reports and updates

- A. Board consideration of [final order in the matter of James Way](#) for failure to meet the requirements for a reciprocal license; Case No. C2022-0058
- B. Board vote on consent orders for [cases proposed for resolution](#) as outlined in the enforcement board report (**Board action required**)
- C. Electrical program update
- D. Elevator program update

IV. Communications

This item is for the division to present advisory information. This is also for the board to review any letters or emails submitted by stakeholders.

Executive Order No. 23-04; [Establishing a statewide housing production goal](#) and housing production advisory council. Board will hear an update on committee established to meet this goal

V. Appeals

There are no appeals for this meeting.



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oregon.gov/bcd

VI. Unfinished business

There is no unfinished business for this meeting.

VII. New business

- A. Board review and [provide a recommendation](#) to the Administrator for the adoption of the 2023 Oregon Electrical Specialty Code *(Table I-E now included)*
- B. Electrical [Code Review Committee Chair request](#) committee members and staff receive continuing education hours for work performed
- C. Review and approval of [committee recommendations](#) for new continuing education course and instructor applications
- D. Request received from approved instructor Marian Diann Walker-Pope to [grant retro-active credit hours](#) for individuals who attended American Heart First Aid, CPR and AED class
- E. Request received from Bernie Schuette, electrical license No. 20167J, for [renewal extension](#) under the hardship/illness waiver

VIII. Announcements

The Board Chair or any of the board members may make announcements during this time.

IX. Adjournment

Board Chair or Vice-chair will adjourn the meeting announcing specific time of adjournment.



**State of Oregon
Electrical and Elevator Board
Virtual meeting minutes of Jan. 26, 2023**

Members: Thomas Kyle, electrical contractor, Chair
Jon Flegel, journeyman electrician, newly elected Vice-chair
William Barlow, electrical equipment mfr. industry
Amy Beyer, public member
Sarah Currie, journeyman electrician
Brian La Dieu, industrial plant employing electricians
Robert Larzalere, journeyman elevator installer
Robert McNeill, elevator-manufacturing representative
Ryan Richards, electrical contractor
Richard Rudder, owner/manager of a commercial office building
Al Schacher, electrical equipment supplier
Ken Spencer, power & light industry

Members absent: Elizabeth Bunga, building official
Randy Smith, electrical inspector
Vacant, commercial underwriter

Staff: Alana Cox, Administrator, Building Codes Division
Todd Smith, manager, Policy and Technical Services (PTS)
Richard Rogers, chief building official, PTS
Keith Anderson, electrical program chief, PTS
Damon Jensen, assistant electrical program chief, PTS
Andy Boulton, senior policy advisor, PTS
Julia Hier, manager, Enforcement Services
Michael Mayorga-Hamilton, contested case representative (CCR)
Enforcement Services
Kathy Rowell, CCR, Enforcement Services
Laura Burns, support coordinator, PTS
Nathan Kramer, Policy Development Coordinator
Debi Barnes-Woods, boards administrator/coordinator, PTS

Guests: Frank Sonnabeng, City of Corvallis
Nathan Philips, technical advisor, National Electrical Contractors
Association (NECA)
Rod Belisle, training director, NECA-IBEW
Ryan Heltemes, self

I. Board business

A. Call to order

The Hybrid Electrical and Elevator Board meeting of Jan. 26, 2023, was called to order at 9:30 a.m., by Chair Thomas Kyle.

B. Roll call

Members in the Board Room: Chair Thomas Kyle; Vice-chair Jon Flegel; Ryan Richards; Al Schacher; and Ken Spencer.

Virtual attendance: William Barlow; Amy Beyer; Sara Currie; Brian La Dieu; Robert Larzalere; Robert McNeill; and Richard Rudder. *(Sara Currie had technical difficulties with ZOOM connection, but all was resolved at 9:35am prior to any voting).*

Member excused: Elizabeth Bunga, and Randy Smith.

If you are interested or know someone that would be a great fit in one of the vacant positions, please visit the Governor's [website](#).

New applicants may apply at: <https://oregon.wd5.myworkdayjobs.com/Boards>. You will be instructed to create a Workday profile using an email and password. Once created, sign in, search for the Board or Commission you would like to apply to, and select the "Apply" button to submit your application

C. Approval of the agenda and order of business

No changes and no additions were made to the meeting agenda. Chair Kyle ruled the agenda approved as posted.

D. Approval of the board meeting draft minutes

Chair Kyle ruled the draft meeting minutes of Nov. 17, 2022, final.

E. Date of the next regularly scheduled meeting

March 23, 2023.

II. Public comment

Policy Analyst Ian Paik left additional time open for anyone who did not register in advance and for those who are in-person or virtually, to discuss the general public comment. No one signed up in advance or offered to speak during the additional time offered by Analyst Paik.

Before any further Agenda Items were discussed, Todd Smith, manager, Policy and Technical Services, introduced new staff members:

- Emily Roque – Contested case representative (CCR), Enforcement Services
- Pierre Sabagh – Policy analyst, Policy and Technical Services

III. Reports

A. Board vote on consent orders for cases proposed for resolution as outlined in the enforcement board report (*Board action required*)

While present in the Board Room, Michael Mayorga-Hamilton, contested case representative, (CCR), reviewed each of the eight consent orders and said each of the consent agreements are consistent with the board's penalty matrix.

Following discussion of the eight cases listed on the enforcement matrix, CCR Mayorga-Hamilton said a motion was required.

Motion by Member Ryan Richards to approve the eight consent orders as presented by Michael Mayorga-Hamilton CCR and issue final orders.

Roll call vote taken:

Yea: William Barlow; Amy Beyer; Sara Currie; Brian La Dieu; Robert Larzalere; Robert McNeill; Ryan Richards; Richard Rudder; Al Schacher; Ken Spencer; Vice-chair Jon Flegel; and Chair Thomas Kyle.

Nay: None.

Motion carried unanimously.

B. Summary of enforcement cases previously resolved by the division as outlined on the enforcement board report (*No board action required*)

Michael Mayorga-Hamilton, CCR, reviewed four default orders listed on the enforcement matrix in detail. There were not questions from Board Members.

C. Electrical program update

Electrical Program Chief Keith Anderson announced he will be working for the division for 35 more days before his official retirement and apologized for not being present in the Board Room, but was connected by ZOOM.

Chief Anderson said that the code committee has completed its work on the review of 2023 NFPA 70, existing Oregon amendments, and new code proposals for an anticipated effective date of the 2023 Oregon Electrical Specialty Code of Oct. 1, 2023. Chief Anderson publicly thanked Laura Burns, support coordinator, Policy and Technical Services, for all her hard work on the development of the code matrix. Chief Anderson said the board will make its recommendation to the Administrator for code adoption at the next scheduled board meeting.

Important notices and events related to code adoption timeline are posted on this webpage: <https://www.oregon.gov/bcd/codes-stand/Pages/oesc-adoption.aspx>

D. Elevator program update

Warren Hartung, elevator program chief, Statewide Services, was unavailable and will present the usual reports at the next scheduled meeting.

IV. Communications

A. Executive Order No. 23-02; Declaring state of emergency due to homelessness

B. Executive Order No. 23-03; Directing state agencies to prioritize reducing Homelessness

C. Executive Order No. 23-04; Establishing a statewide housing production goal and housing production advisory council

Manager Smith discussed all three of the Governor's Executive Order together. He said that although there is no information included in the EO's that directly impact the Electrical and Elevator Board for the moment, there are directives to the division to prioritize affordable housing and homelessness in the division's

decision making. The division will be serving in a support role on the Governor's Housing Production Advisory Council, which the Governor announced that she is accepting applications for the newly created advisory group.

D. Statewide Code Interpretation No. 22-06; Mechanical locking brake requirement for MRL elevators

Questions will be deferred directly to the Program Chief Elevator Inspector Warren Hartung, Warren.J.HARTUNG@dcbs.oregon.gov, 503-991-8977.

V. Appeals

There were no appeals for this meeting.

VI. Unfinished business

No unfinished business was presented during this meeting.

VII. New business

A. Review and approval of committee recommendations for new continuing education course and instructor applications

Ian Paik, policy analyst, reported that 29 applications from nine organizations were received and reviewed by the Continuing Education Committee. There were 24 courses recommended for approval, and five courses were recommended for denial. Details of all the information was included in the attached matrix.

Motion by Member Ryan Richards to approve all committee recommendations for approval or denial of courses or instructors.

Roll call vote taken:

Yea: William Barlow; Amy Beyer; Sara Currie; Brian La Dieu; Robert Larzalere; Robert McNeill; Ryan Richards; Richard Rudder; Al Schacher; Ken Spencer; Vice-chair Jon Flegel; and Chair Thomas Kyle.

Nay: None.

Motion carried unanimously.

B. Request received from Caleb Low for renewal extension under the hardship/illness waiver

Analyst Paik introduced the item then turned the discussion over to the requestor Caleb Low who was connected by ZOOM.

Mr. Low submitted his request for renewal extension under the hardship/illness waiver timely, which a copy of his [letter](#) was included in the board packet for prior review. He explained that he has held his General Journeyman Electrical License No. 24546J in good standing with no complaints for nearly 16 years.

As soon as he possible could, Mr. Low explained that he completed his continuing education requirements and is now before the board asking for approval of the hardship/illness waiver available to license holders.

Chair Thomas Kyle commented that Mr. Low did not start his requirement of completing approved continuing education courses until after his license was expired in October.

Most of the board members felt strongly against granting extensions because a grace period is already in-place for completing requirements for electrical licenses, and during COVID, a one-time additional extension period was added for all licensing renewals, which applied to this case as well.

Motion by Member Ryan Richards to disapprove the request for license extension under the hardship/illness waiver because Mr. Low was given ample time to complete all requirements of the license and if given the waiver it would open a flood gate of license holders asking for extensions and to be fair to the rest of the license holders in the state Member Richards denied the request.

Roll call vote taken:

Yea: William Barlow; Sara Currie; Brian La Dieu; Robert Larzalere; Robert McNeill; Ryan Richards; Richard Rudder; Al Schacher; Ken Spencer; Vice-chair Jon Flegel; and Chair Thomas Kyle.

Nay: Amy Beyer.

Motion carried.

C. Retroactive approval request for credit to participants of Electric Vehicle Infrastructure Training Program from Pacific Inside Electrical JATC
(Course and instructor [approved](#) at the November 17, 2022, board meeting)

Motion by Member Al Schacher to approve the retroactive credit request from Pacific Inside Electrical JATC for Electric Vehicle Infrastructure Training Program.

Roll call vote taken:

Yea: William Barlow; Amy Beyer; Sara Currie; Brian La Dieu; Robert Larzalere; Robert McNeill; Ryan Richards; Richard Rudder; Al Schacher; Ken Spencer; Vice-chair Jon Flegel; and Chair Thomas Kyle.

Nay: None.

Motion carried unanimously.

VIII. Announcements

Chair Thomas Kyle took this opportunity to publicly thank the code committee members for their expertise, time and hard work.

IX. Adjournment

The meeting of the Electrical and Elevator Board was adjourned at 9:59 a.m. by Chair Thomas Kyle.

Draft meeting minutes were respectfully written and submitted by Debi Woods, division boards administrator/coordinator.

State of Oregon

Board memo

Building Codes Division

March 23, 2023

To: The Electrical and Elevator Board

From: Kathy Rowell, contested case representative, Enforcement Services Section

Subject: Approval of Final Order for OAH Case No. 2022-ABC-0562, BCD Case No. C2022-0058, In the Matter of James Way

Action requested:

To review the Proposed Order from the Office of Administrative Hearings (“OAH”), exceptions filed by Respondent, and issue a Final Order.

Background:

On March 4, 2022, the Building Codes Division (“Division”) acting on behalf of the Electrical and Elevator Board (“Board”), issued a Notice of Application Denial (“Notice”), denying the application for a Reciprocal General Supervising Electrician License submitted by James Way (“Respondent”). On June 8, 2022, the Division, on the Board’s behalf, sent the Respondent an Amended Notice of Proposed Denial for Application. On June 28, 2022, Respondent’s attorney requested a hearing. On June 30, 2022, the Division, on the Board’s behalf, referred the hearing request to the OAH.

On July 21, 2022, Administrative Law Judge (“ALJ”) Alison Webster held a prehearing conference. Respondent’s attorney participated. Kathy Rowell (“Ms. Rowell”), contested case representative, participated on behalf of the Board. The parties participated in a second prehearing conference on October 6, 2022. At the second prehearing conference, the parties agreed to a hearing date of January 19, 2023, and the ALJ issued a scheduling order for the Division’s proposed Motion for Summary Determination (“MSD”).

The Division timely filed the MSD on October 26, 2022. The Respondent’s attorney failed to file a timely response and the ALJ issued a ruling on the MSD in which the ALJ found that: 1) as a matter of law, Respondent failed to meet the requirements for a reciprocal license; 2) but that since denial of the application under Oregon law was discretionary, the Division was not entitled to a favorable ruling as a matter of law on the issue of the denial of the Respondent’s application under the MSD.

Due to a request from Respondent’s attorney, which the ALJ found to be good cause, the hearing on the license denial was postponed to January 27, 2023. When ALJ Webster convened the telephonic hearing on January 27, 2023, neither Respondent nor his counsel appeared. The Board was represented by Ms. Rowell. The following individuals testified on behalf of the Division:

Keith Anderson, Gina Cadile, and Graham Roney (by affidavit). The evidentiary record closed at the conclusion of the hearing on January 27, 2023.

On January 31, 2023, the Proposed Order on default was issued. *See* attached Exhibit “A”. ALJ Webster determined that Respondent’s application may be denied because it was incomplete in a material respect because the application did not provide verification that Respondent worked a minimum of six (6) months in the reciprocal state under [ORS 455.129\(2\)\(c\)](#). Due to this fact, Respondent also failed to meet the conditions and requirements to obtain the reciprocal Oregon license under ORS 455.129(2)(h). A copy of the proposed order was mailed electronically to Ms. Rowell and the Respondent and his attorney by electronic mail.

Respondent timely filed written exceptions to the proposed order and within that document appeared to make a request to re-open the hearing based on good cause for missing the hearing on January 27, 2023. *See* attached Exhibit “B”. The Division does not believe the reasons stated in the first 2 pages of the exceptions constitute good cause and the Division now presents the Final Order for Board consideration and approval.

After considering the Proposed Order and the exceptions, the Board may:

Options:

- Issue a Final Order and attach the Proposed Order written by ALJ Webster as Exhibit “A”.
- Amend the Proposed Order and specify what the Board would like to alter in the Proposed Order.
- Disapprove the Proposed Order, and direct the Division to approve of Respondent’s application for a reciprocal general supervising electrician license.

**BEFORE THE OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF OREGON
for the
BUILDING CODES DIVISION**

IN THE MATTER OF:) **PROPOSED ORDER ON DEFAULT**
)
JAMES WAY) OAH Case No. 2022-ABC-05462
) Agency Case No. C2022-0058

HISTORY OF THE CASE

On March 4, 2022, the Building Codes Division (Division) issued a Notice of Application Denial to James Way. On April 6, 2022, Mr. Way's attorney Caroline Janzen requested a hearing on his behalf.

On June 8, 2022, the Electrical and Elevator Board (Board) issued Mr. Way an Amended Notice of Proposed Denial of Application for Reciprocal General Supervising Electrician License and Notice of Final Order on Default.

On June 30, 2022, the Division referred the matter to the Office of Administrative Hearings (OAH). The OAH assigned Administrative Law Judge (ALJ) Monica Whitaker to preside at hearing.

On July 18, 2022, Ms. Janzen ceased her representation of Mr. Way. On July 19, 2022, Ms. Janzen resumed her representation of Mr. Way. On July 19, 2022, the OAH reassigned the matter to ALJ Alison Webster.

On July 21, 2022, ALJ Webster convened a prehearing conference. Ms. Janzen appeared on Mr. Way's behalf. Kathy Rowell appeared as the representative for the Division. ALJ Webster scheduled the hearing for October 26, 2022, and set deadlines for the submission of motions, witness lists and exhibits.

On August 4, 2022, Mr. Way requested a postponement of the hearing and deadline dates. On August 5, 2022, ALJ Webster granted the request and scheduled a prehearing conference for October 6, 2022.

On October 6, 2022, ALJ Webster convened a prehearing conference. Ms. Janzen appeared on Mr. Way's behalf. Ms. Rowell appeared as the representative for the Division. ALJ Webster scheduled the hearing for January 19, 2023, and set deadlines for the submission of motions, witness lists and exhibits.

On October 26, 2022, in compliance with the schedule set by ALJ Webster, the Division filed a Motion for Summary Determination (Motion). Mr. Way failed to file a timely response to

the Motion.

On November 29, 2022, the OAH assigned ALJ Samantha Fair to rule on the Motion. On November 29, 2022, Ms. Janzen filed a request to extend the response deadline. ALJ Fair granted the request and set a new deadline of 5 p.m. on December 2, 2022. No response to the Motion was timely filed.

On December 6, 2022, ALJ Fair issued a Ruling on Motion for Summary Determination, granting the Motion in part and denying it in part. ALJ Fair found that, as a matter of law, Mr. Way failed to meet the requirements for a license. However, because denial of the application was discretionary, the Division was not entitled to a favorable ruling as a matter of law on the Board's denial of Mr. Way's application. ALJ Fair ruled that the issue of whether the Board should deny Mr. Way's application shall proceed to hearing.

On January 17, 2023, Attorney Janzen filed an Emergency Motion to Postpone the Hearing for good cause. ALJ Webster granted the postponement request. On January 20, 2023, ALJ Webster rescheduled the hearing for January 27, 2023.

ALJ Webster convened the telephone hearing as scheduled on January 27, 2023. Ms. Rowell represented the Division. Neither Mr. Way nor his attorney Ms. Janzen appeared for the hearing. The following witnesses testified at hearing for the Division: William Keith Anderson, Electrical Program Chief for the Division and Gina Cadile, Licensing Specialist for the Division. The hearing record closed at the conclusion of the hearing.

ISSUE

Whether the Board should deny Mr. Way's application for a Reciprocal Electrical License pursuant to ORS 455.129(2)(c), (2)(h), and (3)(b) and OAR 918-030-0045(3)(c).

EVIDENTIARY RULING

Division Exhibits A1 through A6 were admitted into the record.

FINDINGS OF FACT

1. In November 2004, the Division and the Arkansas Board signed a Reciprocal Agreement that included provisions for the reciprocal recognition of an Arkansas master electrician license and an Oregon general supervising electrician license. (Ex. A4.) The Reciprocal Agreement provides, in part:

II. AGREEMENT

* * * * *

B. Oregon hereby agrees to issue general supervising electrician licenses and Arkansas hereby agrees to issue master electrician certificates under the following terms and conditions:

1. **General Supervisor or Master Electrician License.** Reciprocity applicants must hold a general supervising electrician license issued by Oregon or a master electrician certificate issued by Arkansas and that license or certificate must have been obtained by examination, with a minimum score that is required by the reciprocating state. The license or certificate must be current, active, and in good standing.

2. Reciprocity applicants must have qualified for a general supervising electrician license or a master electrician certificate by working as a licensed general journeyman with a valid journeyman electrical license or certificate for four (4) years (8000 hours). If a reciprocity applicant qualified for a general supervising electrician license or master electrician certificate by obtaining experience determined to be equivalent to 8000 hours by the licensing state, the state reviewing the reciprocity application shall determine whether the applicant's education and experience are equivalent to that state's experience and education standards.

All reciprocity applicants must pay all required fees to the reciprocating state for applications and licensure *and must meet any other application requirements set forth in statute or rule.*

(*Id.* at 1-2; emphasis in original.)

2. The Division provides application forms for individuals who apply for reciprocal electrical and plumbing licenses. (Ex. A1 at 4-5.) The application form includes a "Required Documentation" section that requires an applicant to submit the following supporting documentation "per OAR 918-030-0045":

- 1.) A two-inch by two-inch passport-style photo of yourself.
- 2.) A copy of your active license from the reciprocal state. * * *
- 3.) Completed license verification form (Page 3 of this application).
- 4.) The employment information below, which must include a minimum of six months (1,000 hours) work under the license from the reciprocal state.

Employment information for Step 4 (attach additional pages if needed)[.]

(*Id.* at 4) The employment information requested includes the employer's name, address and phone number; supervisor's name; the applicant's position title; and the applicant's period of employment with the employer. (*Id.*)

3. On December 30, 2021, Mr. Way submitted an Oregon application for a reciprocal license as a general supervising electrician to the Division, along with the \$100 application fee. (Ex. A1 at 4-6.) In support of his application, Mr. Way submitted a completed Reciprocal License Verification Form, in which the Arkansas Electrical Examining Board (Arkansas Board) verified that Mr. Way held a master electrician license, issued by the Arkansas Board on May 3,

2021. (*Id.* at 5.) The Verification Form also stated that Mr. Way obtained licensure by way of examination; that he qualified for the exam based on verified work experience from Oregon; and that he had no disciplinary actions in Arkansas. (*Id.*) Mr. Way also submitted verification that he had passed the Arkansas Master Electrician examination with a score of 78 on March 18, 2021. (*Id.* at 6.)

4. In submitting his application to the Board, Mr. Way did not complete the Required Documentation section of the application form asking for his employment information for Step 4.¹ He also did not include any supporting documents or a statement verifying that he had worked for six months in Arkansas as a master electrician. (Ex. A4 at 4.)

5. Mr. Way submitted a written statement along with his license application. In the December 30, 2021 letter to the Board, Mr. Way asserted that the Board was required to issue him the general supervising electrician license because he “met the statutory requirements” for the license. (Ex. A1 at 2.) He noted that he provided verification that he had passed the Arkansas examination, had worked the required 16,000 hours in Oregon, had taken the Oregon examination more than two years prior, and had held his Arkansas Master Electrician certificate for more than six months. (*Id.* at 1-2.) Mr. Way added that he “obviously omitted the work verification section of the application as it does not apply to my application.” (*Id.* at 3.)

6. Mr. Way last attempted the Oregon General Supervising Electrician exam in September 2019. (Ex. A1 at 2.)

7. Mr. Way did not work a minimum of six months or 1,000 hours under his Arkansas master electrician certificate. (Ex. A1.)

8. It is the Division’s policy to deny licenses to any applicant who submits an application that is incomplete in any material respect and to any applicant who fails to meet a condition or requirement to obtain the license. (Ex. A5 at 2 (Dec; test. of Anderson; test. of Cadile.)

9. On March 4, 2022, the Division denied Mr. Way’s application. In the Notice of Application Denial, the Division explained Mr. Way did not meet the minimum requirements for Oregon reciprocal licensure because he did not provide verification that he had worked a minimum of six months (1,000 hours) under the license in the reciprocal state per OAR 918-030-0045(c). (Ex. A2.)

CONCLUSION OF LAW

The Board should deny Mr. Way’s application for a Reciprocal Electrical License pursuant to ORS 455.129(2)(c) and (h) and OAR 918-030-0045(3)(c).

OPINION

Because Mr. Way is contesting the denial of his application for a reciprocal General Supervising Electrician license, Mr. Way bears the burden to prove, by a preponderance of the

¹ Mr. Way put a question mark next to this section. (Ex. A1 at 4.)

evidence, that he meets the eligibility requirements for the license. *Sobel v. Bd. of Pharmacy*, 130 Or App 374, 380 (1994) *rev den* 320 Or 588 (1995) (“In an application proceeding, it is the applicant who has the burden of establishing eligibility, qualifications and fitness.”); ORS 183.450(2) (“The burden of presenting evidence to support a fact or position in a contested case rests on the proponent of the fact or position”) Proof by a preponderance of the evidence means that the fact finder is persuaded that the facts asserted are more likely than not true. *Riley Hill Gen. Contractors v. Tandy Corp.*, 303 Or 390, 402 (1987).

Applicable Law

ORS 455.129 sets out grounds for which the Division and/or Board may deny, suspend or revoke a license, certificate, registration or application. As pertinent here, the statute states:

(2) Subject to ORS chapter 183, a regulatory body listed in subsection (3) of this section may deny a license, certificate, registration or application or may suspend, revoke, condition or refuse to renew a license, certificate or registration if the regulatory body finds that the licensee, certificate holder, registrant or applicant:

* * * * *

(c) Has filed an application for a license, certificate or registration that, as of the date the license, certificate or registration was issued or the date of an order denying the application, *was incomplete in any material respect* or contained a statement that, in light of the circumstances under which it was made, was incorrect or misleading in any respect.

* * * * *

(h) Has failed to meet any condition or requirement to obtain or maintain a license, certificate or registration.

* * * * *

(3) Subsection (2) of this section applies to:

* * * * *

(b) The Electrical and Elevator Board for purposes of licenses issued under ORS 479.510 to 479.945[.]

(Emphasis added.)

The requirements for an Oregon Reciprocal License are set out in OAR 918-030-0045.²

² Pursuant to OAR 918-030-0045(2)(a), (b), and (c), “Reciprocal Applicant” means a person applying for a reciprocal license; “Reciprocal License” means a license issued by Oregon to a person who qualifies

As pertinent here, OAR 918-030-0045(3) provides:

- (3) To qualify for a license under these rules, a reciprocal applicant must prove that they:
- (a) Possess an equivalent or higher license from the reciprocal state that is current and active with no violations or conditions attached within the past three (3) years;
 - (b) Qualified for the equivalent or higher license from the reciprocal state through required work experience and by passing an examination in the reciprocal state with a score of 75 percent or better;
 - (c) *Have worked a minimum of six (6) months (1,000 hours) under the license in the reciprocal state;*
 - (d) Have not taken and failed the Oregon examination within the past two (2) years for the license type they are applying to reciprocate.

(Emphasis added.)

Qualifications for Reciprocal License

As set forth in the December 6, 2022 Ruling on Motion for Summary Determination (Ruling), incorporated herein by this reference, Mr. Way's application did not meet the minimum qualifications for an Oregon Reciprocal License. In granting partial summary determination in the Division's favor, ALJ Fair found that Mr. Way failed to provide verification that he worked a minimum of six months or 1,000 hours under his Arkansas master electrician license, as required by OAR 918-030-0045(3)(c). Ruling at 8. ALJ Fair found that although Mr. Way holds his Arkansas master electrician license obtained in the required manner and has worked as a licensed journeyman electrician in Oregon for eight years, he did not meet the qualifications for a reciprocal General Supervising Electrician license in Oregon because he did not perform the requisite qualifying work in Arkansas. Ruling at 8-9.

Denial of License

As set out above, ORS 455.129(2)(c) and (2)(h) authorize the Board to deny a license where the application is incomplete in any material respect and/or where the applicant has failed to meet any condition or requirement to obtain the license. It is the Division's policy to treat the discretionary "may" in ORS 455.129(2) as a "shall." *See* Exhibit A5 at 2. In other words, by policy, the Division and Board will deny licensure to any applicant who submits an application that is incomplete in any material respect. *Id.* The Division and Board will also deny licensure whenever an applicant fails to meet a condition or requirement for the license sought. *Id.*

under these rules, and "Reciprocal State" means a state with a reciprocal licensing agreement with Oregon.

In this case, Mr. Way's application was incomplete in a material respect because it did not provide verification that he worked a minimum of six months under the license in Arkansas, the reciprocal state. ORS 455.129(2)(c). In addition, because Mr. Way did not actually work the requisite six months under his Arkansas license, he has failed to meet the conditions and requirements to obtain the Reciprocal License. ORS 455.129(2)(h). Consequently, on both grounds, the Board should deny Mr. Way's application for a Reciprocal Electrical License.

ORDER

I propose the Division issue the following order:

James Way's application for a Reciprocal Electrical License (General Supervising Electrician) is DENIED.

Alison Greene Webster

Senior Administrative Law Judge
Office of Administrative Hearings

APPEAL PROCEDURE

This is the Administrative Law Judge's Proposed Order. You have the right to file written exceptions and argument to be considered per OAR 137-003-0650. Your exceptions and argument must be received within 20 calendar days after the service date of this Proposed Order. Send them to:

Building Codes Division Manager
PO Box 14470
Salem, OR 97309-0404

CERTIFICATE OF MAILING

On January 31, 2023, I mailed the foregoing PROPOSED ORDER ON DEFAULT issued on this date in OAH Case No. 2022-ABC-05462.

By: Electronic Mail

James Way

[REDACTED]
[REDACTED]
[REDACTED]
Email: [REDACTED]

Caroline Janzen
Janzen Legal Services LLC

[REDACTED]
[REDACTED]
[REDACTED]
Email: [REDACTED]

By: Electronic Mail

Kathy Rowell
Agency Representative
Building Codes Division
P.o. Box 14470
Salem OR 97309

Anesia N Valihov
Hearing Coordinator

**BEFORE THE OFFICE OF ADMINISTRATIVE HEARINGS ON BEHALF
OF THE STATE ELECTRICAL BOARD OF THE STATE OF OREGON**

**IN RE JAMES WAY,
AN INDIVIDUAL,**

**OAH CASE NO. 2022-ABC—05462
BCD CASE NO. C2022-0058**

RESPONDENT.

**RESPONDENT JAMES WAY'S WRITTEN EXCEPTIONS AND
ARGUMENT TO THE PROPOSED ORDER ISSUED JANUARY 31, 2023**

COMES NOW, Respondent James Way, pursuant to OAR 137-003-0650, through undersigned counsel, and hereby respectfully requests the Administrative Law Judge in this matter hold in abeyance the Proposed Order in this matter and reopen the hearing to allow Mr. Way to present his evidence. This case should be heard on the merits; Mr. Way has significant information to present regarding his understanding of the Board's requirements that is relevant to the Board's determination of this matter.

RELEVANT FACTUAL BACKGROUND

The parties are familiar with the background in this matter. Relevant to these objections is an explanation for why undersigned counsel and her client were not

present at the hearing on January 27, 2023. Beginning January 18, 2023, undersigned counsel became ill with a severe upper respiratory infection that included both a fever and severe fatigue. She was unable to go to the office for multiple days.

The hearing notice in this matter went out on January 20, 2023, two days after undersigned counsel fell ill. Unfortunately, despite counsel's repeated requests and her efforts to copy her staff on all communications in this matter , the notice was not copied to undersigned counsel's staff and thus went unnoticed. It was only after counsel received the proposed order on January 31, 2023.

ARGUMENT

Undersigned counsel takes responsibility for the missed notice but asks that the Agency allow for a further hearing under OAR 137-003-0655 (1) under the principle of excusable neglect. OAR 137-003-0655 (1) provides in relevant part:

Further Hearing and Issuance of Final Order

After issuance of the proposed order, if any, the administrative law judge shall not hold any further hearing or revise or amend the proposed order except at the request of the agency, except as provided in this subsection. The administrative law judge may withdraw a proposed order for correction within three working days of issuance of the proposed order. If the administrative law judge withdraws a proposed order for correction, the time for filing exceptions shall begin on the date the administrative law judge issues the corrected proposed order.

Mr. Way deserves to have his day in court and to expand fully on his argument and evidence. Undersigned counsel respectfully requests that the Agency and the ALJ not hold undersigned counsel's error because of illness from negatively affecting Mr. Way's due process rights. *Megdal v. Board of Dental Examiners*, 288 Or. 293, 302 (1980) (a licensee has due process rights to adjudicatory procedures of notice, hearing, and findings based on evidence).

Among other things, Mr. Way wishes to present evidence on the following:

1. Mr. Way is a master electrician with no negative marks on his record in Washington state, Idaho, Arkansas, and Utah.
2. Mr. Way is a journeyman electrician in Oregon.
3. Upon information and belief, other individuals have been permitted to pass different sections of the licensing test at different times. However, Mr. Way, who, out of five tests, failed one National Electrical Code question, was not given the opportunity to call in and discuss the question.
4. Mr. Way has a reasonable understanding of the reciprocal agreement between the state of Arkansas and the state of Oregon that he is entitled to

licensure in Oregon without examination by virtue of being in good standing with the Arkansas licensing board as a master electrician.

5. Mr. Way included the following in his packet for licensure in Oregon:
 - a. Completed Electrical and Plumbing license application.
 - b. Copy of the reciprocal agreement between the state of Oregon and the state of Arkansas, highlighted to specific areas.
 - c. Copy of testing score from Prov Exam testing agency.
 - d. Copy of the Reciprocal license verification form.
 - e. 2x2 passport photo for new license
 - f. Check for \$100.00 payable to the Board.

This evidence should be considered on the merits after a full evidentiary hearing. Mr. Way's case hinges on the reasonableness of his interpretation of the relevant licensing rules. This case requires the ALJ to evaluate the evidence and testimony. At the heart of this matter is Mr. Way's contention that he satisfied his 16000-hour requirement for General Supervising Electrician license because he has held the Arkansas Master Electrician license for more than six months and he has taken the Oregon test.

Several aspects of the reciprocal agreement are important to understand and for the ALJ to consider in the context of an evidentiary hearing. First, the statute, ORS 670.380, states in relevant part the following:

I. PURPOSE

It is the purpose of this agreement to mutually recognize the qualifications of Arkansas Journeyman and Master Electricians and Oregon Journeyman and General Supervising Electricians, as authorized by ORS 670.380, ORS 479.630(18) and Ark. Code Ann. § 17-28-306(Repl. 2001). Oregon and Arkansas shall issue Journeyman Electrical licenses and Master and General Supervising Electrician licenses, as appropriate, to individuals meeting the conditions of this agreement without examination. This agreement is based on the determination that the standards, qualifications and examinations for journeyman, master and general supervision electricians in Oregon and Arkansas are substantially similar.

It is Mr. Way's contention, which the ALJ should evaluate in person, is that the unambiguous language of this statute shows that once the requirements have been met, a license shall be issued without examination. Moreover, the requirements for Journeyman Electrician and Master Electrician or General Supervising Electrician are clearly laid out in Section II of ORS 670.380, which states in relevant part:

B. Oregon hereby agrees to issue general supervising electrician licenses and Arkansas hereby agrees to issue master electrician certificates under the following terms and conditions:

1. **General Supervisor or Master Electrician License.**

Reciprocity applicants must hold a general supervising electrician license issued by Oregon or a master electrician certificate issued by Arkansas and that license or certificate must have been obtained by examination, with a minimum score that is required by the reciprocating state. The license or certificate must be current, active, and in good standing.

2. Reciprocity applicants must have qualified for a general supervising electrician license or a master electrician certificate by working as a licensed general journeyman with a valid journeyman electrical license or certificate for four (4) years (8000 hours). If a reciprocity applicant qualified for a general supervising electrician license or master electrician certificate by obtaining experience determined to be equivalent to 8000 hours by the licensing state, the state reviewing the reciprocity application shall determine whether the applicant's education and experience are equivalent to that state's experience and education standards.

Mr. Way contends that he has met the statutory requirements by providing the copy of the exam documentation from Prov Exam, and by presenting the necessary hours to the Building Codes Division. Given that he held his Arkansas Master Electrician license for more than six months, he was eligible to receive the Oregon analog license. It is also important to note that nowhere in the reciprocal agreement is any language requiring a specific location for hours worked.

Finally, Section IV of the Oregon-Arkansas reciprocal agreement makes clear the following:

IV. AMENDMENTS

The terms of this Agreement shall not be waived, altered, modified, supplemented or amended except by written instrument signed by both parties.

This means that neither state may insert additional requirements to abide by the agreement. Thus, the additional 1000 hour requirement insisted on by the Board directly violates the reciprocal agreement.

The totality of this evidence should be presented in person so that the ALJ may consider its credibility and value. Mr. Way will be deprived of his due process rights if the hearing is not reopened.

CONCLUSION

Undersigned counsel apologies profusely for failing to catch the Agency's notice because of her severe respiratory infection. But counsel's mistake should not prejudice Mr. Way, who has been participant in this process and has demonstrated his desire to exhaust his administrative remedies to the fullest extent under the law.

Thus, we respectfully request that the Agency order further hearing on Mr. Way's evidence to allow him to exhaust fully his due process rights.

Respectfully submitted,

/s/ Caroline Janzen

Caroline Janzen

Attorney for James Way

CERTIFICATE OF SERVICE

I hereby certify the following pleading was served on the parties in this case on February 21, 2023 via electronic mail only.

/s/ Caroline Janzen

BEFORE THE ELECTRICAL BOARD OF THE STATE OF OREGON

IN THE MATTER OF:) **FINAL ORDER**
)
JAMES WAY,) **OAH Case No. 2022-ABC-05462**
RESPONDENT) **Agency Case No. C2022-0058**

This matter came before the Building Codes Division (‘Division’) to consider the Proposed Order by Default issued by Administrative Law Judge (‘ALJ’) Alison Webster on January 31, 2023. *See* attached Exhibit “A”. James Way was given an opportunity to file exceptions within 20 calendar days from the date of service of the Proposed Order by Default.

Respondent timely filed written exceptions to the Proposed Order that repeated arguments previously made by Respondent in pleadings filed with the Division and the Court. *See* attached Exhibit “B”. The Board has considered Respondent’s exceptions and finds them to be without merit.

The Board also finds that the reasons given by Respondent for missing the scheduled hearing on January 27, 2023, do not qualify as good cause under OAR 137-003-0670(2) and therefore denies the request to reopen testimony in this matter.

After considering the records and the files herein, the Division adopts the attached Proposed Order by Default as the Final Order.

IT IS HEREBY ORDERED James Way’s application for a Reciprocal General Supervising Electrician license is DENIED.

Dated this ____ day of _____ 2023.

_____ for
Chair
Electrical and Elevator Board
State of Oregon

Appeal Rights: You are entitled to judicial review of this order in accordance with ORS 183.482. You may request judicial review by filing a petition with the Court of Appeals within 60 days from the date this order served on you. If this Order was mailed to you, the date of service is on the day it was *mailed*, not the day you received it. If you do not file a petition for judicial review within the 60-day time period, you will lost your right to appeal. The phone number for the Oregon Court of Appeals is 503-986-5555.

State of Oregon

Board memo

Building Codes Division

March 23, 2023

To: Electrical and Elevator Board

From: Kathy Rowell, contested case representative, Enforcement Services Section

Subject: Consent orders for cases resolved on behalf of the Electrical and Elevator Board

Action requested:

To consider the adoption of recent consent orders and issue final orders.

Background:

The board, through division staff, implemented a civil penalty matrix for electrical violations. The penalty matrix establishes civil penalties based upon the type and number of violations committed within five years of the date of the present violations. The penalty matrix further provides that a stay of some portion of a penalty is within the sole discretion of the board or the division acting on the board's behalf for purposes of settling cases prior to hearing.

The Enforcement Section, acting on behalf of the board, has entered into a consent agreement in six (6) cases since the board's January 26, 2023, meeting. A copy and summary of the consent orders is included for your review.

The consent orders contain the following conditions, any additions or exceptions to these conditions is noted with the individual case information:

- Respondent agrees to fully cooperate with the division's enforcement efforts.
- Respondent understands that further enforcement action may be taken for any other violations.
- Respondent understands that failure to comply with the consent orders may be used as a basis for the denial, suspension, revocation, or conditioning of a license, certificate, or registration.

In these cases, the penalty amounts assessed, amounts suspended, and amounts due and payable are consistent with the board's penalty matrix.

Electrical and Elevator Board Enforcement Report for March 23, 2023

Summary Report - Consent Orders

Case #	Name	Violation relating to Electrical and Elevator Board	Location	Date of Violation	Civil Penalty		Other
2021-0161	Dovich, Larrie	Installation of electrical wiring to electrical panels. <ul style="list-style-type: none"> ● Allowing unlicensed workers to perform electrical installations. ● Not continuously employed while designated as a signing supervising electrician 	Portland	August 2021	Assessed: Imposed: Suspended:	\$3,000 \$1,000 \$2,000	Conditioned license for six months. Required to attend an Oregon rule and law class provided by an Oregon certified continuing education provider and required to notify the Division within 5 days of entering into a relationship with an electrical contractor as signing supervising electrician (with additional details provided relating to that relationship).
2022-0169	Lyon, Bobby Alan	Installation of a new heat pump and electrical disconnect switch. <ul style="list-style-type: none"> ● No journeyman electrician's license 	Albany	August 2022	Assessed: Imposed: Suspended:	\$2,000 \$250 \$1,750	
2022-0177	Greg's Heating & Air Conditioning Inc	Installation of a new heat pump and electrical disconnect switch. <ul style="list-style-type: none"> ● No electrical contractor's license ● Allowing unlicensed electrical work ● No permit 	Albany	August 2022	Assessed: Imposed: Suspended:	\$6,000 \$1,000 \$5,000	
C2022-0095	Platinum Electric, Inc.	Installation of sheathed electrical cabling and electrical outlet boxes, and rough-in electrical installations. <ul style="list-style-type: none"> ● Allowing unlicensed electrical work 	Carlton	June 2022	Assessed: Imposed: Suspended:	\$4,000 \$1,000 \$3,000	

Case #	Name	Violation relating to Electrical and Elevator Board	Location	Date of Violation	Civil Penalty		Other
C2022-0115	Yost, Bryan	Installation of sheathed electrical cabling and electrical outlet boxes, and rough-in electrical installations. *Performing rough-in electrical installations without a supervising electrician's license, journeyman electrician's license, or limited residential electrician's license *Allowing unlicensed workers to perform electrical installations.	Carlton	June 2022	Assessed: Imposed: Suspended:	\$4,000 \$500 \$3,500	This is an Amended Consent Order to remove reference to low voltage electrical wiring associated with a garage door opener.
C2022-0116	Mahar, Daniel	Installation of sheathed electrical cabling and electrical outlet boxes * Permitted, either by assent or failure to prevent, individuals from performing electrical installations for which they were not properly licensed.	Carlton	June 2022	Assessed: Imposed: Suspended:	\$6,000 \$1,000 \$5,000	This is an Amended Consent Order to remove reference to low voltage electrical wiring associated with a garage door opener.

1 **BEFORE THE ELECTRICAL AND ELEVATOR BOARD OF THE STATE OF OREGON**

2
3 **IN THE MATTER OF:**

CONSENT ORDER

4 **LARRIE L. DOVICH,**
5 **AN INDIVIDUAL,**

6 **RESPONDENT.**

7 **BCD CASE C2021-0161**

8 **INTRODUCTION**

9
10 The Building Codes Division (“Division”) conducted an investigation on behalf of the
11 Electrical and Elevator Board of the State of Oregon (“Board”) and determined that Larrie L.
12 Dovich (“Respondent”) violated certain provisions of the Division’s statutes and administrative
13 rules as identified below.

14 The parties agree to resolve this matter without a hearing. Respondent understands that
15 Respondent has the right to a contested case hearing under the Administrative Procedures Act,
16 Oregon Revised Statutes (“ORS”) chapter 183, and Respondent fully and finally waives the right to
17 a hearing and any judicial review therefrom by the signing of this Consent Order.

18 **FINDINGS OF FACT**

- 19 1. On or about March 20, 2015, Power Line Electric Incorporated (“Power Line”)¹ registered
20 with the Oregon Secretary of State as a domestic business corporation.
21 2. At all relevant times Eugene Aleksandrovich Volosevych (“Volosevych”)² has been owner,
22 president and a corporate officer of Power Line³.
23 3. Since on or about April 9, 2015, Power Line has held Oregon electrical contractor license
24 number C1099.

25 ¹ See related Division case number C2021-0152 against Power Line.

² See related Division case number C2021-0155 against Volosevych.

³ Volosevych stated his duties included assigning daily electrical work tasks to Respondent’s employees.

- 1 4. Since on or about February 3, 2012, Respondent has held general supervising electrician
2 license number 5803S.
- 3 5. From on or about April 2, 2019, through in or around August 2021, Power Line employed
4 Respondent as the signing supervising electrician.
- 5 a. Respondent stated his rate of pay as the supervising electrician began at \$1,000.00
6 per month and it later increased to \$1,500.00 per month.
- 7 6. Respondent indicated his last hourly job with Power Line occurred in or around March
8 2020, through in or around May 2020, in Salem, Oregon⁴.
- 9 a. In or around October 2020, Respondent relocated from Salem, Oregon to
10 Wenatchee, Washington.
- 11 7. From in or around August 2020 until in or around August 2021, Respondent's main
12 involvement with Power Line was monthly phone calls with Volosevych to discuss
13 personnel changes regarding individuals hired⁵ or leaving the company.
- 14 8. From in or around January 2017, through in or around August 2021, Power Line employed
15 Eugene Pyasetskiy ("Pyasetskiy")⁶ as an apprentice electrician⁷.
- 16 a. On or about September 10, 2020, Pyasetskiy's apprenticeship in Washington was
17 cancelled.
- 18 b. On or about March 3, 2021, Pyasetskiy's Oregon reciprocal license expired.
- 19 c. Respondent acknowledged he was unaware of Pyasetskiy's apprenticeship and
20 license status as well as Pyasetskiy performing electrical work following the
21 expiration.
- 22 9. At all relevant times Power Line employed Leonid Koriukalov ("Koriukalov")⁸, as an

23
24 ⁴ This particular job entailed electrical work on a residence that Respondent performed by himself.

⁵ Respondent stated he checked the licenses of anyone joining Power Line.

⁶ See related Division case number C2021-0154 against Pyasetskiy.

25 ⁷ Pyasetskiy stated he resigned due to a concern of being directed by Power Line and Volosevych to perform unlicensed electrical work.

⁸ See related Division case number C2021-0153 against Koriukalov.

1 apprentice electrician.

- 2 a. On or about August 13, 2021, the Oregon Bureau of Labor & Industries (“BOLI”)
3 confirmed that Koriukalov was allowed to perform supervised electrical work
4 through the Washington-Oregon reciprocal agreement.

5 10. In or around May 2021, Power Line was hired to perform rough-in electrical installation
6 work in apartment buildings seven (7) and eight (8) at the North Bethany Crest Apartments
7 located at 15752 NW Ernst Street in Portland, Oregon (“the job site”).

8 11. On or about August 6, 2021, Koriukalov and Pyasetskiy, on Power Line’s behalf and
9 directed by Volosevych, installed one-hundred ampere electrical “service wire” relating to
10 electrical distribution panels in individual apartments units at the job site.

11 12. At no relevant time were Koriukalov or Pyasetskiy directly supervised by an individual
12 holding a journeyman electrician license or higher license classification on the job site.

- 13 a. Koriukalov stated he was at the job site under the supervision of a journeyman
14 electrician, employed by Power Line Electric, named Vlad⁹.

15 13. At no relevant time did Koriukalov or Pyasetskiy hold a valid Oregon supervising or
16 journeyman electrician’s license.

17 14. At no relevant time did Koriukalov or Pyasetskiy hold an indirect supervision electrical
18 apprentice license.

19 15. At no relevant time, while registered as the signing supervising electrician for Power Line,
20 did Respondent make regular visits to the North Bethany Crest Apartments job site.

21 **APPLICABLE LAW**

22 1. Definitions for terms used in this Consent Order may be found in ORS 183.310, ORS
23 455.010, ORS 479.530, ORS 479.905, Oregon Administrative Rule (“OAR”) 918-001-0005,
24 and OAR 918-251-0090.

25
⁹ Volosevych claimed to be unaware of Vlad’s last name and Vlad could not be identified at the time of this Notice.

- 1 2. Under ORS 479.530(10), "Electrical installations" means the construction or installation of
2 electrical wiring and the permanent attachment or installation of electrical products in or on
3 any structure that is not itself an electrical product.
- 4 3. Under OAR 918-251-0090(8), "Continuously Employ" means a person, including a person
5 leased from a worker leasing company licensed under ORS 656.850, during time periods
6 when electrical work for which they are responsible is performed, devotes their entire time
7 of employment to tasks of supervising, designing, laying out, planning, controlling, and
8 making electrical installations for the electrical contractor for which the supervisor is
9 registered as signing supervisor.
- 10 4. Under OAR 918-282-0010(1), an electrical contractor shall continuously employ at least one
11 full-time general supervising electrician except as otherwise exempted.
- 12 5. Under OAR 918-282-0140(1), a general supervising electrician, when working for or as an
13 electrical contractor requiring a signing supervisor:
 - 14 a. Directs, supervises, makes, or controls the making of electrical installations;
 - 15 b. May design, plan, and lay out work for the customers of the contractor with whom
16 the supervising electrician is continuously employed; and
 - 17 c. Is the only individual authorized to direct, supervise, or control the installation or
18 alteration of an electrical service.
- 19 6. Under OAR 918-282-0140(2)(c), the general signing supervising electrician must be
20 continuously employed as a general supervising electrician on the electrical contractor's
21 regular payroll and be available during working hours to carry out the duties of a supervising
22 electrician under this section;
- 23 7. Under OAR 918-282-0140(2)(f), the general signing supervising electrician must ensure
24 electricians have proper licenses for the work performed, and may not permit either by
25

1 assent or by failure to prevent, an individual to perform work for which they are not properly
2 licensed.

3 8. Under ORS 455.129(2)(a), a regulatory body may deny a license, certificate, registration, or
4 application or may suspend, revoke, condition, or refuse to renew a license, certificate, or
5 registration if the regulatory body finds that the licensee, certificate holder, registrant, or
6 applicant has failed to comply with the laws administered by the regulatory body or with the
7 rules adopted by the regulatory body.

8 9. Under OAR 918-282-0140(3), supervising electricians who fail to comply with the
9 provisions of this rule through act or omission may be subject to penalties. Penalties include,
10 but are not limited to, fines, license conditioning, suspension, and revocation.

11 10. Under ORS 455.129(3)(b), the Board may deny a license, certificate, registration, or
12 application or may suspend, revoke, condition, or refuse to renew a license, certificate, or
13 registration for those reasons enumerated in ORS 455.129(2).

14 11. Pursuant to ORS 455.129, the Board may take other disciplinary action, including
15 revocation of registration and certification, for these violations without amending this
16 Notice.

17 **CONCLUSIONS OF LAW**

18 1. Electrical wiring and electrical panels constitute electrical products under ORS 479.530(11).

19 2. Installing electrical wiring to the electrical panels constitutes electrical installations under
20 ORS 479.630(10).

21 3. By performing the foregoing electrical installations, on Power Line's behalf and directed by
22 Volosevych, without valid Oregon supervising or journeyman electrician's licenses,
23 Koriukalov and Pyasetskiy violated ORS 479.620(3).

24 4. A designated signing supervising electrician is responsible for reviewing and signing for
25 permits and overseeing the electrical work done pursuant to those permits, under OAR 918-

1 282-0140(1) and OAR 918-282-0140(2).

- 2 5. By permitting Koriukalov and Pyasetskiy, by either assent or by failure to prevent, to
3 perform the foregoing electrical installations on behalf of Power Line at the job site, without
4 Koriukalov and Pyasetskiy holding any valid electrical licenses in the state of Oregon,
5 Respondent violated OAR 918-282-0140(2)(f).
- 6 6. During time periods when electrical work was performed by Power Line, for which
7 Respondent was responsible, Respondent could not devote his entire time of employment to
8 tasks of supervising, designing, laying out, planning, controlling, and making electrical
9 installations for Power Line because:
- 10 a. At all relevant time periods, Respondent was not present in Oregon actively working
11 for Power Line;
 - 12 b. Respondent only visited one jobsite in the past two (2) years of employment with
13 Power Line; and
 - 14 c. Respondent failed to ensure the proper license statuses of Power Line employees.
- 15 7. For the reasons stated above, Respondent was not continuously employed by Power Line as
16 defined in OAR 918-251-0090(8).
- 17 8. Because Respondent was not continuously employed by Power Line while designated as its
18 signing supervising electrician, Respondent violated OAR 918-282-0140(2)(c).
- 19 9. By violating OAR 918-282-0140(2)(c) and (2)(f), Respondent failed to comply with the
20 rules administered and adopted by the Board, and therefore Respondent's general
21 supervising electrician license number 5803S may be suspended under ORS 455.129(2)(a)
22 and OAR 918-282-0140(3).
- 23 10. The Board may suspend Respondent's general supervising electrician license number 5803S
24 pursuant to ORS 455.129(3)(b).
- 25

ORDER

1. The Board hereby assesses a total civil penalty of \$3,000.00 against Respondent for violating OAR 918-282-0140 (2)(c) and (2)(f) as follows:

a. \$2,000.00 of the total civil penalty will be suspended for a period of five years if there is compliance with all other terms of this Consent Order.

2. On b. Respondent agrees to pay the remaining \$1,000.00 of the civil penalty. Respondent will make five (5) monthly payments that must be received no later than the 25th day of each month in the amount of \$200.00 per month. Respondent's first payment shall be received **no later than the 25th day of the month following the month in which this Consent Order is signed by both parties.** (An invoice may be provided to Respondent after this Consent Order is signed by both parties. Respondent understands timely payments must be made even if no invoice is ever received.)

Checks should be made out to the Department of Consumer and Business Services.

Payments shall be mailed to Department of Consumer and Business Services,

Fiscal Services Section, P.O. Box 14610, Salem, OR 97309-0445. For payment questions and credit card payments, call cashiering at 503-947-7891.

NOTE: If you fail to make timely payments as stated in this signed Consent Order, the payment agreement becomes void. In addition, this account may be assigned to the Department of Justice, Department of Revenue, or a private collection agency. You will be responsible for any court costs, attorney fees, any other necessary fees related to the collection of this debt, and any interest accrued. This debt may also appear on future credit reports.

c. Respondent understands the suspended civil penalty (\$2,000.00) will be considered satisfied five years after this Consent Order becomes a final order, provided Respondent complies with its terms and has not committed any further violations of the Division's statutes and rules within that five-year period. Respondent understands and agrees that upon a showing that Respondent has not complied with the terms of this Consent Order or that Respondent has committed any further

1 violations of the Division's statutes or rules within the five-year period, the entire
2 civil penalty, including any suspended amount, will become due and payable. Failure
3 to comply with this Consent Order includes, but is not limited to, failure to pay the
4 civil penalty amount due by the due date and failure to satisfy the requirements for
5 the conditioned license.

6 2. On the date the Consent Order is signed by both parties, Respondent's general supervising
7 electrician license number 5803S license number will be conditioned for six (6) months.
8 Respondent will submit their supervising electrician license number **5803S** to the Division
9 no later than the 25th day of the month following the month in which this Consent Order is
10 signed by both parties. Respondent will send their license to Building Codes Division,
11 Enforcement Section, P.O. Box 14470, Salem, Oregon, 97309. Following the six (6)-month
12 period, Respondent may return the conditional license to the Division in exchange for
13 Respondent's original license, provided that Respondent has complied with all terms of this
14 Consent Order.

15 a. If Respondent has failed to comply with the terms of this Consent Order, or has
16 violated any other provision of the state building code or related statutes and rules,
17 Respondent's original license will not be returned at the end of the six (6)-month
18 period. Instead, Respondent may retain the conditional license until: the license
19 expires; the license is suspended or revoked; or Respondent and the Division or the
20 Board execute a written agreement for the return of Respondent's original license.

21 Throughout the suspension and conditional license periods, Respondent is
22 responsible for satisfying all conditions required to maintain their supervising
23 electrician license.

24 3. Respondent's supervising electrician license number license number 5803S shall be
25 conditioned as follows:

1 a. Respondent must attend an Oregon rule and law class provided by an Oregon
2 certified continuing education provider and provide proof of attendance to the
3 Division within six (6) months from the date this Consent Order is fully signed by
4 both parties.

5 b. Within five (5) business days of entering into a relationship with an electrical
6 contractor as signing supervising electrician, Respondent must notify the Division of
7 that relationship in writing by providing the Division with the name and address of
8 the employer, the electrical contractor license for the employer, and the anticipated
9 start date for that relationship. This obligation for the Respondent to report entering
10 into a signing supervisor relationship under the conditioned license is independent of
11 and does not relieve the electrical contractor of its obligation under OAR 918-282-
12 0015(4) to notify the Division in writing who their signing supervising electrician(s)
13 is within five (5) business days of entering into that relationship.

14 c. Proof of attendance at the Oregon rule and law class and Respondent's notice of
15 entering into a relationship as signing supervising electrician, described in subsection
16 (a) and subsection (b) above, shall be submitted to the division by regular or
17 electronic mail. If mailed, it shall be sent to Building Codes Division, Enforcement
18 Section, P.O. Box 14470, Salem, Oregon, 97309. If e-mailed, it shall be emailed to
19 BCD.Complaint@dcbs.oregon.gov.

20 4. Respondent agrees to fully cooperate with the Division's enforcement efforts in other cases
21 that rely on the facts underlying this case. Cooperation may include, but may not be limited
22 to, making sworn statements or testifying in administrative hearings.

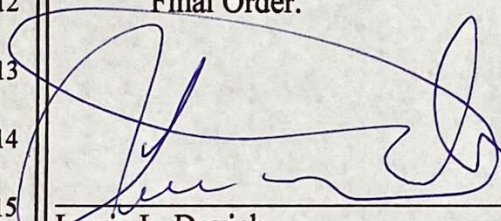
23 5. Respondent understands that further enforcement action may be taken for any violation of
24 the Division's statutes or rules not alleged in this Consent Order, whether committed before
25 or after the execution of this Consent Order, and for any violation of the terms of this

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Consent Order.

- 6. Respondent understands that failure to comply with this Consent Order may be used as a basis for the denial of future license, certificate, registration, or other applications, or for the refusal to renew the same; for the suspension, revocation, or conditioning of a license, certificate, or registration issued by the Division or other state agencies; and for any other reason provided for in law.
- 7. Respondent understands that this Consent Order is a public record.
- 8. Respondent has read and fully understands the terms of this Consent Order, freely and voluntarily consents to the entry of this Consent Order without any force or duress, and expressly waives all rights to hearing or judicial review in this matter.
- 9. Respondent understands that, upon signature of all parties, this Consent Order will be a

Final Order.



Larrie L. Dovich

It is so agreed this 20 day of January, 2023.

_____ for It is so agreed this ____ day of _____, 2023.

Chair
Electrical and Elevator Board
State of Oregon

1 **BEFORE THE ELECTRICAL AND ELEVATOR BOARD OF THE STATE OF OREGON**

2 **IN THE MATTER OF:**

CONSENT ORDER

3
4 **BOBBY ALAN LYON,**
5 **AN INDIVIDUAL,**

6 **RESPONDENT.**

BCD CASE C2022-0169

7
8 **INTRODUCTION**

9 The Building Codes Division (“Division”) conducted an investigation on behalf of the
10 Electrical and Elevator Board of the State of Oregon (“Board”) and determined that Bobby Alan
11 Lyon (“Respondent”) violated certain provisions of the Division’s statutes and administrative rules
12 as identified below.

13 The parties agree to resolve this matter without a hearing. Respondent understands that
14 Respondent has the right to a contested case hearing under the Administrative Procedures Act,
15 Oregon Revised Statutes (“ORS”) chapter 183, and Respondent fully and finally waives the right to
16 a hearing and any judicial review therefrom by the signing of this Consent Order.

17 **FINDINGS OF FACT**

- 18 1. Since on or about September 28, 2018, Greg’s Heating & Air Conditioning, Inc. (“Greg’s
19 Heating”)¹ has been registered as a domestic business corporation with the Oregon Secretary
20 of State (“SOS”).²
- 21 2. Since on or about December 31, 2018, Greg’s Heating has held Oregon Construction
22 Contractor Board (“CCB”) license number 223538.³
- 23 3. On or around July 28, 2022 to on or around August 11, 2022, Greg’s Heating provided the
24

25 ¹ See related Division cases C2022-0131 and C2022-0177 against Greg’s Heating.

² At all relevant times, Andrew Schneider (“Schneider”) was listed as the president on the SOS website.

³ At all relevant times, Schneider was listed as the responsible managing individual (“RMI”) and member of Respondent on the CCB website.

1 homeowners at 1846 NE Horseshoe Lake Circle, in Albany, Oregon (“the property”) with
2 proposals for the installation of a Navien tankless water heater, Bryant Evolution heat pump,
3 and Bryant Evolution gas furnace.

4 4. In or around August 2022, Respondent, acting on behalf of Greg’s Heating, performed the
5 following electrical work at the property:

- 6 a. Installed a new Bryant Evolution Series heat pump unit; and
- 7 b. installed a new electrical disconnect switch for the new Bryant Evolution heat pump
8 unit.

9 5. At all relevant times, Greg’s Heating’s Oregon Limited Maintenance Specialty Contractor
10 HVAC/R license, 72LHR, and Restricted Energy Contractor license, 22-123 CRE, were
11 expired.⁴

12 6. At no relevant time did Lyon hold a valid Oregon supervising electrician’s license,
13 journeyman electrician’s license, or a limited residential electrician’s (“LRE”) license.

14
15 **APPLICABLE LAW**

16 1. Definitions for terms used in this Consent Order may be found in ORS 183.310, ORS
17 455.010, ORS 479.530, ORS 479.905, Oregon Administrative Rule (“OAR”) 918-001-0005,
18 OAR 918-030-0010, and OAR 918-251-0090.

19 2. Under ORS 479.530(10), “electrical installations” means the construction or installation of
20 electrical wiring and the permanent attachment or installation of electrical products in or on
21 any structure that is not itself an electrical product. “Electrical installation” also means the
22 maintenance or repair of installed electrical wiring and permanently attached electrical
23 products.

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⁴At the time of the investigation Schneider indicated that he had bought the company approximately four (4) years ago
and was unaware of the status of the licenses.

- 1 3. Under ORS 479.530(11), “electrical product” means any electrical equipment, material,
2 device or apparatus that, except as provided in ORS 479.540, requires a license or permit to
3 install and either conveys or is operated by electrical current.
- 4 4. Under ORS 479.620(3), except as provided in ORS 479.620(5), a person may not make any
5 electrical installation without a supervising or journeyman electrician’s license.
- 6 5. Under ORS 479.620(5), a person may not make any electrical installation on a single or
7 multifamily dwelling unit not exceeding three floors above grade, as provided in ORS
8 479.630(14), without a limited residential electrician’s license.

9 CONCLUSIONS OF LAW

- 10 1. A new heat pump unit and an electrical disconnect switch constitute electrical products
11 under ORS 479.530(11).
- 12 2. Installing a new heat pump unit and an electrical disconnect switch constitutes an electrical
13 installation under ORS 479.530(10).
- 14 3. By performing the foregoing electrical installations at the property without holding a valid
15 Oregon supervising electrician’s license, journeyman electrician’s license, or LRE license,
16 Respondent violated ORS 479.620(3) and ORS 479.620(5).

17 ORDER

- 18 1. The Board hereby assesses a total civil penalty of \$2,000.00 against Respondent for
19 violating ORS 479.620(3) and ORS 479.620(5) as follows:
 - 20 a. \$1,750.00 of the total civil penalty will be suspended for a period of five years if
21 there is compliance with all other terms of this Consent Order.
 - 22 b. Respondent agrees to pay the remaining \$250.00 of the civil penalty in a lump sum
23 payment. Respondent’s payment must be received no later than the 25th day of the
24 month following the month in which this Consent Order is signed by both parties(*An
25 invoice may be provided to Respondent after this Consent Order is signed by both*

1 parties. Respondent understands timely payments must be made even if no invoice is
2 ever received.) Checks should be made out to the Department of Consumer and
3 Business Services. **Payment shall be mailed to Department of Consumer and
4 Business Services, Fiscal Services Section, P.O. Box 14610, Salem, OR 97309-
5 0445. For payment questions and credit card payments call 971-375-7087.**

6 **NOTE: If you fail to make your lump sum payment as stated in this signed
7 Consent Order, this account may be assigned to the Department of Justice,
8 Department of Revenue, or a private collection agency. You will be responsible
9 for any court costs, attorney fees, any other necessary fees related to the collection
of this debt, and any interest or penalties accrued. This debt may also appear on
future credit reports.**

- 10 c. Respondent understands the suspended civil penalty (\$1,750.00) will be considered
11 satisfied five years after this Consent Order becomes a final order, provided
12 Respondent complies with its terms and has not committed any further violations of
13 the Division's statutes and rules within that five-year period. Respondent
14 understands and agrees that upon a showing that Respondent has not complied with
15 the terms of this Consent Order or that Respondent has committed any further
16 violations of the Division's statutes or rules within the five-year period, the entire
17 civil penalty, including any suspended amount, will become due and payable. Failure
18 to comply with this Consent Order includes, but is not limited to, failure to pay the
19 civil penalty amount due by the due date.
- 20 2. Respondent agrees to fully cooperate with the Division's enforcement efforts in other cases
21 that rely on the facts underlying this case. Cooperation may include, but may not be limited
22 to, making sworn statements or testifying in administrative hearings.
- 23 3. Respondent understands that further enforcement action may be taken for any violation of
24 the Division's statutes or rules not alleged in this Consent Order, whether committed before
25 or after the execution of this Consent Order, and for any violation of the terms of this
Consent Order.

- 1 4. Respondent understands that failure to comply with this Consent Order may be used as a
2 basis for the denial of future license, certificate, registration, or other applications, or for the
3 refusal to renew the same; for the suspension, revocation, or conditioning of a license,
4 certificate, or registration issued by the Division or other state agencies; and/or for any other
5 reason provided for in law.
- 6 5. Respondent understands that this Consent Order is a public record.
- 7 6. Respondent has read and fully understands the terms of this Consent Order, freely and
8 voluntarily consents to the entry of this Consent Order without any force or duress, and
9 expressly waives all rights to hearing or judicial review in this matter.
- 10 7. Respondent understands that, upon signature of all parties, this Consent Order will be a
11 Final Order.

12
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14 Bobby Alan Lyon

It is so agreed this 24 day of January, 2023.

15
16
17 _____ for
18 Chair
19 Electrical and Elevator Board
20 State of Oregon

It is so agreed this ____ day of _____, 2023.

1 **BEFORE THE ELECTRICAL AND ELEVATOR BOARD OF THE STATE OF OREGON**

2 **IN THE MATTER OF:**

CONSENT ORDER

3
4 **GREG'S HEATING & AIR**
5 **CONDITIONING, INC.,**
6 **A DOMESTIC BUSINESS CORPORATION,**

7 **RESPONDENT.**

BCD CASE C2022-0177

8 **INTRODUCTION**

9
10 The Building Codes Division ("Division") conducted an investigation on behalf of the
11 Electrical and Elevator Board of the State of Oregon ("Board") and determined that Greg's Heating
12 & Air Conditioning, Inc. ("Respondent") violated certain provisions of the Division's statutes and
13 administrative rules as identified below.

14 The parties agree to resolve this matter without a hearing. Respondent understands that
15 Respondent has the right to a contested case hearing under the Administrative Procedures Act,
16 Oregon Revised Statutes ("ORS") chapter 183, and Respondent fully and finally waives the right to
17 a hearing and any judicial review therefrom by the signing of this Consent Order.

18 **FINDINGS OF FACT**

- 19 1. Since on or about September 28, 2018, Respondent has been registered as a domestic
20 business corporation with the Oregon Secretary of State ("SOS").¹
21 2. Since on or about December 31, 2018, Respondent has held Oregon Construction Contractor
22 Board ("CCB") license number 223538.²
23 a. In or around August 2022, Robert Alan Lyon ("Lyon")³ acting on behalf of
24 Respondent, performed the following electrical work at a residence located at 1846

25 ¹ At all relevant times, Andrew Schneider ("Schneider") was listed as the president on the SOS website.

² At all relevant times, Schneider was listed as the responsible managing individual ("RMI") and member of Respondent on the CCB website.

³ See related Division case C2022-0169 regarding Lyon.

1 NW Horseshoe Lake Circle in Albany, Oregon (“the property”): Installed a new
2 Bryant Evolution Series heat pump unit; and

3 b. Installed a new electrical disconnect switch for the new Bryant Evolution heat pump
4 unit.

5 3. At all relevant times, Respondent’s Oregon Limited Maintenance Specialty Contractor
6 HVAC/R license, 72LHR, and Restricted Energy Contractor license, 22-123 CRE, were
7 expired.⁴

8 4. At no relevant time did Respondent hold a valid Oregon electrical contractor license.

9 5. At no relevant time did Lyon hold a valid Oregon supervising electrician’s license,
10 journeyman electrician’s license, or a limited residential electrician’s (“LRE”) license.

11 6. At no relevant time did Respondent obtain an electrical permit or minor label prior to
12 performing the electrical installation at the property.

13 **APPLICABLE LAW**

14 1. Definitions for terms used in this Consent Order may be found in ORS 183.310, ORS
15 455.010, ORS 479.530, ORS 479.905, Oregon Administrative Rule (“OAR”) 918-001-0005,
16 OAR 918-030-0010, and OAR 918-251-0090.

17 2. Under ORS 479.530(10), “electrical installations” means the construction or installation of
18 electrical wiring and the permanent attachment or installation of electrical products in or on
19 any structure that is not itself an electrical product. “Electrical installation” also means the
20 maintenance or repair of installed electrical wiring and permanently attached electrical
21 products.

22 3. Under ORS 479.530(11), “electrical product” means any electrical equipment, material,
23 device or apparatus that, except as provided in ORS 479.540, requires a license or permit to
24 install and either conveys or is operated by electrical current.

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⁴At the time of the investigation Schneider indicated that he had bought the company approximately four (4) years ago and was unaware of the status of the licenses.

- 1 4. Under ORS 479.620(1), a person who does not hold an electrical contractor license may not
2 engage in the business of making electrical installations, advertise as or otherwise purport to
3 be licensed to make electrical installations or purport to be acting as a business that makes
4 electrical installations.
- 5 5. OAR 918-030-0010(8) states that for purposes of ORS 447.040, 479.620, 480.630, and any
6 other license regulated by ORS chapter 455, “engaging in the business” means to advertise
7 or solicit, contract or agree to perform, or to perform work for which a license or permit is
8 required under Oregon law, including but not limited to a single instance.
- 9 6. Under ORS 479.620(3), except as provided in ORS 479.620(5), a person may not make any
10 electrical installation without a supervising or journeyman electrician’s license.
- 11 7. Under ORS 479.620(5), a person may not make any electrical installation on a single or
12 multifamily dwelling unit not exceeding three floors above grade, as provided in ORS
13 479.630(14), without a limited residential electrician’s license.
- 14 8. Under OAR 918-282-0120(1), no person or entity shall allow any individual to perform
15 electrical work for which the individual is not properly registered or licensed.
- 16 9. Under ORS 479.550(1), no person shall work on any new electrical installation for which a
17 permit has not been issued.

18 CONCLUSIONS OF LAW

- 19 1. A new heat pump unit and an electrical disconnect switch constitute electrical products
20 under ORS 479.530(11).
- 21 2. Installing a new heat pump unit and an electrical disconnect switch for the unit constitutes
22 an electrical installation under ORS 479.530(10).
- 23 3. By agreeing to perform, and then by performing the foregoing electrical installation at the
24 property, Respondent engaged in the business of an electrical contractor as defined under
25 OAR 918-030-0010(8).

- 1 4. By engaging in the business of a electrical contractor without holding a valid Oregon
2 electrical contractor license, Respondent violated ORS 479.620(1).
- 3 5. By performing the foregoing electrical installation at the property without holding a valid
4 Oregon supervising electrician's license, journeyman electrician's license, or LRE license,
5 Lyon violated ORS 479.620(3) and ORS 479.620(5).
- 6 6. By allowing Lyon to perform the foregoing electrical installation for which he was not
7 properly licensed at the property, Respondent violated OAR 918-282-0120(1).
- 8 7. By performing the foregoing electrical installation at the property without first obtaining a
9 valid Oregon electrical permit or minor label, Respondent violated ORS 479.550(1).

10 ORDER

- 11 1. The Board hereby assesses a total civil penalty of \$6,000.00 against Respondent for
12 violating ORS 479.620(1), OAR 918-282-0120(1) and ORS 479.550(1) as follows:
 - 13 a. \$5,000.00 of the total civil penalty will be suspended for a period of five years if
14 there is compliance with all other terms of this Consent Order.
 - 15 b. Respondent agrees to pay the remaining \$1,000.00 of the civil penalty in a lump sum
16 payment. Respondent's payment must be received no later than the 25th day of the
17 month following the month in which this Consent Order is signed by both parties(*An
18 invoice may be provided to Respondent after this Consent Order is signed by both
19 parties. Respondent understands timely payments must be made even if no invoice is
20 ever received.*) Checks should be made out to the Department of Consumer and
21 Business Services. **Payment shall be mailed to Department of Consumer and
22 Business Services, Fiscal Services Section, P.O. Box 14610, Salem, OR 97309-
23 0445. For payment questions and credit card payments call 971-375-7087.**

24 ***NOTE: If you fail to make your lump sum payment as stated in this signed
25 Consent Order, this account may be assigned to the Department of Justice,
Department of Revenue, or a private collection agency. You will be responsible
for any court costs, attorney fees, any other necessary fees related to the collection***

1 *of this debt, and any interest or penalties accrued. This debt may also appear on*
2 *future credit reports.*

3 c. Respondent understands the suspended civil penalty (\$5,000.00) will be considered
4 satisfied five years after this Consent Order becomes a final order, provided
5 Respondent complies with its terms and has not committed any further violations of
6 the Division's statutes and rules within that five-year period. Respondent
7 understands and agrees that upon a showing that Respondent has not complied with
8 the terms of this Consent Order or that Respondent has committed any further
9 violations of the Division's statutes or rules within the five-year period, the entire
10 civil penalty, including any suspended amount, will become due and payable. Failure
11 to comply with this Consent Order includes, but is not limited to, failure to pay the
12 civil penalty amount due by the due date.

13 2. Respondent agrees to fully cooperate with the Division's enforcement efforts in other cases
14 that rely on the facts underlying this case. Cooperation may include, but may not be limited
15 to, making sworn statements or testifying in administrative hearings.

16 3. Respondent understands that further enforcement action may be taken for any violation of
17 the Division's statutes or rules not alleged in this Consent Order, whether committed before
18 or after the execution of this Consent Order, and for any violation of the terms of this
19 Consent Order.

20 4. Respondent understands that failure to comply with this Consent Order may be used as a
21 basis for the denial of future license, certificate, registration, or other applications, or for the
22 refusal to renew the same; for the suspension, revocation, or conditioning of a license,
23 certificate, or registration issued by the Division or other state agencies; and/or for any other
24 reason provided for in law.

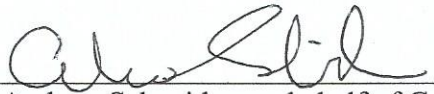
25 5. Respondent understands that this Consent Order is a public record.

6. Respondent has read and fully understands the terms of this Consent Order, freely and

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voluntarily consents to the entry of this Consent Order without any force or duress, and expressly waives all rights to hearing or judicial review in this matter.

7. Respondent understands that, upon signature of all parties, this Consent Order will be a Final Order.

 It is so agreed this 24th day of JANUARY, 2023.
Andrew Schneider, on behalf of Greg's Heating & Air Conditioning, Inc.

_____ for It is so agreed this ____ day of _____, 2023.
Chair
Electrical and Elevator Board
State of Oregon

1 **BEFORE THE ELECTRICAL AND ELEVATOR BOARD OF THE STATE OF OREGON**

2
3 **IN THE MATTER OF:**

CONSENT ORDER

4
5 **PLATINUM ELECTRIC, INC.,**
6 **A DOMESTIC BUSINESS CORPORATION,**

7 **RESPONDENT.**

BCD CASE C2022-0095

8
9 **INTRODUCTION**

10 The Building Codes Division ("Division") conducted an investigation on behalf of the
11 Electrical and Elevator Board of the State of Oregon ("Board") and determined that Platinum
12 Electric, Inc. ("Respondent") violated certain provisions of the Division's statutes and
13 administrative rules as identified below.

14 The parties agree to resolve this matter without a hearing. Respondent understands that
15 Respondent has the right to a contested case hearing under the Administrative Procedures Act,
16 Oregon Revised Statutes ("ORS") chapter 183, and Respondent fully and finally waives the right to
17 a hearing and any judicial review therefrom by the signing of this Consent Order.

18 **FINDINGS OF FACT**

- 19 1. On or about August 8, 2006, Respondent registered with the Oregon Secretary of State as a
20 domestic business corporation.
- 21 a. At all relevant times, Charles Cain ("Cain") was registered with SOS as the owner,
22 president, and registered agent of Respondent.
- 23 2. At all relevant times Respondent held Construction Contractors Board ("CCB") license
24 number 172027.
- 25 a. At all relevant times, Cain was registered with CCB as Respondent's responsible

1 managing individual.

- 2 3. At all relevant times Respondent held Oregon electrical contractor's license number C216.
- 3 a. At all relevant times, Daniel Mahar ("Mahar")¹ was registered with the Division as
- 4 Platinum's general signing supervisor.
- 5 b. At all relevant times, Mahar held general signing supervisor license number 3761S.
- 6 4. At all relevant times Brian Yost² ("Yost") was employed by Respondent as a limited
- 7 residential electrician.
- 8 a. At all relevant times, Yost's Oregon limited residential electrician's license number
- 9 (977LR) was expired.³
- 10 5. At all relevant times, Respondent employed Jacob Brown⁴ ("Brown") as an electrical
- 11 apprentice.
- 12 a. At all relevant times, Brown held apprentice agreement number 1275640.
- 13 6. At all relevant times, Respondent employed Ryley Barbour⁵ ("Barbour") as an electrical
- 14 apprentice.
- 15 a. At all relevant times, Barbour held apprentice agreement number 1155849.⁶
- 16 7. On or about June 3, 2022, Brown and Barbour, on behalf of Respondent, performed rough-
- 17 in electrical installations under the supervision of Yost at a residential property located at
- 18 341 S. 7th Street, in Carlton, OR ("property").
- 19 a. In addition to supervising Brown and Barbour, Yost also performed rough-in
- 20 electrical installations at the property, which included setting boxes and drilling
- 21 holes for electrical wiring in wall studs.
- 22 8. On the same day, Yost was absent from the property to respond to a service call from
- 23

24 ¹ See Division related case C2022-0116 against Mahar.

² See Division related case C2022-0115 against Yost.

³ Yost's LRE license expired on October 01, 2021, and Yost did not renew it until August 30, 2022.

⁴ See Division related case C2022-0114 against Brown.

⁵ See Division related case C2022-0113 against Barbour.

⁶ On or about June 22, 2022, Barbour was issued his limited residential electrician license (license number 1073LR).

1 approximately 10:00 a.m. to 12:30 p.m., leaving Respondent's apprentices unsupervised
2 while they were performing the following electrical installations at the property:

3 a. Brown installed flexible sheathed electrical cabling through the walls and ceilings,
4 and installed electrical outlet boxes for overhead light fixtures; and

5 b. Barbour installed flexible sheathed electrical cabling in the walls and ceilings of the
6 dwelling.

7 9. At all relevant times, neither Brown nor Barbour held an Oregon supervising electrician's
8 license, journeyman electrician's license, or limited residential electrician's ("LRE") license.

9 10. At all relevant times, neither Brown nor Barbour received supervision at a ratio of one (1)
10 apprentice to one (1) journey level worker.

11 11. At all relevant times, neither Brown nor Barbour were supervised by a journey level worker
12 with a valid Oregon electrical license.

13 **APPLICABLE LAW**

14 1. Definitions for terms used in this Consent Order may be found in ORS 183.310, ORS
15 455.010, ORS 479.530, ORS 479.905, Oregon Administrative Rule ("OAR") 918-001-0005,
16 OAR 918-030-0010, and OAR 918-251-0090.

17 2. Under ORS 479.530(10), "electrical installations" means the construction or installation of
18 electrical wiring and the permanent attachment or installation of electrical products in or on
19 any structure that is not itself an electrical product. "Electrical installation" also means the
20 maintenance or repair of installed electrical wiring and permanently attached electrical
21 products.

22 3. Under ORS 479.530(11), "electrical product" means any electrical equipment, material,
23 device or apparatus that, except as provided in ORS 479.540, requires a license or permit to
24 install and either conveys or is operated by electrical current.
25

- 1 4. Under ORS 479.620(3), except as provided in ORS 479.620(5), a person may not make any
2 electrical installation without a supervising or journeyman electrician's license.
- 3 5. Under ORS 479.620(4), a person may not perform work on an electrical installation as an
4 electrical apprentice without an electrical apprentice's license.
- 5 6. Under ORS 479.620(5), a person may not make any electrical installation on a single or
6 multifamily dwelling unit not exceeding three floors above grade, as provided in ORS
7 479.630(14), without a LRE license.
- 8 7. Under ORS 660.010, as used in ORS 660.002 to 660.210, unless the context requires
9 otherwise: (1) "apprentice" means a worker who is at least 16 years of age, except when a
10 higher minimum age is otherwise required by law and who is employed to learn an
11 apprenticeable occupation under standards of apprenticeship approved by the State
12 Apprenticeship and Training Council and under an apprenticeship agreement recognized by
13 the council.
- 14 8. Under ORS 660.126(1)(f), apprenticeship standards shall contain a statement of the
15 minimum numeric ratio of journeyworkers to apprentices consistent with proper supervision,
16 training, safety and continuity of employment, which shall be specifically and clearly stated
17 as to application in terms of job site, workforce, department or plant.
- 18 9. Under OAR 918-030-0010(11), "valid" license means a license issued by either the
19 appropriate board or division that has not expired and has not been suspended.
- 20 10. Under OAR 918-030-0230(1), a licensee who fails to renew a license must not perform
21 work requiring the expired license.
- 22 11. Under OAR 918-282-0270(1)(c), an apprentice may assist an appropriately licensed
23 electrician on the same job site and the same shift in performing electrical work authorized
24 in the trade, or branch of the trade, in which the licensee is registered.
- 25

1 12. Under OAR 918-282-0270(2), apprentice licenses issued under sections (3)(a), (4), or (5) of
2 this rule are issued and renewed by the Oregon Bureau of Labor and Industries according to
3 standards established in this rule and the guidelines established by the Bureau of Labor and
4 Industries and the Division.

5 13. Under OAR 918-282-0120(1), no person or entity shall allow any individual to perform
6 electrical work for which the individual is not properly registered or licensed.

7 14. Under OAR 839-011-0143(5), for occupations where a minimum guideline standard is not
8 in place, local committees are expected to meet the following apprentice to journey level
9 ratios:

- 10 a. Construction trades: Not more than one apprentice for the first journey worker on
11 the job site. Additional apprentices are authorized at the ratio of one apprentice for
12 each three additional journey workers on the job site. (Expressed hereafter as 1:1,
13 1:3);
- 14 b. Industrial trades and fixed-site facilities: 1:1, 1:2;
- 15 c. Other trades (non-traditional and new and emerging occupations): 1:1, 1:1;
- 16 d. Committees wishing a less restrictive ratio must submit a request to the Council for
17 consideration, along with information including but not limited to:⁷
- 18 i. Specific workforce demographics justifying a different ratio;
- 19 ii. Plan to monitor effects of the ratio on the safety and continuity of
20 employment for apprentices; and
- 21 iii. Comparison of completion rate to statewide average for occupation.

22 15. Under OAR 839-011-0143(6), in licensed trades, an apprentice must be supervised by a
23 journey worker in the same or higher license classification than the apprentice, unless the

24 ⁷ Per the *Standards of Apprenticeship Adopted by the Oregon Limited Residential Electrician MGSC*,
25 https://www.oregon.gov/boli/apprenticeship/Minimum%20Standards/8015_0159.1.pdf (page 21), the Oregon State
Apprenticeship and Training Council approved a ratio of one (1) apprentice to the first one (1) journey-level worker on
the jobs. Additional apprentices are authorized at a ratio of one (1) apprentice for each additional one (1) journey-level
worker.

1 local committee that the apprentice is registered to has approved supervision by a journey
2 worker holding a license covering the specific work being performed by the apprentice on
3 the job site.

4 **CONCLUSIONS OF LAW**

- 5 1. Sheathed electrical cabling and electrical outlet boxes constitute electrical products under
6 ORS 479.530(11).
- 7 2. Installing sheathed electrical cabling and electrical outlet boxes constitute an electrical
8 installation under ORS 479.530(10).
- 9 3. Under OAR 839-011-0143(5) and (6), Brown and Barbour, as apprentices, were not allowed
10 to perform the aforementioned electrical installations without the supervision of a journey
11 level worker.
- 12 4. Under OAR 839-011-0143(5), Brown and Barbour, as apprentices, required supervision at a
13 ratio of one (1) apprentice to one (1) journey level worker.
- 14 5. Under OAR 839-011-0143(6), Brown and Barbour, as apprentices, required supervision
15 under a journey level worker holding a valid license.
- 16 6. By performing the aforementioned electrical installations at the property without the
17 appropriate ratio of apprentices to journey level workers, without the supervision of a
18 journey level worker holding a valid Oregon electrician's license, and by failing to cease
19 performing electrical installations when Yost left the property, Brown and Barbour, acted
20 outside the scope of their apprentice licenses, under OAR 839-011-0143(5) and (6).
- 21 7. By performing the aforementioned electrical installations at the property outside the scope
22 of their apprentice licenses, and without a supervising electrician's license, journeyman
23 electrician's license, or LRE license, Brown and Barbour violated ORS 479.620(3), (4), and
24 (5).

- 1 8. By allowing Brown and Barbour to perform the aforementioned electrical installations at the
2 property outside the scope of their apprentice license, and without a supervising electrician's
3 license, journeyman electrician's license, or LRE license, Respondent violated OAR 918-
4 282-0120(1).
- 5 9. Under OAR 918-030-0230(1), Yost was not allowed to perform rough-in electrical
6 installations at the property with an expired LRE license.
- 7 10. By performing rough-in electrical installations at the property without a valid LRE license,
8 and without a supervising or journeyman electrician's license, Yost violated ORS
9 479.620(3) and ORS 479.620(5).
- 10 11. By allowing Yost to perform rough-in electrical installations at the property without a
11 supervising electrician's license, journeyman electrician's license, or LRE license,
12 Respondent violated OAR 918-282-0120(1).

13 **ORDER**

- 14 1. The Board hereby assesses a total civil penalty of \$4,000.00 against Respondent for
15 violating OAR 918-282-0120(1) two times as follows:
- 16 a. \$3,000.00 of the total civil penalty will be suspended for a period of five years if
17 there is compliance with all other terms of this Consent Order.
- 18 b. Respondent agrees to pay the remaining \$1,000.00 of the civil penalty in a lump sum
19 payment. Respondent's payment must be received no later than the 25th day of the
20 month following the month in which this Consent Order is signed by both parties (*An*
21 *invoice may be provided to Respondent after this Consent Order is signed by both*
22 *parties. Respondent understands timely payments must be made even if no invoice is*
23 *ever received.*) Checks should be made out to the Department of Consumer and
24 Business Services. **Payment shall be mailed to Department of Consumer and**
25 **Business Services, Fiscal Services Section, P.O. Box 14610, Salem, OR 97309-**

1 **0445. For payment questions and credit card payments call 971-375-7087.**

2 ***NOTE: If you fail to make your lump sum payment as stated in this signed***
3 ***Consent Order, this account may be assigned to the Department of Justice,***
4 ***Department of Revenue, or a private collection agency. You will be responsible***
5 ***for any court costs, attorney fees, any other necessary fees related to the collection***
6 ***of this debt, and any interest or penalties accrued. This debt may also appear on***
7 ***future credit reports.***

- 8
- 9 2. Respondent agrees to fully cooperate with the Division's enforcement efforts in other cases
10 that rely on the facts underlying this case. Cooperation may include, but may not be limited
11 to, making sworn statements or testifying in administrative hearings.
- 12 3. Respondent understands that further enforcement action may be taken for any violation of
13 the Division's statutes or rules not alleged in this Consent Order, whether committed before
14 or after the execution of this Consent Order, and for any violation of the terms of this
15 Consent Order.
- 16 4. Respondent understands that failure to comply with this Consent Order may be used as a
17 basis for the denial of future license, certificate, registration, or other applications, or for the
18 refusal to renew the same; for the suspension, revocation, or conditioning of a license,
19 certificate, or registration issued by the Division or other state agencies; and/or for any other
20 reason provided for in law.
- 21 5. Respondent understands that this Consent Order is a public record.
- 22 6. Respondent has read and fully understands the terms of this Consent Order, freely and
23 voluntarily consents to the entry of this Consent Order without any force or duress, and
24 expressly waives all rights to hearing or judicial review in this matter.
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7. Respondent understands that, upon signature of all parties, this Consent Order will be a Final Order.



It is so agreed this 1st day of MARCH, 2023.
Charles Cain, RMI owner of Platinum Electric Inc.

_____ for It is so agreed this _____ day of _____, 2023.
Chair
Electrical and Elevator Board
State of Oregon

BEFORE THE ELECTRICAL AND ELEVATOR BOARD OF THE STATE OF OREGON

IN THE MATTER OF:

AMENDED CONSENT ORDER

**BRYAN YOST,
AN INDIVIDUAL,**

RESPONDENT.

BCD CASE C2022-0115

INTRODUCTION

The Building Codes Division (“Division”) conducted an investigation on behalf of the Electrical and Elevator Board of the State of Oregon (“Board”) and determined that Bryan Yost (“Respondent”) violated certain provisions of the Division’s statutes and administrative rules as identified below.

The parties agree to resolve this matter without a hearing. Respondent understands that Respondent has the right to a contested case hearing under the Administrative Procedures Act, Oregon Revised Statutes (“ORS”) chapter 183, and Respondent fully and finally waives the right to a hearing and any judicial review therefrom by the signing of this Consent Order.

NOTE: The Division is amending the previous consent order in this matter to remove from the Findings of Fact and Conclusions of Law reference to the installation of low voltage wiring for a garage door opener. This change will not alter the amount of the penalty. Upon signature of both parties, this Consent Order will supersede the final order that was effective January 26, 2023.

FINDINGS OF FACT

1. On or about August 8, 2006, Platinum Electric Inc.¹ (“Platinum”) registered with the Oregon Secretary of State as a domestic business corporation.

a. At all relevant times, Charles Cain (“Cain”) was registered with SOS as the owner,

¹ See Division related case C2022-0095 against Platinum.

1 president, and registered agent of Platinum.

2 2. At all relevant times Platinum held Construction Contractors Board (“CCB”) license number
3 172027.

4 a. At all relevant times, Cain was registered with CCB as Platinum’s responsible
5 managing individual.

6 3. At all relevant times Platinum held Oregon electrical contractor’s license number C216.

7 a. At all relevant times, Daniel Mahar (“Mahar”)² was registered with the Division as
8 Platinum’s general signing supervisor.

9 b. At all relevant times, Mahar held general signing supervisor license number 3761S.

10 4. At all relevant times Respondent was employed by Platinum as a limited residential
11 electrician.

12 a. At all relevant times, Respondent’s Oregon limited residential electrician license
13 number 977LR was expired.³

14 5. At all relevant times, Platinum employed Jacob Brown⁴ (“Brown”) as an electrical
15 apprentice.

16 a. At all relevant times, Brown held apprentice agreement number 1275640.

17 6. At all relevant times, Platinum employed Ryley Barbour⁵ (“Barbour”) as an electrical
18 apprentice.

19 a. At all relevant times, Barbour held apprentice agreement number 1155849.⁶

20 7. On or about June 3, 2022, Brown and Barbour, on behalf of Platinum, performed rough-in
21 electrical installations under the supervision of Respondent at a residential property located
22 at 341 S. 7th Street, in Carlton, OR (“property”).

23 a. In addition to supervising Brown and Barbour, Respondent also performed rough-in

24 ² See Division related case C2022-0116 against Mahar.

³ Respondent’s LRE license expired on October 01, 2021, and Respondent did not renew it until August 30, 2022.

25 ⁴ See Division related case C2022-0114 against Brown.

⁵ See Division related case C2022-0113 against Barbour.

⁶ On or about June 22, 2022, Barbour was issued his limited residential electrician license (license number 1073LR).

1 electrical installations at the property, which included setting boxes and drilling
2 holes for electrical wiring in wall studs.

3 8. On the same day, Respondent was absent from the property to respond to a service call from
4 approximately 10:00 a.m. to 12:30 p.m., leaving Platinum’s apprentices unsupervised while
5 they were performing the following electrical installations at the property:

6 a. Brown installed flexible sheathed electrical cabling through the walls and ceilings,
7 and installed electrical outlet boxes for overhead light fixtures; and

8 b. Barbour installed flexible sheathed electrical cabling in the walls and ceilings of the
9 dwelling.

10 9. At all relevant times, neither Brown nor Barbour held an Oregon supervising electrician’s
11 license, journeyman electrician’s license, or limited residential electrician’s (“LRE”) license.

12 10. At all relevant times, neither Brown nor Barbour received supervision at a ratio of one (1)
13 apprentice to one (1) journey level worker.

14 11. At all relevant times, neither Brown nor Barbour were supervised by a journey level worker
15 with a valid Oregon electrical license.

16 **APPLICABLE LAW**

17 1. Definitions for terms used in this Consent Order may be found in ORS 183.310, ORS
18 455.010, ORS 479.530, ORS 479.905, Oregon Administrative Rule (“OAR”) 918-001-0005,
19 OAR 918-030-0010, and OAR 918-251-0090.

20 2. Under ORS 479.530(10), “Electrical installations” means the construction or installation of
21 electrical wiring and the permanent attachment or installation of electrical products in or on
22 any structure that is not itself an electrical product. “Electrical installation” also means the
23 maintenance or repair of installed electrical wiring and permanently attached electrical
24 products.

- 1 3. Under ORS 479.530(11), “Electrical product” means any electrical equipment, material,
2 device or apparatus that, except as provided in ORS 479.540, requires a license or permit to
3 install and either conveys or is operated by electrical current.
- 4 4. Under ORS 479.620(3), except as provided in ORS 479.620(5), a person may not make any
5 electrical installation without a supervising or journeyman electrician’s license.
- 6 5. Under ORS 479.620(4), a person may not perform work on an electrical installation as an
7 electrical apprentice without an electrical apprentice’s license.
- 8 6. Under ORS 479.620(5), a person may not make any electrical installation on a single or
9 multifamily dwelling unit not exceeding three floors above grade, as provided in ORS
10 479.630(14), without a LRE license.
- 11 7. Under ORS 660.010, as used in ORS 660.002 to 660.210, unless the context requires
12 otherwise: (1) “Apprentice” means a worker who is at least 16 years of age, except when a
13 higher minimum age is otherwise required by law and who is employed to learn an
14 apprenticeable occupation under standards of apprenticeship approved by the State
15 Apprenticeship and Training Council and under an apprenticeship agreement recognized by
16 the council.
- 17 8. Under ORS 660.126(1)(f), apprenticeship standards shall contain a statement of the
18 minimum numeric ratio of journeyworkers to apprentices consistent with proper supervision,
19 training, safety and continuity of employment, which shall be specifically and clearly stated
20 as to application in terms of job site, workforce, department or plant.
- 21 9. Under OAR 918-030-0010(11), “Valid” license means a license issued by either the
22 appropriate board or division that has not expired and has not been suspended.
- 23 10. Under OAR 918-030-0230(1), a licensee who fails to renew a license must not perform
24 work requiring the expired license.
- 25

1 11. Under OAR 918-282-0270(1)(c), an apprentice may assist an appropriately licensed
2 electrician on the same job site and the same shift in performing electrical work authorized
3 in the trade, or branch of the trade, in which the licensee is registered.

4 12. Under OAR 918-282-0270(2), apprentice licenses issued under sections (3)(a), (4), or (5) of
5 this rule are issued and renewed by the Oregon Bureau of Labor and Industries according to
6 standards established in this rule and the guidelines established by the Bureau of Labor and
7 Industries and the Division.

8 13. Under OAR 918-282-0120(1), no person or entity shall allow any individual to perform
9 electrical work for which the individual is not properly registered or licensed.

10 14. Under OAR 839-011-0143(5), for occupations where a minimum guideline standard is not
11 in place, local committees are expected to meet the following apprentice to journey level
12 ratios:

- 13 a. Construction trades: Not more than one apprentice for the first journey worker on
14 the job site. Additional apprentices are authorized at the ratio of one apprentice for
15 each three additional journey workers on the job site. (Expressed hereafter as 1:1,
16 1:3);
- 17 b. Industrial trades and fixed-site facilities: 1:1, 1:2;
- 18 c. Other trades (non-traditional and new and emerging occupations): 1:1, 1:1;
- 19 d. Committees wishing a less restrictive ratio must submit a request to the Council for
20 consideration, along with information including but not limited to:⁷
 - 21 i. Specific workforce demographics justifying a different ratio;
 - 22 ii. Plan to monitor effects of the ratio on the safety and continuity of
23 employment for apprentices; and

24 ⁷ Per the Standards of Apprenticeship Adopted by the Oregon Limited Residential Electrician MGSC,
25 https://www.oregon.gov/boli/apprenticeship/Minimum%20Standards/8015_0159.1.pdf (page 21), the Oregon State
Apprenticeship and Training Council approved a ratio of one (1) apprentice to the first one (1) journey-level worker on
the jobs. Additional apprentices are authorized at a ratio of one (1) apprentice for each additional one (1) journey-level
worker.

1 electrician's license, or LRE license, Brown and Barbour violated ORS 479.620(3), (4), and
2 (5).

3 8. By allowing Brown and Barbour to perform the aforementioned electrical installations at the
4 property outside the scope of their apprentice license, and without a supervising electrician's
5 license, journeyman electrician's license, or LRE license, Respondent violated OAR 918-
6 282-0120(1).

7 9. Under OAR 918-030-0230(1), Respondent was not allowed to perform rough-in electrical
8 installations at the property with an expired LRE license.

9 10. By performing rough-in electrical installations at the property without a valid LRE license,
10 and without a supervising or journeyman electrician's license, Respondent violated ORS
11 479.620(3) and ORS 479.620(5).

12 ORDER

13 1. The Board hereby assesses a total civil penalty of \$4,000.00 against Respondent for
14 violating 479.620(3), ORS 479.620(5), and OAR 918-282-0120(1) as follows:

15 a. \$3,500.00 of the total civil penalty will be suspended for a period of five years if
16 there is compliance with all other terms of this Consent Order.

17 b. Respondent agrees to pay, and has paid the remaining \$500.00 of the civil penalty in
18 a lump sum payment.

19 c. Respondent understands the suspended civil penalty (\$3,500.00) will be considered
20 satisfied five years after this Consent Order becomes a final order, provided
21 Respondent complies with its terms and has not committed any further violations of
22 the Division's statutes and rules within that five-year period. Respondent
23 understands and agrees that upon a showing that Respondent has not complied with
24 the terms of this Consent Order or that Respondent has committed any further
25 violations of the Division's statutes or rules within the five-year period, the entire

1 civil penalty, including any suspended amount, will become due and payable. Failure
2 to comply with this Consent Order includes, but is not limited to, failure to pay the
3 civil penalty amount due by the due date.

4 2. Respondent agrees to fully cooperate with the Division's enforcement efforts in other cases
5 that rely on the facts underlying this case. Cooperation may include, but may not be limited
6 to, making sworn statements or testifying in administrative hearings.

7 3. Respondent understands that further enforcement action may be taken for any violation of
8 the Division's statutes or rules not alleged in this Consent Order, whether committed before
9 or after the execution of this Consent Order, and for any violation of the terms of this
10 Consent Order.

11 4. Respondent understands that failure to comply with this Consent Order may be used as a
12 basis for the denial of future license, certificate, registration, or other applications, or for the
13 refusal to renew the same; for the suspension, revocation, or conditioning of a license,
14 certificate, or registration issued by the Division or other state agencies; and/or for any other
15 reason provided for in law.

16 5. Respondent understands that this Consent Order is a public record.

17 6. Respondent has read and fully understands the terms of this Consent Order, freely and
18 voluntarily consents to the entry of this Consent Order without any force or duress, and
19 expressly waives all rights to hearing or judicial review in this matter.

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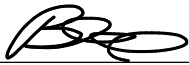
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1 7. Respondent understands that, upon signature of all parties, this Consent Order will be a
2 Final Order.

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4  It is so agreed this 1 day of March, 2023.
5 Bryan Yost

6 _____ for It is so agreed this ____ day of _____, 2023.
7 Chair
8 Electrical and Elevator Board
9 State of Oregon
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BEFORE THE ELECTRICAL AND ELEVATOR BOARD OF THE STATE OF OREGON

IN THE MATTER OF:

AMENDED CONSENT ORDER

**DANIEL MAHAR,
AN INDIVIDUAL,**

RESPONDENT.

BCD CASE C2022-0116

INTRODUCTION

The Building Codes Division (“Division”) conducted an investigation on behalf of the Electrical and Elevator Board of the State of Oregon (“Board”) and determined that Daniel Mahar (“Respondent”) violated certain provisions of the Division’s statutes and administrative rules as identified below.

The parties agree to resolve this matter without a hearing. Respondent understands that Respondent has the right to a contested case hearing under the Administrative Procedures Act, Oregon Revised Statutes (“ORS”) chapter 183, and Respondent fully and finally waives the right to a hearing and any judicial review therefrom by the signing of this Consent Order.

NOTE: The Division is amending the previous consent order in this matter to remove from the Findings of Fact and Conclusions of Law reference to the installation of low voltage wiring for a garage door opener. This change will not alter the amount of the penalty. Upon signature of both parties, this Consent Order will supersede the final order that was effective January 26, 2023.

FINDINGS OF FACT

1. On or about August 8, 2006, Platinum Electric Inc.¹ (“Platinum”) registered with the Oregon Secretary of State as a domestic business corporation.
 - a. At all relevant times, Charles Cain (“Cain”) was registered with SOS as the owner,

¹ See Division related case C2022-0095 against Platinum.

1 president, and registered agent of Platinum.

2 2. At all relevant times Platinum held Construction Contractors Board (“CCB”) license number
3 172027.

4 a. At all relevant times, Cain was registered with CCB as Platinum’s responsible
5 managing individual.

6 3. At all relevant times Platinum held Oregon electrical contractor’s license number C216.

7 a. At all relevant times, Respondent was registered with the Division as Platinum’s
8 general signing supervisor.

9 b. At all relevant times, Respondent held general signing supervisor license number
10 3761S.

11 4. At all relevant times Bryan Yost² (“Yost”) was employed by Platinum as a limited
12 residential electrician.

13 a. At all relevant times, Yost’s Oregon limited residential electrician license number
14 (977LR) was expired.³

15 5. At all relevant times, Platinum employed Jacob Brown⁴ (“Brown”) as an electrical
16 apprentice.

17 a. At all relevant times, Brown held apprentice agreement number 1275640.

18 6. At all relevant times, Platinum employed Ryley Barbour⁵ (“Barbour”) as an electrical
19 apprentice.

20 a. At all relevant times, Barbour held apprentice identification number 1155849.⁶

21 7. On or about June 3, 2022, Brown and Barbour, on behalf of Platinum, performed rough-in
22 electrical installations under the supervision of Yost at a residential property located at 341
23 S. 7th Street, in Carlton, OR (“property”).

24 ² See Division related case C2022-0115 against Yost.

25 ³ Yost’s LRE license expired on October 01, 2021, and Yost did not renew it until August 30, 2022.

⁴ See Division related case C2022-0114 against Brown.

⁵ See Division related case C2022-0113 against Barbour.

⁶ On or about June 22, 2022, Barbour was issued his limited residential electrician license (license number 1073LR).

- 1 a. In addition to supervising Brown and Barbour, Yost also performed rough-in
2 electrical installations at the property, which included setting boxes and drilling
3 holes for electrical wiring in wall studs.
- 4 8. On the same day, Yost was absent from the property to respond to a service call from
5 approximately 10:00 a.m. to 12:30 p.m., leaving Platinum's apprentices unsupervised while
6 they were performing the following electrical installations at the property:
- 7 a. Brown installed flexible sheathed electrical cabling through the walls and ceilings,
8 and installed electrical outlet boxes for overhead light fixtures; and
- 9 b. Barbour installed flexible sheathed electrical cabling in the walls and ceilings of the
10 dwelling.
- 11 9. On or about August 25, 2022, in an interview with Russ Darling, Division Investigator
12 regarding the aforementioned unlicensed electrical installations, Respondent acknowledged
13 the following:
- 14 a. He had never been to the property;
- 15 b. It was improper for Yost to leave both apprentices unsupervised and that Yost
16 supervising two apprentices was out of ratio; and
- 17 c. He was unaware that Yost's limited residential electrician's ("LRE") license was
18 expired at the time of the installations.
- 19 10. At all relevant times, neither Brown nor Barbour held an Oregon supervising electrician's
20 license, journeyman electrician's license, or LRE license.
- 21 11. At all relevant times, neither Brown nor Barbour received supervision at a ratio of one (1)
22 apprentice to one (1) journey level worker.
- 23 12. At all relevant times, neither Brown nor Barbour were supervised by a journey level worker
24 with a valid Oregon electrical license.

25 ///

APPLICABLE LAW

- 1
2 1. Definitions for terms used in this Consent Order may be found in ORS 183.310, ORS
3 455.010, ORS 479.530, ORS 479.905, Oregon Administrative Rule (“OAR”) 918-001-0005,
4 OAR 918-030-0010, and OAR 918-251-0090.
- 5 2. Under ORS 479.530(10), “electrical installations” means the construction or installation of
6 electrical wiring and the permanent attachment or installation of electrical products in or on
7 any structure that is not itself an electrical product. “Electrical installation” also means the
8 maintenance or repair of installed electrical wiring and permanently attached electrical
9 products.
- 10 3. Under ORS 479.530(11), “electrical product” means any electrical equipment, material,
11 device or apparatus that, except as provided in ORS 479.540, requires a license or permit to
12 install and either conveys or is operated by electrical current.
- 13 4. Under ORS 479.620(3), except as provided in ORS 479.620(5), a person may not make any
14 electrical installation without a supervising or journeyman electrician’s license.
- 15 5. Under ORS 479.620(4), a person may not perform work on an electrical installation as an
16 electrical apprentice without an electrical apprentice’s license.
- 17 6. Under ORS 479.620(5), a person may not make any electrical installation on a single or
18 multifamily dwelling unit not exceeding three floors above grade, as provided in ORS
19 479.630(14), without a LRE license.
- 20 7. Under ORS 660.010, as used in ORS 660.002 to 660.210, unless the context requires
21 otherwise: (1) “Apprentice” means a worker who is at least 16 years of age, except when a
22 higher minimum age is otherwise required by law and who is employed to learn an
23 apprenticeable occupation under standards of apprenticeship approved by the State
24 Apprenticeship and Training Council and under an apprenticeship agreement recognized by
25 the council.

- 1 8. Under ORS 660.126(1)(f), apprenticeship standards shall contain a statement of the
2 minimum numeric ratio of journeymen to apprentices consistent with proper supervision,
3 training, safety and continuity of employment, which shall be specifically and clearly stated
4 as to application in terms of job site, workforce, department or plant.
- 5 9. Under OAR 918-030-0010(11), “valid” license means a license issued by either the
6 appropriate board or division that has not expired and has not been suspended.
- 7 10. Under OAR 918-030-0230(1), a licensee who fails to renew a license must not perform
8 work requiring the expired license.
- 9 11. Under OAR 918-282-0270(1)(c), an apprentice may assist an appropriately licensed
10 electrician on the same job site and the same shift in performing electrical work authorized
11 in the trade, or branch of the trade, in which the licensee is registered.
- 12 12. Under OAR 918-282-0270(2), apprentice licenses issued under sections (3)(a), (4), or (5) of
13 this rule are issued and renewed by the Oregon Bureau of Labor and Industries according to
14 standards established in this rule and the guidelines established by the Bureau of Labor and
15 Industries and the Division.
- 16 13. Under OAR 918-282-0120(1), no person or entity shall allow any individual to perform
17 electrical work for which the individual is not properly registered or licensed.
- 18 14. Under OAR 918-282-0140(2), a general signing supervising electrician when working for or
19 as an electrical contractor must: (f) ensure electricians have proper licenses for the work
20 performed, and may not permit either by assent or failure to prevent, an individual to
21 perform work for which they are not properly licensed.
- 22 15. Under OAR 839-011-0143(5), for occupations where a minimum guideline standard is not
23 in place, local committees are expected to meet the following apprentice to journey level
24 ratios:
25

- 1 a. Construction trades: Not more than one apprentice for the first journey worker on
2 the job site. Additional apprentices are authorized at the ratio of one apprentice for
3 each three additional journey workers on the job site. (Expressed hereafter as 1:1,
4 1:3);
- 5 b. Industrial trades and fixed-site facilities: 1:1, 1:2;
- 6 c. Other trades (non-traditional and new and emerging occupations): 1:1, 1:1;
- 7 d. Committees wishing a less restrictive ratio must submit a request to the Council for
8 consideration, along with information including but not limited to:⁷
- 9 i. Specific workforce demographics justifying a different ratio;
- 10 ii. Plan to monitor effects of the ratio on the safety and continuity of
11 employment for apprentices; and
- 12 iii. Comparison of completion rate to statewide average for occupation.

13 16. Under OAR 839-011-0143(6), in licensed trades, an apprentice must be supervised by a
14 journey worker in the same or higher license classification than the apprentice, unless the
15 local committee that the apprentice is registered to has approved supervision by a journey
16 worker holding a license covering the specific work being performed by the apprentice on
17 the job site.

18 CONCLUSIONS OF LAW

- 19 1. Sheathed electrical cabling and electrical outlet boxes constitute electrical products under
20 ORS 479.530(11).
- 21 2. Installing sheathed electrical cabling and electrical outlet boxes constitute an electrical
22 installation under ORS 479.530(10).
- 23

24 ⁷ Per the Standards of Apprenticeship Adopted by the Oregon Limited Residential Electrician MGSC,
25 https://www.oregon.gov/boli/apprenticeship/Minimum%20Standards/8015_0159.1.pdf (page 21), the Oregon State
Apprenticeship and Training Council approved a ratio of one (1) apprentice to the first one (1) journey-level worker on
the jobs. Additional apprentices are authorized at a ratio of one (1) apprentice for each additional one (1) journey-level
worker.

- 1 3. Under OAR 839-011-0143(5) and (6), Brown and Barbour were not allowed to perform the
2 aforementioned electrical installations without the supervision of a journey level worker.
- 3 4. Under OAR 839-011-0143(5), Brown and Barbour, as apprentices, required supervision at a
4 ratio of one (1) apprentice to one (1) journey level worker.
- 5 5. Under OAR 839-011-0143(6), Brown and Barbour, as apprentices, required supervision
6 under a journey level worker holding a valid license.
- 7 6. By performing the aforementioned electrical installations at the property without the
8 appropriate ratio of apprentices to journey level workers, without the supervision of a
9 journey level worker holding a valid Oregon electrician's license, and by failing to cease
10 performing electrical installations when Yost left the property, Brown and Barbour, acted
11 outside the scope of their apprentice licenses, under OAR 839-011-0143(5) and (6).
- 12 7. By performing the aforementioned electrical installations at the property outside the scope
13 of their apprentice licenses, Brown and Barbour violated ORS 479.620(3), (4), and (5).
- 14 8. By permitting, either by assent or failure to prevent, Brown and Barbour to perform the
15 aforementioned electrical installations at the property, for which they were not properly
16 licensed, Respondent violated OAR 918-282-0140(2)(f).
- 17 9. Under OAR 918-030-0230(1), Yost was not allowed to perform rough-in electrical
18 installations at the property with an expired LRE license.
- 19 10. By performing rough-in electrical installations at the property without a valid LRE license,
20 and without a supervising or journeyman electrician's license, Yost violated ORS
21 479.620(3) and ORS 479.620(5).
- 22 11. By permitting, either by assent or failure to prevent, Yost to perform the aforementioned
23 electrical installations at the property, for which he was not properly licensed, Respondent
24 violated OAR 918-282-0140(2)(f).

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ORDER

1. The Board hereby assesses a total civil penalty of \$6,000.00 against Respondent for violating OAR 918-282-0140(2)(f) as follows:
 - a. \$5,000.00 of the total civil penalty will be suspended for a period of five years if there is compliance with all other terms of this Consent Order.
 - b. Respondent agrees to pay, and has paid the remaining \$1,000.00 of the civil penalty in a lump sum payment.
 - c. Respondent understands the suspended civil penalty (\$5,000.00) will be considered satisfied five years after this Consent Order becomes a final order, provided Respondent complies with its terms and has not committed any further violations of the Division’s statutes and rules within that five-year period. Respondent understands and agrees that upon a showing that Respondent has not complied with the terms of this Consent Order or that Respondent has committed any further violations of the Division’s statutes or rules within the five-year period, the entire civil penalty, including any suspended amount, will become due and payable. Failure to comply with this Consent Order includes, but is not limited to, failure to pay the civil penalty amount due by the due date.
2. Respondent agrees to fully cooperate with the Division’s enforcement efforts in other cases that rely on the facts underlying this case. Cooperation may include, but may not be limited to, making sworn statements or testifying in administrative hearings.
3. Respondent understands that further enforcement action may be taken for any violation of the Division’s statutes or rules not alleged in this Consent Order, whether committed before or after the execution of this Consent Order, and for any violation of the terms of this Consent Order.
4. Respondent understands that failure to comply with this Consent Order may be used as a

1 basis for the denial of future license, certificate, registration, or other applications, or for the
2 refusal to renew the same; for the suspension, revocation, or conditioning of a license,
3 certificate, or registration issued by the Division or other state agencies; and/or for any other
4 reason provided for in law.

5 5. Respondent understands that this Consent Order is a public record.

6 6. Respondent has read and fully understands the terms of this Consent Order, freely and
7 voluntarily consents to the entry of this Consent Order without any force or duress, and
8 expressly waives all rights to hearing or judicial review in this matter.

9 7. Respondent understands that, upon signature of all parties, this Consent Order will be a

10 Final Order.

11 Dan Mahar It is so agreed this 1 day of MARCH, 2023.
12 Daniel Mahar

13
14 _____ for It is so agreed this ____ day of _____, 2023.
15 Chair
16 Electrical and Elevator Board
17 State of Oregon
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STATE OF OREGON

Building Codes Division: Supporting Affordable Housing in Oregon



Growing the supply of affordable, safe, and efficient housing in Oregon is important to increasing access to housing and supporting economic development. The lack of affordable housing is a statewide issue, and addressing it requires an all-hands-on-deck approach across all levels of government, using every tool in the tool belt. The role of the Oregon Building Codes Division (BCD) in affordable housing is primarily focused on ensuring a safe built environment for the occupants of buildings. BCD coordinates with local government and other state agencies to get in front of potential issues and minimize effects, create solutions, and ensure that the inspection process operates in a timely and efficient manner. This proactive approach keeps projects on schedule and costs down.

Many different aspects of government from local planning and zoning to land use and utilities to state building codes affect the construction of new housing in Oregon. BCD works with its advisory boards and

industry stakeholders to ensure that when a project is ready to start construction the required skilled labor is trained and available. Oregon's building code system is designed to efficiently get a project from having a building permit issued to being occupied by its new tenant.

BCD's advisory boards and staff members work hard to create a flexible, product-agnostic building code that supports contractor's ability to innovate with new technology and techniques to maintain reasonable safeguards for health and safety without being restricted by overly burdensome codes and regulations. BCD staff members also provide consultation and expertise to help local jurisdictions and contractors resolve code questions to keep projects moving forward. This paper is intended to explain how BCD supports affordable housing construction.

State building code

Oregon has adopted a state building code that is composed of individual specialty codes. These specialty codes create the foundation for the Oregon code system and bring together stakeholders as well as state and local governments to create a code that protects safety while allowing for affordable development.



Predictability

The Oregon building code applies equitably across all areas of the state. This statewide system creates predictability and consistency for contractors, inspectors, and workers. Predictability and consistency help keep costs down, increase code compliance, simplify training, and decrease the barriers to entry for the construction industry.

Industry stakeholders

Industry stakeholders, including contractors, engineers, architects, inspectors, labor, and manufacturers participate in the creation of the state building code. The involvement of these industry stakeholders creates industry buy in, as well as support for the code. By including a wide range of stakeholders in the process, the resulting code is balanced between safety, efficiency, and affordability.

Mini-maxi code

The code does not require a one-size fits all approach to construction. It sets minimum standards that allow freedom and creativity for architects, engineers, and designers to choose the products and methods that work best for a project. These code standards are the maximum standard that can be enforced by a jurisdiction while setting a minimum standard that contractors must build to. This creates a consistent minimum standard statewide, providing consistency and predictability, while allowing the flexibility and freedom for customers to exceed minimum code standards if they choose. The code also builds in flexibility for building officials to allow for different approaches that get to the same level of safety.

Statewide programs

BCD administers several statewide programs including the elevator and boiler inspection programs. By administering these specialty programs at the state level, local jurisdictions don't have to staff a program with a relatively low volume of inspections but which require a high level of expertise and specialized skill. This system helps keep staffing costs down for the local jurisdiction as well as providing timely inspections to builders. These savings and efficiencies are reflected in lower permit and inspection costs.

Oregon ePermitting and technology

BCD also provides its Oregon ePermitting system to jurisdictions that want to participate. This system allows any local jurisdiction in Oregon to offer permitting and inspection scheduling services online, increasing the efficiency and effectiveness of the building permit system. BCD can leverage its statewide reach and increased bargaining power with software vendors to offer the ePermitting system to smaller jurisdictions more affordably than what each small jurisdiction could achieve independently. With the statewide ePermitting system available, jurisdictions can avoid the unnecessary time and expense associated with running a local system. Additionally, contractors have a simplified experience of being able to use one system across the state. The ePermitting system also allows BCD to look for ways to use new technology to improve how inspections are performed, including live video inspections. Video inspections can reduce the amount of travel time needed for an inspector, reducing the cost of inspections as well as increasing the efficiency of the inspector.



Administration of the state building code and delegation to local jurisdictions

Oregon law authorizes the division to administer and oversee the individual programs that make up the state building code. These standards are then implemented at the local level by jurisdictions that have applied for, and have been delegated, a local building inspection program. Once a local jurisdiction has been delegated a program, BCD partners with that program to ensure a consistent and predictable code inspection program is available throughout the state. This system ensures a uniform approach throughout Oregon, while providing flexible local control to resolve issues on the ground by the people most impacted by a project. This relationship creates a cost effective and efficient regulatory environment throughout the state.

Predictable, timely service

Building construction projects are planned and budgeted well in advance, and predictability in service timelines and delivery supports keeping projects moving as planned and budgeted. This includes predictable hand offs between departments with effective communication to customers. By having a consistent statewide code, industry does not have to learn a new code standard every time they take on a project in a different part of the state. Local building departments also benefit by being able to focus on processing permits, plan reviews, and performing inspections, without the need for additional staff to promulgate or update code standards.

Value added plan review and inspection

Value added plan reviews and inspections are safety focused, solution oriented, and identify any issues early in the process, avoiding the expense of rework. The code is designed to allow customer choice and be flexible. Building departments that support affordable housing use this flexibility and customer choice while maintaining a commitment to safety, efficiency, and durability.

Reasonable fees dedicated to building department services

Permit fees are required to follow a statewide methodology, and are intended to be designed to be as low as possible while maintaining the quality ongoing service levels for a local jurisdiction's needs. Building department fees are legally required to be dedicated to building department functions, and using building department fees to subsidize other government functions is an impediment to affordable housing and economic development. It is best to keep a healthy building department reserve, recommended to be 18 months or more, to be prepared to weather fluctuations in building activity, as a downturn in permit revenue does not always mean a downturn in the demand for services. In previous economic downturns, while the value of permits went down, the service demand stayed steady or even increased. Many building departments have not fully recovered from the 2008 recession because of the challenges recruiting qualified personnel, after they were laid off during the recession. Additionally, while construction activity tends to be affected and slow down before a broader economic downturn, it is also usually one of the first sectors to experience a rebound. Regulating a sector of the economy that can be out of sync with larger economic trends reinforces the need for dedicated building department funds and responsible fiscal management.

Best practices and process improvements

Each jurisdiction faces their own set of challenges; however, increased communication and information sharing between jurisdictions can help identify what is working and how some best practices and process improvements could be implemented in other jurisdictions. It is also true that jurisdictions face some of the same issues, such as fee schedules and dedicated funds for programs. Established guidelines and best practices help jurisdictions plan and manage their programs efficiently while being positioned to respond to economic changes.

Skilled labor

BCD and the Board of Boiler Rules, Electrical and Elevator Board, and the State Plumbing Board are responsible for the licensure of their respective trades and the enforcement of Oregon's licensing laws. BCD also trains and certifies Oregon building officials, inspectors, and plans examiners.



Labor supply

There are multiple paths to obtain a license in Oregon, including paths for out of state applicants. Training requirements vary greatly from state to state, and the codes that states use do not always align with Oregon. The boards have developed license application requirements that balance the need for a sufficient skilled labor pool with the need for license holders to be competent and able to perform safe installations at a high level of workmanship. These standards ensure that Oregonians get quality work that can last the lifespan of the building and get exceptional value for their money. Skilled labor trained inside Oregon is accomplished through apprenticeships overseen by the Bureau of Labor and Industries (BOLI). BCD and the licensing boards coordinate with BOLI to ensure that what an apprentice learns matches the license requirements of the board. These license qualification standards are the basis for the license qualifications that out of state applicants must meet, ensuring that licensed workers in Oregon have the same level of skill and training. Having multiple paths allows for individuals trained inside and outside of Oregon a way to become licensed in Oregon.

License paths

- Oregon apprenticeship path
- License reciprocity path for equivalent training and testing states
- Out of state equivalent apprenticeship standards path
- Double hours path for non-equivalent apprenticeship states

Inspectors

Skilled inspectors help maintain code compliance and keep projects moving efficiently. Without an adequate inspection workforce, construction standards can suffer leading to long term problems and delays in getting inspections scheduled and performed. These delays can increase the time it takes to finish a construction project as well as directly increase the associated costs.

Inspector training

Currently, the inspection workforce faces an increasing labor shortage as existing inspectors retire. The division is focused on training the next generation of inspectors and provides inspector training to an average of 320 individuals every year for nine different certifications. This system also creates consistency by having all inspectors trained by the same set of state experts, leading to more consistent code interpretations and inspections.

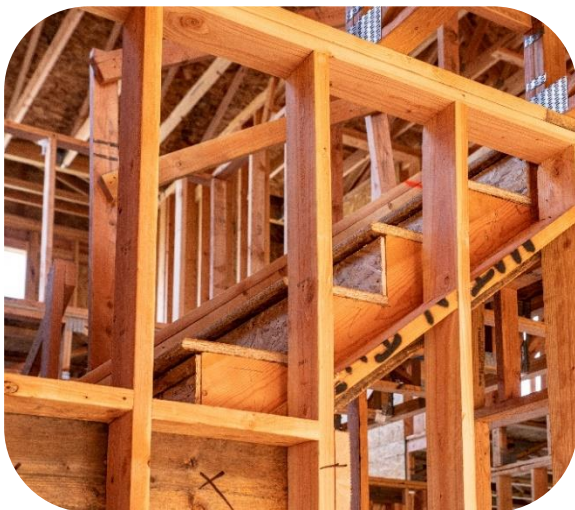
BCD also provides cross-training for residential and light commercial inspectors. This makes each inspector more efficient. Allowing for a single cross-trained inspector to inspect electrical, plumbing, and structural/mechanical elements of a house at the same time speeds up the inspection process and reduces cost.

Code change

The division also provides ongoing education to existing inspectors, plans examiners and building officials. These trainings are based on recent code changes, current topics and issues facing the industry, as well as best practice fundamentals. Having the experts that develop the code train the statewide inspection workforce on the code changes leads to more consistent and predictable code enforcement.

Mutual aid

Together with a uniform code standard, uniform training standards provide local jurisdictions the ability to request plan review and inspection assistance from nearby jurisdictions and BCD. This labor flexibility can be needed when a jurisdiction experiences a surge in demand, or when it unexpectedly has a lack of staff. Being able to offer mutual aid allows jurisdictions to keep their projects moving, while not having to carry the added expense of unused labor capacity.



Methods of construction

The state building code allows for multiple methods of construction within the same overall state framework. This flexibility puts all potential methods on the table allowing contractors and consumers to choose the one that makes the most sense for each individual project.

Site-built construction

The most common method of construction, site-built construction is when buildings are constructed from the ground up on the site where the building will be finished. Labor, materials, and equipment are transported to the site and the building is constructed to the state building code. Permits and inspections are performed by the local jurisdiction that has been delegated authority to administer the state building code.

Prefabricated construction

An alternative method is prefabricated construction. Labor and materials are located in factories where entire buildings, modular components, or specific parts of a structure are constructed and then shipped to their final location. Once at the final location, the process of combining the separate pieces is completed, and the building is secured to its foundation. Code standards are the same as any site-built building in Oregon.

The division provides plan review and inspection services for prefabricated construction creating additional efficiencies by removing the need for a builder to work and coordinate with multiple jurisdictions for plan review, inspection, and installation. The division works with prefab factories to ensure that inspections are performed, and that Oregon code is being followed. Inspections are performed in person as well as through live virtual inspections allowing for manufacturers located out of state to sell their products to Oregon consumers. These structures are all built to Oregon code regardless of where they are manufactured.

Manufactured homes

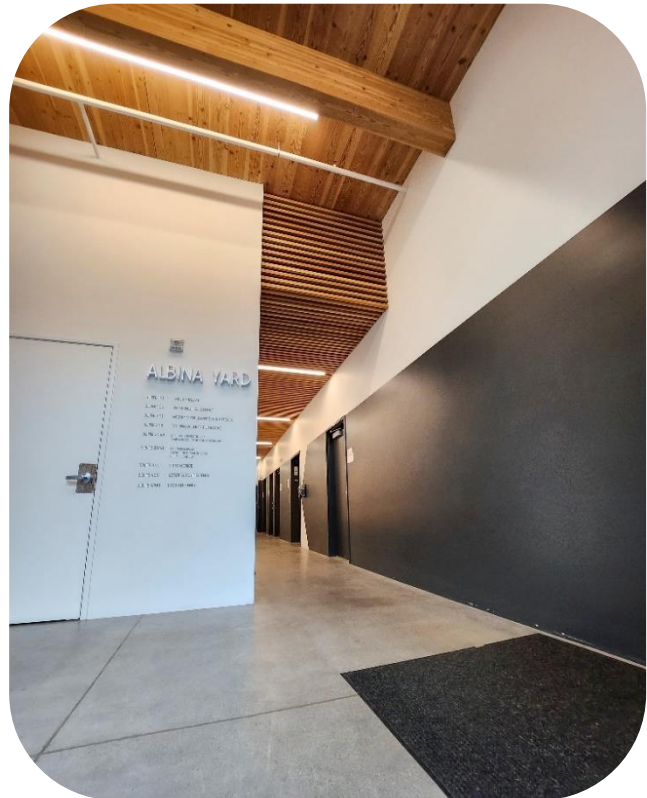
The division administers the manufactured home program in Oregon on behalf of the federal government. These homes are built to federal standards promulgated by the Department of Housing and Urban Development (HUD). These structures are constructed throughout the country and are all built to the same HUD standard. Due to this being a federal program, Oregon code standards do not apply, and BCD does not have the authority to change federal standards or require manufactured homes in Oregon to meet Oregon code. Manufactured homes are inspected to the federal standards at the plant during construction. Local jurisdictions inspect and verify that the homes are properly secured and installed.

BCD at work

The state building code does not advocate for particular products or techniques. By being product neutral the code doesn't get in the way of innovation and new technology. Whatever comes next, the state building code is ready to accommodate it, while ensuring that buildings in Oregon are safe and efficient without creating barriers to affordability.

Cross-laminated timber

The division helped create and adopt some of the first building codes in the country to recognize cross-laminated timber and other mass wood construction techniques. By providing a recognized code path for additional materials and techniques builders can try new methods of construction without worrying about an undefined regulatory path. New techniques can lead to more efficient and cost-effective construction.



3D printing

The division is supporting efforts to build housing using 3D printers. Oregon's code system encourages these new approaches and methods. By having a statewide performance standard in code there is nothing that would prohibit or restrict a builder's ability to use a new technique or novel technology to meet that performance standard.

Middle housing

Middle housing includes many different housing types and strategies related to increasing housing density and adaptive reuse of existing housing stock. The building code is designed to be a responsive and flexible tool to allow for any kind of development. The code has specific safety standards that need to be considered when increasing the housing density of existing building stock. Code and administrative rule also provides local building officials significant discretion when determining what standards can be waived or complied with through alternative methods without compromising core safety principles.

Adaptive reuse

Adaptive reuse of buildings is when existing building stock is modified to be used for a different purpose than originally constructed. This principle allows designers and contractors to be creative, and building officials to be flexible in making use of existing building stock. Adaptive reuse can be used to increase housing density, preserve historic buildings, and adapt existing building stock to current market demands without the need to demolish existing buildings. Ensuring that the existing building is safer than it was before renovation or new occupancy introduction is the primary intention. Absolute code compliance for existing buildings undergoing renovation is often technically infeasible or cost prohibitive, and is not commanded by the state building code. BCD has a dedicated staff member to assist local building departments with adaptive reuse projects who is available to conduct on-site walk-throughs. This service can help identify issues and solutions early and make adaptive reuse successful.

Minor label expansion

BCD has an existing minor label program that offers a cheaper permit that can be bought in bulk for simple or minor installations and repairs for electrical and plumbing contractors. Several years ago BCD, in partnership with the Electrical and Elevator Board, revised and expanded the scope of the electrical minor label program. The minor label system was then further expanded to also include mechanical installations. Minor labels is a successful program that helps reduce permitting fees and saves time and money for contractors and consumers.

Contractor hub for mapped risks

The state building code must account for multiple kinds of risks when designing a building. These risks vary based on geographic location and include things such as wind loads, snow loads, and seismic risks that a building must be able to safely withstand. These maps are developed and located at various federal or local agencies requiring designers and contractors to go to multiple places to get the information. BCD is in the process of developing a single resource where all this information can be combined, simplifying the process to obtain the information. Additionally, this single resource will be adaptable and able to accommodate additional risks as they become mapped, such as a wildfire risk map.



Conclusion

BCD in partnership with its stakeholders and other government agencies has created a unique, highly effective building code system that supports affordable housing. The system ensures safe construction while balancing the need for efficient and affordable buildings. This balancing act is achieved by working directly with industry stakeholders, through the seven advisory boards, and by creating a consistent and predictable regulatory environment. By having one consistent statewide code training, inspection, and compliance system costs are reduced. These savings are reflected both by industry through a consistent and predictable regulatory environment, as well as at the state level by being able to provide uniform guidance throughout the state. Additionally, the code creates a set of safety standards, and avoids endorsing a specific product or method. This allows not only for significant local flexibility, but also adaptability for future innovations. These benefits working together create a building code system that is nimble and well-positioned to respond to market needs while maintaining safety.

State of Oregon

Board memo

Building Codes Division

March 23, 2023

To: The Electrical and Elevator Board

From: Ian Paik, policy analyst, Policy and Technical Services

Subject: 2023 Oregon Electrical Specialty Code Review Committee recommendation regarding adoption of the 2023 National Electric Code with Oregon amendments.

Action requested:

The board review and approve the provisions of the 2023 Oregon Electrical Specialty Code (OESC) and recommend the Administrator proceed with rulemaking.

Background:

At its July 28, 2022, board meeting, the Electrical & Elevator Board established that a code committee would be formed, and recommended the 2023 National Electric Code (NEC) as the model code for Oregon. The solicitation period for the code review committee members was open from August 15, 2022 to August 26, 2022. The public proposal period was open to submissions on proposed code changes from September 12, 2022 to October 30, 2022. At its September 22, 2022, board meeting, the Electrical and Elevator Board announced the members of the code review committee and selected a chair for the committee.

The OESC code review committee completed an analysis of the 2023 NEC changes, existing Oregon code amendments, statewide interpretations, public proposals, and alternate method rulings. Additional installation costs were also a consideration in the review and adoption process. The committee met six times beginning December 13, 2022, finalizing its recommendations to the board on January 24, 2023.

The electronic board packet includes the 2023 OESC committee matrix highlighting the draft changes to the amendments and the code review committee's recommendations. The matrix also includes a Table highlighting the existing Oregon amendments along with the recommended changes from the OESC code review committee.

Discussion:

The code review committee recommends that the board adopt the 2023 NEC as the base model code with amendments and forward the code to the Administrator for rulemaking and subsequent adoption.

Options:

- Approve the proposed code language and forward to the Administrator for rulemaking and subsequent adoption, with the finding that the added cost, if any, is necessary to the health and safety of the occupants or the public or necessary to conserve scarce resources.
- Amend and approve the proposed code language and forward to the Administrator for rulemaking and subsequent adoption, with the finding that the added cost, if any, is necessary to the health and safety of the occupants or the public or necessary to conserve scarce resources.
- Disapprove the committee's recommendation regarding the proposed code language, which would continue use of the 2021 OESC. For the record, include the reason for the disapproval in the motion.

Table 1-E
Effective Oct. 1, 2023

The 2023 Oregon Electrical Specialty Code (OESC) is based on the 2023 edition of the National Fire Protection Association (NFPA) 70, National Electrical Code (NEC), approved as an American National Standard on Sept. 1, 2022.

Table 1-E shows the adopted amendments to the 2023 NEC as referenced in OAR 918-305-0010(2)(a).

The amendments are denoted as follows:

- Added language to the 2023 NEC is shown in underline
- Deleted language to the 2023 NEC is shown in strikethrough with shading.

Language contained in the 2023 NEC not listed in this table has not been amended by Oregon. See **OAR 918-305-0030** for other codes or publications that may impact electrical installations.

NEC Section	Amendment language
90.4(C)	<p>Specific Requirements and Alternative Methods. By special permission, the authority having jurisdiction may waive specific requirements in this <i>Code</i> or permit alternative methods where it is assured that equivalent objectives can be achieved by establishing and maintaining effective safety.</p> <p><u>Requests for special permission shall be made in writing to the authority having jurisdiction. Special permission must be granted in writing by the authority having jurisdiction and shall be obtained prior to the start of the electrical installation.</u></p>
90.4(D)	<p>New Products, Constructions, or Materials. This <i>Code</i> may require new products, constructions, or materials that may not yet be available at the time the <i>Code</i> is adopted. In such event, the authority having jurisdiction may permit the use of the products, constructions, or materials that comply with the most recent previous edition of this <i>Code</i> adopted by the jurisdiction.</p> <p><u>Where the NEC requires electrical products to be “listed” or “labeled”, the words “listed” or “labeled” shall have the same meaning as “certified electrical product” under ORS 479.530.</u></p> <p><u>The occupancy classification and use designations shall be established in accordance with the <i>Oregon Structural Specialty Code (OSSC)</i>, as stated on the construction documents by the registered design professional and approved by the building official.</u></p> <p><u>The electrical datum plane as used throughout the OESC shall be the Design Flood Elevation as determined by the flood plain administrator in accordance with the <i>Oregon Structural Specialty Code (OSSC)</i> or <i>Oregon Residential Specialty Code (ORSC)</i> as applicable.</u></p>
90.5(C)	<p>Explanatory Material. Explanatory material, such as references to other standards, references to related sections of this Code, or information related to a Code rule, is included in this Code in the form of informational notes or an informative annex. Unless the standard reference includes a date, the reference is to be considered as the latest edition of the standard <u>effective on Oct. 1, 2023</u>. Such notes are informational only and are not enforceable as requirements of this Code.</p>
100	<p><u>Alcoves. An area extending from, and returning to, the common wall of hallways, foyers, entries, and landings with a depth of not less than 600 mm (2 ft) and a length of not less than 900 mm (3 ft). (210) (OESC)</u></p> <p>Critical Operations Data System. An information technology equipment system that has been designated by the building owner as requires requiring continuous operation for reasons of public safety, emergency management, national security, or business continuity.</p> <p>Dormitory Unit. A space in a building where group sleeping accommodations are provided in one room, or in a series of closely associated rooms, for persons not members of the same family group, under joint occupancy and single management, as in college dormitories, or fraternity houses. (Source OSSC) A building or a space in a building in which group sleeping accommodations are provided for more than 16 persons who are not members of the same family in one room, or a series of closely associated rooms, under joint occupancy and single management, with or without meals, but without individual cooking facilities.</p> <p>Electrical Datum Plane. A specified vertical distance above the normal high-water level at which electrical equipment can be installed and electrical connections can be made.</p> <p><u>Informational note: See OESC 90.4(D) for additional information.</u></p>

NEC Section	Amendment language
100—cont.	<p>Fire Protection System. <u>Approved devices, equipment and systems or combinations of systems used to detect a fire, activate an alarm, extinguish or control a fire, control or manage smoke and products of a fire or any combination thereof. (Source OSSC)</u></p>
	<p>Separate Branch Circuit. <u>A circuit dedicated solely for the purpose intended without other devices, systems or equipment connected to the circuit. (620) (OESC)</u></p>
	<p>Structure. <u>That which is built or constructed, other than equipment or a post(s) or pole(s) with an attached meter base.</u></p>
	<p>Servicing. <u>The process of following a manufacturer's set of instructions or applicable industry standards to analyze, adjust, or perform prescribed actions upon equipment with the intention to preserve or restore the operational performance of the equipment. The inspection, testing, or repair of used equipment with listed or recognized components. (OESC)</u></p>
110.3(A)	<p>Examination. ...</p> <p>(8) <u>Cybersecurity for network-connected life safety equipment to address its ability to withstand unauthorized updates and malicious attacks while continuing to perform its intended safety functionality. The permit holder is not required to demonstrate compliance with this list item.</u></p>
110.10	<p>Circuit Impedance; Short-Circuit Current Ratings, and Other Characteristics. ...</p> <p><u>Exception No. 1: A temporary service may be energized without demonstrating compliance with this section. This exception is applied at the discretion of the supervising electrician.</u></p> <p><u>Exception No. 2: Fault-current values provided by the serving utility may be used to satisfy the labeling requirements.</u></p>
110.14(D)	<p>Terminal Connection Torque. <u>Tightening torque values for terminal connections shall be as indicated on equipment or in installation instructions provided by the manufacturer. An approved means shall be used to achieve the indicated torque value. The permit holder is not required to demonstrate compliance with this section.</u></p>
110.17	<p>Servicing and Maintenance of Equipment. <u>Servicing and electrical preventive maintenance of used electrical equipment by means of inspection, testing or repair with listed or recognized components shall be permitted, performed by qualified persons trained in servicing and maintenance of equipment and shall comply with the following:</u></p> <p>(1) <u>The servicing and electrical preventive maintenance shall be performed in accordance with the original equipment manufacturer's instructions and information included in the listing information, applicable industry standards, or as approved by the authority having jurisdiction.</u></p> <p>(2) <u>The servicing and electrical preventive maintenance shall be performed using identified replacement parts that are verified under applicable product standards. The replacement parts shall comply with at least one of the following:</u></p> <p>a. <u>Be provided by the original equipment manufacturer</u></p> <p>b. <u>Be designed by an engineer experienced in the design of replacement parts for the type of equipment being serviced or maintained</u></p> <p>e. <u>Be approved by the authority having jurisdiction</u></p>
110.20	<p>Reconditioned Equipment. <u>Reconditioned equipment shall be permitted except where prohibited elsewhere in this Code. Equipment that is restored to operating condition shall be reconditioned with identified replacement parts, verified under applicable standards, that are either provided by the original equipment manufacturer, or that are designed by an engineer experienced in the design of replacement parts for the type of equipment being reconditioned, or selected by the supervising electrician.</u></p> <p><u>Informational Note No. 1: See ANSI EERS 2018.</u></p> <p><u>Informational Note No. 2: See 110.17 and definition of Servicing.</u></p>
110.22(A)	<p>General. ...</p> <p><u>Informational Note: The location of the circuit source may include panel name, circuit number, or other information necessary to help service personnel to locate the circuit source disconnecting means.</u></p>

NEC Section	Amendment language
110.24(A)	<p>Field Marking. ...</p> <p><i>Exception No. 1: A temporary service may be energized without demonstrating compliance with this section. This exception is applied at the discretion of the supervising electrician.</i></p> <p><i>Exception No. 2: Fault-current values provided by the serving utility may be used to satisfy the labeling requirements.</i></p>
110.24(B)	<p>Modifications. ...</p> <p><i>Exception: Not adopted by the State of Oregon.</i></p>
110.26(C)(3)	<p>Personnel Doors. Where equipment rated 800 amperes or more that contains overcurrent devices, switching devices, or control devices is installed <u>in structures other than one- and two-family dwellings and individual multifamily units</u> and there is a personnel door(s) intended for entrance to and egress from the working space less than 7.6 m (25 ft) from the nearest edge of the working space, the door(s) shall open at least 90 degrees in the direction of egress and be equipped with listed panic hardware or listed fire exit hardware.</p> <p><u>Informational Note: Additional construction requirements are located in Section 1010.1.10 of the OSSC. This section governs panic hardware listing and installation requirements. The following OSSC sections are not part of this code but are provided here for the reader's convenience.</u></p> <p><u>OSSC Section 1010.10.1</u></p> <p><u>Installation.</u> Where panic or fire exit hardware is installed, it shall comply with the following:</p> <ol style="list-style-type: none"> <u>1. Panic hardware shall be listed in accordance with UL 305.</u> <u>2. Fire exit hardware shall be listed in accordance with UL 10C and UL 305.</u> <u>3. The actuating portion of the releasing device shall extend not less than one-half of the door leaf width.</u> <u>4. The maximum unlatching force shall not exceed 15 pounds (67 N).</u> <p><u>OSSC Section 1010.1.10.2</u></p> <p><u>Balanced doors.</u> If balanced doors are used and panic hardware is required, the panic hardware shall be the push-pad type and the pad shall not extend more than one-half the width of the door measured from the latch side.</p>
110.26(D)	<p>Illumination. <u>Illumination of 10-foot candles average, measured at the floor,</u> shall be provided for all working spaces about service equipment, switchgear switchboards, switchgear, enclosed panelboards, or motor control centers installed indoors. Control by automatic means shall not be permitted to control all illumination within the working spaces. Additional lighting outlets shall not be required where the work space is illuminated by an adjacent light source or as permitted by 210.70(A)(1), Exception No. 1, for switched receptacles.</p>
110.31(A)(4)	<p>Locks. Doors shall be equipped with locks, and doors shall be kept locked, with access allowed only to qualified persons. Personnel doors shall open at least 90 degrees in the direction of egress and be equipped with listed panic hardware or listed fire exit hardware.</p> <p><u>Informational Note: See the OESC Section 110.26(C)(3) amendment.</u></p>
110.33(A)(3)	<p>Personnel Doors. Where there is a personnel door(s) intended for entrance to and egress from the working space less than 7.6 m (25 ft) from the nearest edge of the working space, the door(s) shall open at least 90 degrees in the direction of egress and be equipped with listed panic hardware or listed fire exit hardware.</p> <p><u>Informational Note: See the OESC Section 110.26(C)(3) amendment.</u></p>
210.8(A)	<p>Dwelling Units. All 125-volt, single-phase, through 250-volt 15- and 20-ampere receptacles installed in the following locations and supplied by single-phase branch circuits rated 150 volts or less to ground shall have ground-fault circuit-interrupter protection for personnel.</p> <p><i>Items (1) through (4) remain unchanged.</i></p> <ol style="list-style-type: none"> (5) <u>Unfinished portions or areas of basements not intended as habitable rooms</u> Basements (6) <u>Kitchens — where the receptacles are installed to serve the countertop surfaces</u> (7) <u>Areas with sinks and permanent provisions for food preparation, beverage preparation, or cooking</u> <u>Not adopted by the State of Oregon</u> <p><i>Items (8) through (12) and Exception No. (1) remain unchanged.</i></p>

NEC Section

Amendment language

210.8(A)— *Exception No. 2: A receptacle supplying only a permanently installed premises security system shall be permitted to omit ground-fault circuit-interrupter protection if the receptacle is labeled as “not GFCI protected.”*

Exceptions No. (3) and (4) remain unchanged.

Exception No. 5: For the locations in 210.8(A)(2), (5), (6), (8), and (11), GFCI protection shall not be required for a single receptacle serving an appliance or a duplex receptacle serving two appliances if all of the following conditions are met:

- a. The appliance is located within a dedicated space.*
- b. In normal use the appliance is not easily moved or is fastened in place.*
- c. The receptacle is labeled as “not GFCI protected.”*

Receptacle(s) installed under this exception shall not be considered as meeting the requirements of 210.52(C) and (G).

210.8(B) **Other than Dwelling Units.** All 125-volt, single-phase, through 250-volt 15- and 20-ampere receptacles supplied by single-phase branch circuits rated 150 volts or less to ground, 50 amperes or less, and all receptacles supplied by three-phase branch circuits rated 150 volts or less to ground, 100 amperes or less, installed in the following locations shall be provided with GFCI protection.

Items (1) through (14) and Exceptions (1) through (6) remain unchanged

Exception No. 7: GFCI protection shall not be required for a single receptacle installed in indoor locations serving aquariums and similar open aquatic vessels or containers if the receptacle is labeled as “not GFCI protected.”

Exception No. 8: GFCI protection shall not be required for a single receptacle serving an appliance or a duplex receptacle serving two appliances in laundry areas if all of the following conditions are met:

- a. The appliance is located within a dedicated space.*
- b. In normal use the appliance is not easily moved or is fastened in place.*
- c. The receptacle is labeled as “not GFCI protected.”*

210.8(C) **Crawl Space Lighting Outlets.** GFCI protection shall be provided for lighting outlets not exceeding 120 volts installed in crawl spaces at or below grade level.

210.8(D) **Specific Appliances.** GFCI protection for specific appliances shall be provided in accordance with 422.5. for the branch circuit or outlet supplying the following appliances rated 150 volts or less to ground and 60 amperes or less, single or 3-phase:

- | | |
|---|------------------------------------|
| (1) Automotive vacuum machines | (7) Dishwashers |
| (2) Drinking water coolers and bottle fill stations | (8) Electric ranges |
| (3) High-pressure spray washing machines | (9) Wall-mounted ovens |
| (4) Tire inflation machines | (10) Counter-mounted cooking units |
| (5) Vending machines | (11) Clothes dryers |
| (6) Sump pumps | (12) Microwave ovens |

210.8(E) **Equipment Requiring Servicing. ...**

Exception: Receptacles installed indoors in dwelling units to meet this requirement shall not be required to be GFCI protected, unless otherwise required in 210.8(A) or 210.8(C).

210.8(F) **Outdoor Receptacles- Outlets.** For dwellings, aAll outdoor general-purpose receptacles outlets, other than those covered in 210.8(A), Exception No. 1, including outlets installed in the following locations, and supplied by single-phase branch circuits rated 150 volts or less to ground, 50 amperes or less, shall be provided with GFCI protection.‡

- (1) Garages that have floors located at or below grade level
- (2) Accessory buildings
- (3) Boathouses

If equipment supplied by an outlet covered under the requirements of this section is replaced, the outlet shall be supplied with GFCI protection.

Exception No. 1: GFCI protection shall not be required on lighting outlets other than those covered in 210.8(C).

Exception No. 2: GFCI protection shall not be required for listed HVAC equipment. This exception shall expire September 1, 2026.

Informational Note: This requirement does not apply to specific-use receptacles that are regulated by other sections in this code such as 551.71.

NEC Section	Amendment language
210.12(B)	<p>Dwelling Units. All 120-volt, single phase, 10-, 15- and 20-ampere branch circuits supplying outlets or devices installed in the following locations shall be protected by any of the means described in 210.12(A)(1) through (A)(6):</p> <p><i>Items (1) through (13) remain unchanged.</i></p> <p>(14) Similar areas <u>Not adopted by the State of Oregon</u></p> <p>(15) <u>Alcoves</u></p> <p><i>Exception No. 1: AFCI protection shall not be required for an individual branch circuit supplying a fire alarm system installed in accordance with 760.41(B) or 760.121(B). The branch circuit shall be installed in a metal raceway, metal auxiliary gutter, steel-armored cable, Type MC or Type AC, meeting the applicable requirements of 250.118, with metal boxes, conduit bodies, and enclosures.</i></p> <p><i>Exception No. 2: AFCI protection shall not be required on branch circuits supplying receptacles located in hallways, kitchens or laundry areas and GFCI protected receptacles installed in dining rooms.</i></p> <p><i>Exception No. 3: AFCI protection shall not be required for optional, dedicated outlets that supply equipment known to cause unwanted tripping of AFCI devices.</i></p> <p><i>Exception No 4: AFCI protection shall not be required for branch circuits that serve an appliance that is not easily moved or that is fastened in place.</i></p>
210.12(C)	<p>Dormitory Units. All 120-volt, single-phase, 10-, 15-, and 20- ampere branch circuits supplying outlets or devices installed in the following locations shall be protected by any of the means described in 210.12(A)(1) through (7)(6).</p> <p><i>Items (1) through (4) remain unchanged.</i></p> <p>(5) Bathrooms <u>Not adopted by the State of Oregon</u></p> <p>(6) Similar rooms <u>Not adopted by the State of Oregon</u></p> <p>(7) <u>Study areas</u></p>
210.12(D)	<p>Other occupancies. <u>Not adopted by the State of Oregon.</u></p>
210.12(E)	<p>Branch Circuit Wiring Extensions, Modifications or Replacements. If branch circuit wiring for any of the areas specified in 210.12(B); <u>or (C)</u>, or (D) is not adopted, is modified, replaced, or extended, the branch circuit shall be protected by one of with the following:</p> <p>(1) By any of the means described in 210.12(A)(1) through (A)(6)</p> <p>(2) A listed outlet branch-circuit type AFCI located at the first receptacle outlet of the existing branch circuit.</p> <p><i>Exception No. 1: Extensions or modifications of existing circuits shall not require the installation of AFCI protection.</i></p> <p><i>Exception No. 2: Replacement or upgrading of a service or panelboard shall not require that existing circuits be protected by AFCI devices.</i></p> <p><i>Exception: AFCI protection shall not be required where the extension of the existing branch circuit conductors is not more than 1.8 m (6 ft) and does not include any additional outlets or devices, other than splicing devices. This measurement shall not include the conductors inside an enclosure, cabinet, or junction box.</i></p>
210.52(D)	<p>Bathrooms. <u>Unless prohibited in 406.9(C),</u> at least one receptacle outlet shall be installed in bathrooms within 900 mm (3 ft) of the outside edge of each sink. The receptacle outlet shall be located on a wall or partition that is adjacent to the sink or sink countertop, located on the countertop, or installed on the side or face of the sink cabinet. In no case shall the receptacle be located more than 300 mm (12 in.) below the top of the sink or sink countertop. Receptacle outlet assemblies listed for use in countertops shall be permitted to be installed in the countertop.</p>
210.52(E)(3)	<p>Balconies, Decks, and Porches. ...</p> <p><i>Exception No. 1 to (3): Decks or porches located at grade level with an area of less than 1.9 m² (20 ft²) are not required to have an additional receptacle installed.</i></p> <p><i>Exception No. 2 to (3): Decks or porches located above grade level with a depth of 304 mm (1 ft) or less measured from the outside of the wall to the outside of the framing member are not required to have an additional receptacle installed.</i></p>
210.52(I)	<p>Foyers. <u>Not adopted by the State of Oregon.</u></p>

NEC Section	Amendment language
210.52(J)	<u>Alcoves.</u> In dwelling units, alcoves shall have at least one receptacle installed. These outlets shall be in addition to the required hallway outlets.
210.63(A)	<p>Heating, Air Conditioning, and Refrigeration Equipment. ...</p> <p><i>Exception No. 1: A receptacle outlet shall not be required at one- and two-family dwellings for the service of evaporative coolers.</i></p> <p><i>Exception No. 2: An additional receptacle outlet shall not be required to be installed when replacing existing HVAC equipment if a receptacle outlet is located on the same level and within 23 m (75 ft).</i></p>
210.65	Meeting Rooms. <u>Not adopted by the State of Oregon.</u>
215.15	Barriers. <u>Not adopted by the State of Oregon.</u>
210.70	Lighting Outlets Required. Lighting outlets shall be installed where specified in 210.70(A), (B), and (C). The switch or wall-mounted control device shall not rely exclusively on a battery unless a means is provided for automatically energizing the lighting outlets upon battery failure.
215.18	Surge Protection. <u>Not adopted by the State of Oregon.</u>
225.36	<p>Type of Disconnecting Means. ...</p> <p><i>Exception: In single light pole installations that have the connections to the light pole circuit made in a location accessible only to qualified persons, recognized or certified in-line fuse holders shall be allowed, subject to special permission.</i></p>
225.41	Emergency Disconnects. <u>Not adopted by the State of Oregon.</u>
225.42	Surge Protection. <u>Not adopted by the State of Oregon.</u>
230.43	<p>Wiring Methods for 1000 Volts, Nominal, or Less. ...</p> <p><i>Exception: Items (13) and (15) are limited to use on traffic control devices and highway lighting poles.</i></p>
230.46	<p>Spliced and Tapped Conductors. Service-entrance conductors shall be permitted to be spliced or tapped in accordance with 110.14, 300.5(E), 300.13, and 300.15. Power distribution blocks, pressure connectors, and devices for splices and taps shall be listed. Power distribution blocks installed on service conductors shall be marked "suitable for use on the line side of the service equipment" or equivalent. Pressure connectors and devices for splices and taps installed on service conductors shall be marked "suitable for use on the line side of the service equipment."</p>
230.62(C)	<p>Barriers. ...</p> <p><i>Exception: This section shall not apply to service equipment with more than one service disconnecting means in an enclosure installed in accordance with OESC 230.71.</i></p>
230.67	Surge Protection. <u>Not adopted by the State of Oregon.</u>
230.70(A)(1)	<p>Readily Accessible Location. ...</p> <p><i>Exception: In existing installations where the service panel or meter base is being replaced, the panel and service disconnecting means may remain at the existing location if the following conditions exist:</i></p> <p><i>(1) The existing service conductors are of sufficient ampacity to supply the load or the existing conduit is large enough to accommodate new conductors that are of sufficient size to supply the load.</i></p> <p><i>(2) All requirements of 110.26 and 240.24 are met except as follows:</i></p> <p><i>a. If the installation was made prior to July 1, 1978, the work space requirement in 110.26 for installations of 0-volts to 150-volts to ground is reduced to 762 mm (30 in.).</i></p> <p><i>b. If the installation was made prior to July 1, 1993, the provisions of 240.24(E) do not apply.</i></p> <p><i>c. If the installation was made prior to July 1, 1996, the provisions of 240.24(F) do not apply.</i></p>
230.71	Maximum Number of Disconnects. Each service shall have only one disconnecting means unless the requirements of 230.71(B) are met:

230.71(A) **General.** The service disconnecting means for each service permitted by 230.2, or for each set of service-entrance conductors permitted by 230.40, Exception No. 1, 3, 4, or 5, shall consist of not more than six switches or sets of circuit breakers, or a combination of not more than six switches and sets of circuit breakers, mounted in a single enclosure, in a group of separate enclosures, or in or on a switchboard or in switchgear. There shall be not more than six sets of disconnects per service grouped in any one location.

For the purpose of this section, disconnecting means installed as part of listed equipment and used solely for the following shall not be considered a service disconnecting means: *Items (1) through (4) remain unchanged.*

230.71(B) **Two to Six Service Disconnecting Means.** Not adopted by the State of Oregon.

230.71(C) **Single-Pole Units.** Two or three single-pole switches or breakers, capable of individual operation, shall be permitted on multiwire circuits, one pole for each ungrounded conductor, as one multipole disconnect, provided they are equipped with identified handle ties or a master handle to disconnect all conductors of the service with no more than six operations of the hand.

Informational Note: See 408.36, Exception No. 1 and Exception No. 2, for service equipment in certain panelboards, and see 430.95 for service equipment in motor control centers.

230.85 **Emergency Disconnects.** Not adopted by the State of Oregon.

230.95(C) **Performance Testing.** The ground-fault protection system shall be performance tested when first installed on site. This testing shall be conducted by a ~~qualified person(s)~~ having proper training and experience required to perform and evaluate the results of such performance testing, using a test process of primary current injection, in accordance with instructions that shall be provided with the equipment. A written record of this testing shall be made, signed by the person(s) performing this test, and shall be available to the authority having jurisdiction.

240.6(D) **Remotely Accessible Adjustable-Trip Circuit Breakers.** A circuit breaker(s) that can be adjusted remotely to modify the adjusting means shall be permitted to have an ampere rating(s) that is equal to the adjusted current setting (long-time pickup setting). Remote access shall be achieved by one of the following methods:

- (1) Connected directly through a local nonnetworked interface.
- (2) Connected through a networked interface complying with one of the following methods:
 - a. The circuit breaker and associated software for adjusting the settings are identified as being evaluated for cybersecurity.
 - b. A cybersecurity assessment of the network is completed. Documentation of the assessment and certification shall be made available to those authorized to inspect, operate, and maintain the system.
 - c. The permit holder is not required to demonstrate compliance with 240.6(D)(2)(a) and (b).

240.24(E) **Not Located in Bathrooms.** In dwelling units, dormitory units, and guest rooms or guest suites, overcurrent protective devices, other than supplementary overcurrent protection, shall not be located in bathrooms, ~~showering facilities, or locker rooms with showering facilities.~~

240.67(C) **Performance Testing.** The arc energy reduction protection system shall be performance tested ~~primary current injection testing or another approved method~~ when first installed on site. The testing shall be conducted by a ~~qualified~~ person(s) having proper training and experience required to perform and evaluate the results of such performance testing, in accordance with instructions that shall be provided with the equipment.

A written record of this testing shall be made, signed by the person(s) performing this test, and shall be available to the authority having jurisdiction.

240.87(C) **Performance Testing.** The arc energy reduction protection system shall be performance tested ~~primary current injection testing or another approved method~~ when first installed on site. The testing shall be conducted by a ~~qualified~~ person(s) having proper training and experience required to perform and evaluate the results of such performance testing, in accordance with instructions that shall be provided with the equipment.

A written record of this testing shall be made, signed by the person(s) performing this test, and shall be available to the authority having jurisdiction.

250.24(A)(1) General. ...

Exception: When the electric utility has installed a ground fault protection system ahead of the customer's service equipment, no bonding or electrical connection from the grounding electrode system shall be made to the grounded service conductor on the load side of the utility ground fault sensing device. The neutral or grounded service conductor, however, shall be grounded on the line side of the first ground fault sensor in a manner otherwise required at the customer's service equipment. The grounding electrode conductor shall be run to an equipment grounding bus or terminal at the service equipment as long as the equipment grounding conductor and the grounded neutral conductor are not connected to each other at this point. The on-site ground fault test required by 230.95 shall not be performed prior to the above installation requirements. Warning signs shall be installed.

250.24(C) Main Bonding Jumper. ...

Exception No. 3: When the electric utility has installed a ground fault protection system ahead of the customer's service equipment and if the operation of the ground fault system relies on the absence of the main bonding jumper at the service equipment but includes an otherwise satisfactory main bonding jumper as a part of its sensing device, the main bonding jumper shall not be installed at the service equipment which would otherwise bond the grounded service conductor to the equipment ground. The on-site ground fault test required by 230.95 shall not be performed prior to the above installation requirements. Warning signs shall be installed.

250.52(A)(3) Concrete-Encased Electrode. A concrete-encased electrode shall consist of at least 6.0 m (20 ft) of the following: *(Items (1) and (2) remain unchanged.)*

Metal components shall be encased by at least 50 mm (2 in.) of concrete and shall be located horizontally within that portion of a concrete foundation or footing that is in direct contact with the earth or within vertical foundations or structural components or members that are in direct contact with the earth. If multiple concrete-encased electrodes are present at a building or structure, it shall be permissible to bond only one into the grounding electrode system. Where an addition to a building or structure is remote from the service and the integrity of the grounding electrode system has been verified, connection of the remote concrete encased electrode is not required.

250.52(B) Not Permitted for Use as Grounding Electrodes. The following systems and materials shall not be used as grounding electrodes: *(Items (1) and (3) remain unchanged.)*

(4) In existing electrical installations, when a service change or upgrade occurs, an existing metal underground water pipe shall not be used unless the metal underground water pipe has been verified as suitable for continued use as a grounding electrode. An existing metal underground water pipe shall be bonded to the new grounding electrode system as required by 250.104(A).

Informational Note: See Chapter 6 of the Oregon Plumbing Specialty Code.

250.53(A)(2) Supplemental Electrode Required. ...

Exception No. 1: If a single rod, pipe, or plate grounding electrode has a resistance to earth of 25 ohms or less, the supplemental electrode shall not be required.

Exception No. 2: A supplemental electrode shall not be required for a single-phase, 200 amps or less temporary service.

250.94(A) The Intersystem Bonding Termination Devices. An intersystem bonding termination (IBT) or an exposed and supported length of #6 bare copper conductor for connecting intersystem bonding conductors shall be provided external to enclosures at the service equipment or metering equipment enclosure and at the disconnecting means for any buildings or structures that are supplied by a feeder or branch circuit. If an IBT is used it shall comply with the following:...**250.118(A) Permitted. ...**

(14) Surface metal raceways listed for grounding. Where metallic conduit is installed on roof tops, an equipment grounding conductor shall be provided within the raceway and sized per 250.122.

300.5(G) Raceway Seals. Conduits or raceways through which moisture might contact live parts shall be sealed or plugged at either or both ends. Spare or unused raceways shall also be sealed. ~~Sealants shall be identified for use with the cable insulation, conductor insulation, bare conductor, shield, or other components.~~

NEC Section	Amendment language
300.9	<p>Raceways in Wet Locations Above Grade. ...</p> <p><i>Exception: The interior of raceways up to 2.5m (8 ft) in length installed solely to provide physical protection shall not be considered a wet location.</i></p>
314.27(C)	<p>Boxes at Ceiling-Suspended (Paddle) Fan Outlets. Outlet boxes or outlet box systems used as the sole support of a ceiling-suspended (paddle) fan shall be listed, shall be marked by their manufacturer on the interior of the box as suitable for this purpose, and shall not support ceiling-suspended (paddle) fans that weigh more than 32 kg (70 lb). For outlet boxes or outlet box systems designed to support ceiling-suspended (paddle) fans that weigh more than 16 kg (35 lb), the required marking shall include the maximum weight to be supported.</p> <p>Outlet boxes mounted in the ceilings of habitable rooms of dwelling occupancies in a location acceptable for the installation of a ceiling-suspended (paddle) fan shall comply with one of the following:</p> <ol style="list-style-type: none"> (1) listed for the sole support of ceiling-suspended (paddle) fans; (2) installed so as to allow direct access through the box to structural framing capable of supporting a ceiling-suspended (paddle) fan without removing the box <p><u>Where spare, separately switched, ungrounded conductors are provided to a ceiling-mounted outlet box, intended for the installation of a ceiling-suspended (paddle) fan in one-family, two-family, or multifamily dwellings, the outlet box or outlet box system shall be listed for the sole support of ceiling-suspended (paddle) fans.</u></p>
315.40	<p>Support. Type MV cable terminated in equipment or installed in pull boxes or vaults shall be secured and supported by metallic or nonmetallic supports suitable to withstand the weight by cable ties listed and identified for securement and support, or other approved means, at intervals not exceeding 1.5 m (5 ft) from terminations or a maximum of 1.8 m (6 ft) between supports.</p>
320.30(A)	<p>General. Type AC cable shall be supported and secured by staples; cable ties listed and identified for securement and support; straps, hangers, or similar fittings; or other approved means designed and installed so as not to damage the cable. Type AC cable fittings shall be permitted as a means of cable support.</p>
330.30(A)	<p>General. Type MC cable shall be supported and secured by staples; cable ties listed and identified for securement and support; straps, hangers, or similar fittings; or other approved means designed and installed so as not to damage the cable. Type AC cable fittings shall be permitted as a means of cable support.</p>
334.12(A)	<p>Types NM and NMC. ...</p> <ol style="list-style-type: none"> (2) Exposed within a dropped or suspended ceiling cavity in other than one- and two-family and multifamily dwellings. <p><i>Exception to (2): Types NM and NMC cables may be installed within a dropped or suspended ceiling cavity in structures other than one- and two-family and multifamily dwellings when installed in accordance with 334.15.</i></p>
334.15(B)	<p>Protection from Physical Damage. Cable shall be protected from physical damage where necessary by rigid metal conduit, intermediate metal conduit, electrical metallic tubing, Schedule 80 PVC conduit, RTRC marked with the suffix -XW, or other approved means. Where passing through a floor, the cable shall be enclosed in rigid metal conduit, intermediate metal conduit, electrical metallic tubing, Schedule 80 PVC conduit, RTRC marked with the suffix -XW, or other approved means extending at least 150 mm (6 in.) above the floor. Conduit or tubing shall be provided with a bushing or adapter that provides protection from abrasion at the point the cable enters and exits the raceway.</p> <p>Type NMC cable installed in the shallow chases or grooves in masonry, concrete, or adobe, shall be protected in accordance with the requirements in 300.4(F) and covered with plaster, adobe, or similar finish.</p> <p><u>Exposed nonmetallic sheathed cable shall be protected where it is installed horizontally less than 2.5 m (8 ft) above the floor. Exposed nonmetallic sheathed cable less than 2.5 m (8 ft) above the floor that enters the top or bottom of a panelboard shall be protected from physical damage by conduit, raceway, ½-inch plywood, ½-inch drywall, or other approved means.</u></p>
334.15(C)	<p>In Unfinished Basements and Crawl Spaces. Where cable is run at angles with joists in unfinished basements and crawl spaces, it shall be permissible to secure cables not smaller than two 6 AWG or three 8 AWG conductors directly to the lower edge of the joists. Smaller cables shall be run either through bored holes in joists or on running boards. Nonmetallic-sheathed cable installed on the wall of an unfinished basement shall be permitted to be installed in a listed conduit or tubing or shall be protected in accordance with 300.4. ...</p>

NEC Section	Amendment language
334.24	Bending Radius. Bends in Types NM and NMC cable shall be so made that the cable will not be damaged. The radius of the curve of the inner edge of any bend during or after installation shall not be less than five times the diameter of the cable. For flat cables, the major diameter dimension of the cable shall be used to determine the bending radius.
334.30	Securing and Supporting. Nonmetallic-sheathed cable shall be supported and secured by staples; cable ties listed and identified for securement and support ; or straps, hangers, or similar fittings designed and installed so as not to damage the cable, at intervals not exceeding 1.4 m (4 ½ ft) and within 300 mm (12 in.) of every cable entry into enclosures such as outlet boxes, junction boxes, cabinets, or fittings. Flat cables shall not be stapled on edge.
336.10	Uses Permitted. ... (9) For one and two family dwelling units, Type TC-ER-JP cable containing conductors for both power and control circuits shall be permitted for branch circuits and feeders. Type TC-ER-JP cable used as interior wiring shall be installed per the requirements of Part II of Article 334 and where installed as exterior wiring shall be installed per the requirements of Part II of Article 340. ...
337.30	Securing and Supporting. Type IM cable shall be supported and secured by cable ties, listed and identified for securement and support ; straps, hangers, or similar fittings; or other approved means designed and installed so as not to damage the cable.
338.24	Bending Radius. Bends in Types USE and SE cable shall be so made that the cable will not be damaged. The radius of the curve of the inner edge of any bend, during or after installation, shall not be less than five times the diameter of the cable. For flat cables, the major diameter dimension of the cable shall be used to determine the bending radius.
340.24	Bending Radius. Bends in Types USE and SE cable shall be so made that the cable will not be damaged. The radius of the curve of the inner edge of any bend, during or after installation, shall not be less than five times the diameter of the cable. For flat cables, the major diameter dimension of the cable shall be used to determine the bending radius.
348.30(A)	Securely Fastened. FMC shall be securely fastened in place by an approved means within 300 mm (12 in.) of each box, cabinet, conduit body, or other conduit termination and shall be supported and secured at intervals not to exceed 1.4 m (4½ ft). Where used, cable ties shall be listed and be identified for securement and support.
350.30(A)	Securely Fastened. LFMC shall be securely fastened in place by an approved means within 300 mm (12 in.) of each box, cabinet, conduit body, or other conduit termination and shall be supported and secured at intervals not to exceed 1.4 m (4½ ft). Where used, cable ties shall be listed and be identified for securement and support.
356.30	Securing and Supporting. (1) Where installed in lengths exceeding 1.8 m (6 ft), the conduit shall be securely fastened at intervals not exceeding 900 mm (3 ft) and within 300 mm (12 in.) on each side of every outlet box, junction box, cabinet, or fitting. Where used, cable ties shall be listed as suitable for the application and for securing and supporting.
362.10	Uses Permitted. ... (2) In any building exceeding three floors above grade concealed within combustible or noncombustible walls, floors, and ceilings where the walls, floors, and ceilings provide a thermal barrier of material that has at least a 15-minute finish rating as identified in listings of fire-rated assemblies. <i>Exception to (2): Where an approved automatic a fire sprinkler protective system(s) is installed in accordance with NFPA 13, Standard for the Installation of Sprinkler Systems, on all floors, ENT shall be permitted to be used within walls, floors, and ceilings, exposed or concealed, in buildings exceeding three floors above grade.</i>
362.10	(5) Above suspended ceilings where the suspended ceilings provide a thermal barrier of material that has at least a 15-minute finish rating as identified in listings of fire-rated assemblies, except as permitted in 362.10(1)a. <i>Exception to (5): ENT shall be permitted to be used above suspended ceilings in buildings exceeding three floors above grade where the building is protected throughout by an approved automatic a fire sprinkler protective system(s) in accordance with NFPA 13, Standard for the Installation of Sprinkler Systems.</i>

NEC Section	Amendment language
362.30(A)	<p>Securely Fastened. ENT shall be securely fastened at intervals not exceeding 900 mm (3 ft). In addition, ENT shall be securely fastened in place within 900 mm (3 ft) of each outlet box, device box, junction box, cabinet, or fitting where it terminates. Where used, cable ties shall be listed as suitable for the application and for securing and supporting.</p>
392.30(B)	<p>Cables and Conductors. Cables and conductors shall be secured to and supported by the cable tray system in accordance with (1), (2), and (3), and (4) as applicable: ...</p> <p>(4) Cable ties shall be listed and identified for the application and for securement and support.</p>
393.14(A)	<p>General Requirements. Support wiring shall be installed in a neat and workmanlike manner. Cables and conductors installed exposed on the surface of ceilings and sidewalls shall be supported by the building structure in such a manner that the cable is not damaged by normal building use. Such cables shall be supported by straps, staples, hangers, cable ties listed and identified for securement and support, or similar fittings designed and installed so as not to damage the cable.</p>
394.12	<p>Uses Not Permitted. ...</p> <p>(5) Hollow spaces of walls, ceilings, and attics where such spaces are insulated by loose, rolled, or foamed-in-place insulating material that envelops the conductors</p> <p><i>Exception: The provisions of 394.12 shall not be construed to prohibit the installation of loose or rolled thermal insulating materials in spaces containing existing knob-and-tube wiring, provided all the following conditions are met:</i></p> <p><i>(1) The visible wiring shall be inspected by a certified electrical inspector or a general supervising electrician employed by a licensed electrical contractor.</i></p> <p><i>(2) All defects found during the inspection shall be repaired prior to the installation of insulation.</i></p> <p><i>(3) Repairs, alterations or extensions of or to the electrical systems shall be inspected by a certified electrical inspector.</i></p> <p><i>(4) The insulation shall have a flame spread rating not to exceed 25 and a smoke density not to exceed 450 when tested in accordance with ASTM E84-91A. Foamed in place insulation shall not be used with knob-and-tube wiring.</i></p> <p><i>(5) Exposed splices or connections shall be protected from insulation by installing flame resistant, non-conducting, open top enclosures which provide three inches, but not more than four inches side clearances, and a vertical clearance of at least four inches above the final level of the insulation.</i></p> <p><i>(6) All knob-and-tube circuits shall have overcurrent protection in compliance with the 60-degree C column of Table 310.16. Overcurrent protection shall be either circuit breakers or type S fuses. The type S fuse adapters shall not accept a fuse of an ampacity greater than permitted in 240.53.</i></p>
400.10(A)	<p>Uses. ...</p> <p>(12) <u>Listed assemblies of fixtures and controllers, approved by the Federal Aviation Administration.</u></p>
400.12	<p>Uses not permitted.</p> <p>(5) Where concealed by walls, floors, or ceilings or located above suspended or dropped ceilings</p> <p><i>Exception No. 1 to (5): Flexible cord and flexible cables, and power supply cords shall be permitted if contained within an enclosure for use in other spaces used for environmental air as permitted by 300.22(C)(3).</i></p> <p><i>Exception No. 2 to (5): In other than spaces used for environmental air, cord sets and power-supply cords shall be permitted above accessible suspended or dropped ceilings if part of a listed assembly, other than a luminaire, and the cord length does not exceed 1.8 m (6 ft).</i></p>
406.4(D)(4)	<p>(4) Arc-Fault Circuit Interrupter Protection. <u>Not adopted by the State of Oregon.</u></p>
406.9(A)	<p>Damp Locations. A receptacle installed outdoors in a location protected from the weather or in other damp locations shall have an enclosure for the receptacle that is weatherproof when the receptacle is covered (attachment plug cap not inserted and receptacle covers closed).</p> <p>An installation suitable for wet locations shall also be considered suitable for damp locations.</p> <p>A receptacle shall be considered to be in a location protected from the weather where located under roofed open porches, canopies, marquees, and the like, and will not be subjected to a beating rain or water runoff. All 15- and 20-ampere, 125-volt and 250-volt nonlocking receptacles shall be a listed weather-resistant type. Hinged covers of outlet box hoods shall be able to open at least 90 degrees, or fully open if the cover is not designed to open 90 degrees from the closed to open position, after installation.</p>

406.9(B)(1) Receptacles of 15 Amperes and 20 Amperes in a Wet Location. Receptacles of 15 amperes and 20 amperes, 125 volts and 250 volts installed in a wet location shall have an enclosure that is weatherproof whether or not the attachment plug cap is inserted. An outlet box hood installed for this purpose shall be listed and shall be identified as extra-duty. Other listed products, enclosures, or assemblies providing weatherproof protection that do not utilize an outlet box hood need not be identified extra duty. Hinged covers of outlet box hoods shall be able to open at least 90 degrees, or fully open if the cover is not designed to open 90 degrees from the closed to open position, after installation.

Exception: 15- and 20-ampere, 125- through 250-volt receptacles installed in a wet location and subject to routine high-pressure spray washing shall be permitted to have an enclosure that is weatherproof when the attachment plug is removed.

All 15- and 20-ampere, 125- and 250-volt nonlocking-type receptacles shall be listed and so identified as the weather-resistant type.

406.9(C) Bathtub and Shower Space. ...

Exception No. 2: In bathrooms with less than the required zone, the receptacle(s) required by 210.52(D) shall be permitted to be installed outside of the room as near as practicable to the strike side of the door opposite the bathtub rim or shower stall threshold on the farthest wall within the room.

408.2 Reconditioned Equipment. The use of reconditioned equipment within the scope of this article shall be limited as described in 408.2(A) and (B). If equipment has been damaged by fire, products of combustion, corrosive influences, or water, it shall be specifically evaluated by its manufacturer, or a qualified testing laboratory, or the signing supervisor prior to being returned to service.

408.9(B) Panelboards Not Listed for the Specific Enclosure. If the available fault current is greater than 10,000 amperes, the completed work shall be field labeled. ~~If the available fault current is 10,000 amperes or less, the replacement panelboard shall be identified for the application. Any previously applied listing marks on the cabinet that pertain to the panelboard shall be removed.~~

408.36 Overcurrent Protection. ...

Exception No. 1: Individual protection shall not be required for a panelboard used as service equipment with multiple disconnecting means in accordance with 230.71. In panelboards protected by three or more main circuit breakers or sets of fuses, the circuit breakers or sets of fuses shall not supply a second bus structure within the same panelboard assembly.

Exception No. 2: Individual protection shall not be required for a panelboard protected on its supply side by two main circuit breakers or two sets of fuses in other than service equipment, having a combined rating not greater than that of the panelboard. A panelboard constructed or wired under this exception shall not contain more than 42 overcurrent devices. For the purposes of determining the maximum of 42 overcurrent devices, a 2-pole or a 3-pole circuit breaker shall be considered as two or three overcurrent devices, respectively.

Exception No. 3: For existing panelboards, individual protection shall not be required for a panelboard used as service equipment for an individual residential occupancy.

408.38 Enclosure. Panelboards shall be mounted in cabinets, cutout boxes, or identified enclosures and shall be dead-front. ~~Where the available fault current is greater than 10,000 amperes, the panelboard and enclosure combination shall be evaluated for the application.~~

410.2 Reconditioned Equipment. Reconditioned luminaires, lampholders, ballasts, LED drivers, lamps, and retrofit kits shall not be permitted. If a retrofit kit is installed in a luminaire in accordance with the installation instructions, the retrofitted luminaire shall not be considered reconditioned. Service and maintenance of luminaires shall not be considered reconditioning.

422.5(A) General. Appliances identified in 422.5(A)(1) through (A)(7) 150 volts or less to ground and 60 amperes or less, single- or 3-phase, shall be provided with Class A protection for personnel. Multiple Class A protective devices shall be permitted but shall not be required. *(Items (1) through (5) remain unchanged.)*

(6) Sump pumps and sewage pumps

Exception to (6): Receptacle ground-fault protection shall not be required for a single receptacle if the receptacle is labeled as "not GFCI protected."

(7) ~~Dishwashers~~ Not adopted by the State of Oregon.

NEC Section	Amendment language
445.6	Listing. <u>Not adopted by the State of Oregon.</u>
445.19(C)	<p data-bbox="261 218 1510 310">Emergency Shutdown in One- and Two-Family Dwelling units. For other than cord-and-plug-connected portable generators, an emergency shutdown device shall be located outside the dwelling unit at an <u>readily</u> accessible location and shall also meet the requirements of 445.19(A)(1) and (A)(2).</p> <p data-bbox="261 323 1510 415">An emergency shutdown device mounted on the exterior of the generator enclosure shall be permitted to satisfy the requirements of this section. The shutdown device shall be marked as the Generator Emergency Shutdown, and the label shall meet the requirements of 110.21(B).</p>
450.43(C)	<p data-bbox="261 449 1510 541">Locks. Doors shall be equipped with locks, and doors shall be kept locked, with access being allowed only to qualified persons. Personnel doors be capable of opening not less than 90 degrees in the direction of egress and be equipped with listed fire exit hardware.</p> <p data-bbox="285 554 987 583">Informational Note: See the OESC Section 110.26(C)(3) amendment.</p>
480.10(E)	<p data-bbox="261 617 1510 680">Egress. Personnel doors intended for entrance to, and egress from, rooms designated as battery rooms shall open at least 90 degrees in the direction of egress and shall be equipped with listed panic or listed fire exit hardware.</p> <p data-bbox="285 693 987 722">Informational Note: See the OESC Section 110.26(C)(3) amendment.</p>
495.49	<p data-bbox="261 756 1510 848">Reconditioned Switchgear. Reconditioned switchgear, or sections of switchgear, shall be permitted. If equipment has been damaged by fire, products of combustion, or water, it shall be specifically evaluated by its manufacturer, or a qualified testing laboratory, <u>or the signing supervisor</u> prior to being returned to service.</p>
500.8(A)	<p data-bbox="261 882 1510 940">Suitability. “Suitability of identified equipment” shall be determined <u>in accordance with ORS 479.760</u>, by one of the following:</p> <ol data-bbox="261 953 1510 1108" style="list-style-type: none"> <li data-bbox="261 953 623 982">(1) Equipment listing or labeling <li data-bbox="261 987 1510 1045">(2) Evidence of equipment evaluation from a qualified testing laboratory or inspection agency concerned with product evaluation <li data-bbox="261 1050 1510 1108">(3) Evidence acceptable to the authority having jurisdiction such as a manufacturer’s self-evaluation or an owner’s engineering judgment <p data-bbox="261 1121 1510 1184">Informational Note: Additional documentation for equipment might include certificates demonstrating compliance with applicable equipment standards, indicating special conditions of use, and providing other pertinent information.</p>
517.10(B)	<p data-bbox="261 1218 1218 1247">Not Covered. Part II shall not apply to the following: <i>(Items (1) and (2) remain unchanged.)</i></p> <ol data-bbox="261 1260 1055 1575" style="list-style-type: none"> <li data-bbox="261 1260 922 1289">(3) Areas used exclusively for any of the following purposes: <ol data-bbox="321 1293 1055 1575" style="list-style-type: none"> <li data-bbox="321 1293 802 1323">a. Intramuscular injections (immunizations) <li data-bbox="321 1327 682 1356">b. Psychiatry and psychotherapy <li data-bbox="321 1360 1055 1390">c. Alternative medicine (i.e. <u>acupuncture, chiropractic therapy, etc.</u>) <li data-bbox="321 1394 477 1423">d. Optometry <li data-bbox="321 1428 971 1457">e. Pharmacy services not contiguous to health care facilities <li data-bbox="321 1461 542 1491">f. <u>Massage therapy</u> <li data-bbox="321 1495 542 1524">g. <u>Physical therapy</u> <li data-bbox="321 1528 477 1558">h. <u>Audiology</u>
517.13(A)	<p data-bbox="261 1608 487 1638">Wiring Methods. ...</p> <p data-bbox="261 1650 1510 1743"><i>Exception: Type PVC conduit may be installed underground or embedded in concrete in Dental Clinics located in type B occupancies, provided that a wire type equipment grounding conductor is installed to meet the requirements of 250.118 and a separate insulated equipment grounding conductor is installed to meet the requirements of 517.13(B).</i></p>
517.17(D)	<p data-bbox="261 1776 1510 1927">Testing. When equipment ground-fault protection of equipment is first installed, each level shall be performance tested to ensure compliance with 517.17(C). This testing shall be conducted by a <u>qualified person(s) having proper training and experience required to perform and evaluate the results of such performance testing</u>, using a test process in accordance with the instruction provided with the equipment. A written record of this testing shall be made, <u>signed by the person(s) performing this test</u>, and shall be available to the authority having jurisdiction.</p>

NEC Section	Amendment language
518.6	Illumination. <u>Not adopted by the State of Oregon.</u>
547.28	<p>Ground-Fault Circuit-Interrupter Protection. Ground-fault circuit-interrupter protection (GFCI) shall be provided as required in 210.8(B) for areas of agricultural buildings not included in the scope of this article. GFCI protection shall not be required for other than 125-volt, 15- and 20-ampere receptacles installed in the following areas:</p> <ol style="list-style-type: none"> (1) Areas requiring an equipotential plane (2) Outdoors (3) Damp or wet locations (4) Dirt confinement areas for livestock <p><u>GFCI protection shall not be required for a single receptacle supplying a dedicated load and marked “not GFCI protected.” A GFCI protected receptacle shall be located within 900 mm (3 ft) of the non-GFCI protected receptacle.</u></p>
547.44(A)	<p>Where Required. Equipotential planes shall be required in the following areas:</p> <ol style="list-style-type: none"> (1) Indoors. Equipotential planes shall be installed in <u>confinement areas designated by the owner with concrete floors where metallic equipment is located that may become energized and is accessible to livestock.</u> (2) Outdoors. Equipotential planes shall be installed in concrete slabs where metallic equipment is located that may become energized and is accessible to livestock. <p>The equipotential plane shall encompass the area where the livestock stands while accessing metallic equipment that may become energized.</p> <p><u>Exception to (A)(1) and (A)(2): Where the electrical system is designed by a professional engineer, as defined in ORS 672.002(2), and the electrical equipment is isolated and not accessible to livestock, and non-electrical metallic equipment is not likely to become energized an equipotential plane shall not be required.</u></p> <p><u>Informational Note: See the definition of <i>Equipment</i> in Article 100.</u></p>
551.71(B)	<p>30-Ampere. A minimum of 70 percent of all recreational vehicle sites with electrical supply shall each be equipped with a 30-ampere, 125-volt weather-resistant receptacle conforming to Figure 551.46(C)(1). This supply shall be permitted to include additional receptacle configurations conforming to 551.81. The remainder of all recreational vehicle sites with electrical supply shall be equipped with one or more of the receptacle configurations conforming to 551.81.</p>
551.7(C)	<p>50-Ampere. A minimum of 20 percent of existing and 40 percent of all new recreational vehicle sites with electrical supply, shall each be equipped with a 50-ampere, 125/250-volt weather-resistant receptacle conforming to the configuration as identified in Figure 551.46(C)(1). Every recreational vehicle site equipped with a 50-ampere receptacle shall also be equipped with a 30-ampere, 125-volt receptacle conforming to Figure 551.46(C)(1). These electrical supplies shall be permitted to include additional receptacles that have configurations in accordance with 551.81. The weather-resistant requirement for 50 ampere, 125/250 volt receptacles shall become effective January 1, 2026.</p>
551.77	<p>Recreational Vehicle Site Supply Equipment. Recreational vehicle site supply equipment shall be listed for use as recreational vehicle site supply equipment and shall comply with 551.77(A) through (F).</p>
555.15	Replacement of Equipment. <u>Not adopted by the State of Oregon.</u>
555.35(A)	<p>Feeder. ...</p> <p><i>Exception No. 1: Transformer secondary conductors of a separately derived system that do not exceed 3 m (10 ft) and are installed in a raceway shall be permitted to be installed without ground-fault protection. This exception shall also apply to the supply terminals of the equipment supplied by the transformer secondary conductors.</i></p> <p><i>Exception No. 2: Modifications to existing systems shall not require GFPE.</i></p>
555.36(C)	<p>Emergency Electrical Disconnect. Each marina power outlet or enclosure that provides shore power to boats shall be provided with a listed emergency shutoff device or electrical disconnect that is clearly marked “Emergency Shutoff” in accordance with 110.22(A). The emergency shutoff device or electrical disconnect shall be within sight of the marina power outlet or other enclosure that provides shore power to boats, readily accessible, externally operable, manually resettable, and listed for use in wet locations. The emergency shutoff device or electrical disconnect shall de-energize the power supply to all circuits supplied by the marina power outlet(s) or enclosure(s) that provide shore power to boats. A circuit breaker handle shall not be used for this purpose.</p>

NEC Section	Amendment language
590.8(A)	Where reused, Overcurrent Protective Devices. Overcurrent protective devices that have been previously used and are installed in a temporary installation shall be examined to ensure they have been properly installed and properly maintained, and there is with no evidence of impending failure.
590.8(B)	Service Overcurrent Protective Devices. <u>Not adopted by the State of Oregon.</u>
600.33(B)	Installation. Secondary wiring shall be installed in accordance with 600.33(B)(1) and (B)(2). (1) Wiring shall be installed and supported in a neat and workmanlike manner. Cables and conductors installed exposed on the surface of ceilings and sidewalls shall be supported by the building structure in such a manner that the cable is not damaged by normal building use. The cable shall be supported and secured at intervals not exceeding 1.8 m (6 ft). Such cables shall be supported by straps, staples, hangers, cable ties, or similar fittings designed and installed so as not to damage the cable. The installation shall also comply with 300.4(D).
620.1	Scope. ... Informational Note No. 1: For further information, see ASME A17.1 2010/CSA B44 10, Safety code for Elevators and Escalators <u>the Oregon Elevator Specialty Code as adopted in OAR chapter 918, division 400.</u>
620.5	Working Clearances. Working space shall be provided about controllers, disconnecting means, and other electrical equipment in accordance with 110.26(A). Where conditions of maintenance and supervision ensure that only qualified persons examine, adjust, service, and maintain the equipment, the clearance requirements of 110.26(A) shall not be required where any of the conditions in 620.5(A) through (D) are met. <u>Where machine room doors swing inward, the arc of the door shall not encroach on those clearances required by 110.26(A).</u>
620.6(C)	Sump Pumps. A permanently installed sump pump shall be permanently wired or shall be supplied by a receptacle that is ground fault circuit interrupter protected. <u>A single receptacle supplying a permanently installed sump pump shall not require ground-fault circuit-interrupter protection.</u>
620.11(A)	Hoistway Door Interlock Wiring. ... <u>Exception: Where not required by the Oregon Elevator Specialty Code (ASME A17.1).</u>
620.37(A)	Uses Permitted. Electrical wiring, raceways, and cables used directly in connection with the elevator or dumbwaiter shall be permitted inside the hoistway, machine rooms, control rooms, machinery spaces, and control spaces, including wiring for the following: <i>(Items (1) through (7) remain unchanged.)</i> <u>Conduits and raceways necessary for the connection of such devices shall only enter hoistways and machine rooms to the extent necessary to connect the device(s) attached thereto.</u>
620.51(B)	Operation. No provision shall be made to open or close this disconnecting means from any other part of the premises. If sprinklers are installed in hoistways, machine rooms, control rooms, machinery spaces, or control spaces, the disconnecting means shall be permitted to automatically open the power supply to the affected elevator(s) prior to the application of water. No provision shall be made to automatically close this disconnecting means. Power shall only be restored by manual means. <u>Where provided, this disconnecting means shall be located in the elevator control room or control space. The installation shall comply with the requirements of NFPA 72 as adopted in OAR 918-306-0005.</u>
620.51(C)	Location. The disconnecting means shall be located where it is readily accessible to qualified persons. <u>Where machine rooms are provided, the disconnecting means required by 620.51 shall be located within 610 mm (24 inches) of the open side of the machine room access door. Where more than one disconnect is required for a multi-car group, the disconnects shall be adjacent to each other with the first disconnect located within 610 mm (24 inches) of the open side of the machine room access door. Measurement shall be taken from the edge of the disconnect nearest the machine room door.</u>

NEC Section	Amendment language
620.51(C)(4)	On Platform Lifts and Stairway Chairlifts. On platform lifts and stairway chairlifts, the disconnecting means shall be located within sight of the motor controller <u>or lift and within 1.83 m (six feet) of the motor controller. The disconnecting means shall not be located in the runway enclosure.</u>
620.51(C)(5)	Residential installations. <u>A disconnecting means shall be required to be placed within sight of the controller or lift. Where such devices are supplied with flexible cord and plug type connectors, the supply receptacle shall be switched by the disconnecting means. The disconnecting means does not require overcurrent protection, provided such protection is supplied by the branch circuit overcurrent device. In all other respects the disconnecting means shall comply with the requirements of this section.</u>
620.86	Flexible Metal Conduit. <u>Where flexible metal conduit is utilized between the disconnecting means specified in 620.51 and the elevator controller, an equipment grounding conductor shall be provided within the raceway and sized per 250.122 and Table 250.122.</u>
625.42	Rating. ... <u>Informational Note: See Statewide Alternate Method 09-01 for the use of a demand factor table for calculating electrical vehicle charging equipment services and feeders.</u>
625.54	Ground-Fault Circuit-Interrupter Protection for Personnel. <u>Not adopted by the State of Oregon</u>
630.8	Ground-Fault Circuit-Interrupter Protection for Personnel. <u>Not adopted by the State of Oregon</u>
646.19	Entrance to and Egress from Working Space. For equipment over 1.8 m (6 ft) wide or deep, there shall be one entrance to and egress from the required working space not less than 610 mm (24 in.) wide and 2.0 m (6 ½ ft) high at each end of the working space. Doors shall open to the full extent of their designed egress opening and be equipped with listed panic hardware or listed fire exit hardware. A single entrance to and egress from the required working space shall be permitted where either of the conditions in 646.19(A) or (B) is met.
670.6	Overvoltage Protection. <u>Not adopted by the State of Oregon.</u>
680.4	Inspections after Installation. <u>Not adopted by the State of Oregon.</u>
680.21(D)	Pool Pump Motor Replacement. <u>Not adopted by the State of Oregon.</u>
680.42(B)	Bonding. ... (4) The top rim of the spa or hot tub shall be at least 710 mm (28 in.) above all perimeter surfaces that are within 760 mm (30 in.), measured horizontally from the spa or hot tub. The height of nonconductive external steps <u>or deck</u> for exit and entry to or exit from the self-contained spa shall not be used to reduce or increase this rim height measurement.
682.15(B)	Feeder and Branch Circuits on Piers. Feeder and branch-circuit conductors that are installed on piers shall be provided with ground-fault protection not exceeding <u>100</u> 30 mA. Coordination with downstream ground-fault protection shall be permitted at the feeder overcurrent protective device.
690.12	Rapid Shutdown of PV Systems on Buildings. PV system circuits installed on or in buildings shall include a rapid shutdown function to reduce shock hazard for firefighters in accordance with 690.12(A) through (D). <u>Where an addition to an existing system(s) on or in a building is installed, a rapid shutdown function shall be provided for the existing system(s) on or in the building. The provisions of 690.12(B)(2) shall not apply to the existing system(s).</u>
690.31(C)(1)	(1) Single-Conductor Cable. (b) Exposed cables sized 8 AWG or smaller shall be supported and secured at intervals not to exceed 600 mm (24 in.) by cable ties; <u>or</u> straps, hangers, or similar fittings listed and identified for securement and support in outdoor locations. PV wire or cable shall be permitted in all locations where RHW-2 is permitted. (c) Exposed cables sized larger than 8 AWG shall be supported and secured at intervals not to exceed 1400 mm (54 in.) by cable ties; <u>or</u> straps, hangers, or similar fittings listed and identified for securement and support in outdoor locations.

NEC Section	Amendment language
690.47(B)	<p>Grounding Electrodes and Grounding Electrode Conductors. Additional grounding electrodes shall be permitted to be installed in accordance with 250.52 and 250.54. Grounding shall be permitted to be connected directly to the PV module frame(s) or support structure. A grounding electrode conductor shall be sized according to 250.66, <u>and shall not be smaller than 6 AWG copper or 4 AWG aluminum.</u> A support structure for a ground-mounted PV array shall be permitted to be considered a grounding electrode if it meets the requirements of 250.52. PV arrays mounted to buildings shall be permitted to use the metal structural frame of the building if the requirements of 250.68(C)(2) are met.</p>
700	<p>Emergency Systems. ...</p> <p><u>Building officials and inspectors administering and enforcing the state building code under ORS 455.148 and 455.150, shall ensure compliance with Sections 700.32, 701.27, or 708.54 by verifying receipt of a certificate signed by the Engineer of Record or the Signing Supervisor stating that the proposed installation complies with the selective coordination requirements of this code.</u></p>
700.3(F)	<p>Temporary Source of Power for Maintenance or Repair of the Alternate Source of Power. If <u>the building owner deems it necessary and</u> the emergency system relies on a single alternate source of power, which will be disabled for maintenance or repair, the emergency system shall include permanent switching means to connect a portable or temporary alternate source of power that shall be available for the duration of the maintenance or repair. The permanent switching means to connect a portable or temporary alternate source of power shall comply with the following: ...</p>
700.5(D)	<p>Redundant Transfer Equipment. If <u>the building owner deems it necessary and</u> emergency loads are supplied by a single feeder, the emergency power system shall include redundant transfer equipment or a bypass isolation transfer switch to facilitate maintenance as required in 700.3(C) without jeopardizing continuity of power. If the redundant transfer equipment or bypass isolation transfer switch is manual (or nonautomatic), then it shall be actively supervised by a qualified person when the primary (automatic) transfer equipment is disabled for maintenance or repair.</p>
700.32(A)	<p>General. Emergency system(s) overcurrent protective devices (OCPDs) shall be selectively coordinated with all supply-side and load-side OCPDs.</p> <p>Selective coordination shall be selected by a licensed professional engineer or other qualified persons engaged primarily in the design, installation, or maintenance of electrical systems. The selection shall be documented and made available to those authorized to design, install, inspect, maintain, and operate the system.</p> <p><u>For the purposes of this section, supply side overcurrent protection means those OCPDs on the emergency system supply side and not on the normal power supply side. The protection shall be selectively coordinated using the higher of the normal power supply fault current levels or emergency system fault current levels. OCPDs shall be selectively coordinated for .01 seconds and greater.</u></p>
700.32(C)	<p>Modifications. ...</p> <p><i>Exception No. 1: Selective coordination shall not be required between two overcurrent devices located in series if no loads are connected in parallel with the downstream device.</i></p> <p><i>Exception No. 2: The requirements for selective coordination shall meet the coordination requirements in effect at the time of the original installation when the installation is being altered, maintained or repaired. The ground fault sensing function of overcurrent devices will only be required to selectively coordinate with the ground fault sensing functions of other protective devices.</i></p>
701.32(A)	<p>General. Legally required standby system(s) overcurrent protective devices (OCPDs) shall be selectively coordinated with all supply side OCPDs.</p> <p>Selective coordination shall be selected by a licensed professional engineer or other qualified persons engaged primarily in the design, installation, or maintenance of electrical systems. The selection shall be documented and made available to those authorized to design, install, inspect, maintain, and operate the system.</p> <p><u>For the purposes of this section, supply side overcurrent protection means those protective devices on the emergency system supply side and not on the normal power supply side. The protection shall be selectively coordinated using the higher of the normal power supply fault current levels or emergency system fault current levels. Overcurrent devices shall be selectively coordinated for .01 seconds and greater.</u></p>

NEC Section	Amendment language
701.32(C)	<p>Modifications. ...</p> <p><i>Exception No. 1: Selective coordination shall not be required between two overcurrent devices located in series if no loads are connected in parallel with the downstream device.</i></p> <p><i>Exception No. 2: The requirements for selective coordination shall meet the coordination requirements in effect at the time of the original installation when the installation is being maintained, altered or repaired. The ground fault sensing function of overcurrent protective devices will only be required to selectively coordinate with the ground fault sensing functions of other protective devices.</i></p>
702.4(A)(2)	<p>Automatic Load Connection. ...</p> <p><i>Exception: In one- and two-family dwellings manual management of the connected load shall be permitted.</i></p>
702.7(A)	<p>Standby. A sign shall be placed at the service-entrance equipment for other than one and two family dwellings that indicates the type and location of each on-site optional standby power source.</p> <p>For one and two family dwelling units, a sign shall be placed at the disconnecting means required in 230.85 that indicates the location of each permanently installed on-site optional stand-by power source disconnect or means to shut down the prime mover as required in 445.19(C).</p>
705.12(A)(3)	<p>Feeders and Feeder Taps. ...</p> <p>(3) For taps sized in accordance with 240.21(B)(2) or (B)(4), the ampacity of taps conductors shall not be less than one-third of the sum of the rating of the overcurrent device protecting the feeder plus the ratings of any power source overcurrent devices connected to the feeder.</p> <p><u>Informational note: See Statewide Code Interpretation 21-03.</u></p>
706.7	<p>Commissioning and Maintenance. <u>Not adopted by the State of Oregon.</u></p>
708.1	<p>Scope. ... Critical operations areas and critical operations power systems are those systems so classed by municipal, state, federal, or other codes by any governmental agency having jurisdiction or by facility engineering documentation establishing the necessity for such a designated by the owner of the facility. A building official has no authority to designate or require designation of an area as requiring a critical operations power system. These Critical operations power systems <u>can</u> include but are not limited to power systems, HVAC, fire alarm, security, communications, and signaling for designated critical operations areas.</p>
708.54(A)	<p>General. Critical operations power system(s) overcurrent devices shall be selectively coordinated with all supply side overcurrent protective devices.</p> <p>Selective coordination shall be selected by a licensed professional engineer or other qualified persons engaged primarily in the design, installation, or maintenance of electrical systems. The selection shall be documented and made available to those authorized to design, install, inspect, maintain, and operate the system.</p> <p><u>For the purposes of this section, supply side overcurrent protection means those protective devices on the emergency system supply side and not on the normal power supply side. The protection shall be selectively coordinated using the higher of the normal power supply fault current levels or emergency system fault current levels. Overcurrent devices shall be selectively coordinated for .01 seconds and greater.</u></p>
708.54(C)	<p>Modifications. ...</p> <p><i>Exception No. 1: Selective coordination shall not be required between two overcurrent devices located in series if no loads are connected in parallel with the downstream device.</i></p> <p><i>Exception No. 2: The requirements for selective coordination shall meet the coordination requirements in effect at the time of the original installation when the installation is being maintained, altered or repaired. The ground fault sensing function of overcurrent protective devices will only be required to selectively coordinate with the ground fault sensing functions of other protective devices.</i></p>
722.24(A)	<p>General. Cables shall be installed in a neat and workmanlike manner. Cables installed exposed on the surface of ceilings and sidewalls shall be supported by the building structure in such a manner that the cable will not be damaged by normal building use. Such cables shall be secured by hardware, including straps, staples, hangers, listed cable ties identified for securement and support, or similar fittings, designed and installed so as not to damage the cable. The installation shall conform to 300.4 and 300.11.</p>

NEC Section	Amendment language
760.24(A)	General. Fire alarm circuits shall be installed in a neat and workmanlike manner. Cables and conductors installed exposed on the surface of ceilings and sidewalls shall be supported by the building structure in such a manner that the cable will not be damaged by normal building use. Such cables shall be supported by hardware, including straps, staples, hangers, listed cable ties identified for securement and support , or similar fittings designed and installed so as not to damage the cable. The installation shall also comply with 300.4 and 300.11.
760.41(B)	Branch Circuit. The branch circuit supplying the fire alarm equipment(s) shall supply no other loads. The location of the branch-circuit overcurrent protective device shall be permanently identified at the fire alarm control unit. The circuit disconnecting means shall have red identification, shall be accessible only to qualified personnel , and shall be identified as "FIRE ALARM CIRCUIT." The red identification shall not damage the overcurrent protective devices or obscure the manufacturer's markings. This branch circuit shall not be supplied through ground-fault circuit interrupters or arc-fault circuit-interrupters.
760.121(B)	Branch Circuit. ... (4) The circuit disconnecting means shall have red identification, shall be accessible only to qualified personnel , and shall be identified as "FIRE ALARM CIRCUIT." The red identification shall not damage the overcurrent protective devices or obscure the manufacturer's markings.
770.24(A)	General. Optical fiber cables shall be installed in a neat and workmanlike manner. Cables installed exposed on the surface of ceilings and sidewalls shall be supported by the building structure in such a manner that the cable will not be damaged by normal building use. Such cables shall be secured by hardware, including straps; staples; cable ties listed and identified for securement and support ; and hangers, or similar fittings, designed and installed so as not to damage the cable. The installation shall also conform to 300.4 and 300.11. ...
770.48(B)	Nonconductive Cables in Raceway. Unlisted nonconductive outside plant optical fiber cables shall be permitted to enter the building from the outside and shall be permitted to be installed in any of the following raceways: (1) Intermediate metal conduit (IMC) (2) Rigid metal conduit (RMC) (3) Rigid polyvinyl chloride conduit (PVC) (4) Electrical metallic tubing (EMT) (5) <u>Electrical Nonmetallic Conduit (ENT)</u>
800.24(A)	General. Circuits and equipment shall be installed in a neat and workmanlike manner. Cables installed exposed on the surface of ceilings and sidewalls shall be supported by the building structure in such a manner that the cable will not be damaged by normal building use. Such cables shall be secured by hardware, including straps; staples; cable ties listed and identified for securement and support ; and hangers, or similar fittings, designed and installed so as not to damage the cable. The installation shall also conform to 300.4 and 300.11. Plenum cable ties and other nonmetallic cable accessories used to secure and support cables in other spaces used for environmental air (plenums) shall be listed as having low smoke and heat release properties in accordance with 800.170.

2023 Oregon Electrical Specialty Code (OESC)

Code review matrix

This matrix shows the committee recommendations and discussions.

NEC = Model code change

OR A = Existing Oregon amendment

*Green = Fiscal impact

PP – ## = Public code amendment proposal

COMM = New committee recommended Oregon amendment

Red language = Committee recommended changes.

No.	Article/Section		Topic and change description	Outcome
Article 90 - Introduction				
1	90.4	NEC	Separates section into 4 subsections. (A) Application, (B) Interpretation, (C) Specific requirements and alternative methods, and (D) New products, constructions, or materials.	Approve
2	90.4(C)	OR A	Clarifies that requests and approvals for special permission shall be in writing and be requested prior to the start of electrical installation.	Retain
3	90.4(D)	OR A	Points to ORS 479.530 for the meaning of "certified electrical product" for where the NEC requires electrical products to the "listed" or "labeled."	Retain
4		OR A	Adds pointer to the OSSC for occupancy classification and use designations.	Retain
5		COMM	Add clarification that the electrical datum plane as used throughout the OESC shall be the Design Flood Elevation as determined by the flood plain administrator in accordance with the Oregon Structural Specialty Code (OSSC) or Oregon Residential Specialty Code (ORSC) as applicable. Also, add an Info Note to the definition of 'Electrical Datum Plane' to see OESC 90.4(D) for additional information.	Adopt New OR A
Chapter 1 - General				
6	100	OR A	Dormitory: Adds definition in alignment with the OSSC. Modify the definition by adding "unit" and show the deletion of the 2023 NEC definition.	Retain as modified
7	100	COMM	Electrical Datum Plane: Add an Info Note pointing to OESC 90.4(D) for additional information.	Adopt New OR A
8	100	OR A	Fire protection system: Adds definition in alignment with the OSSC.	Retain
9	100	OR A	Reconditioned: Adds two Info Notes explaining that used equipment inspected, tested, or repaired with listed or recognized component, is not considered to be reconditioned and to see ANSI EERS 2018. No longer necessary	Rescind
10	100	COMM	Structure: Revise the definition for 'structure' to "that which is built or constructed, other than equipment or a post(s) or pole(s) with an attached meter base."	Adopt New OR A
11	110.3(A)(8)	NEC	Added requirement for cybersecurity for network-connected life safety equipment. Modify by adding that the permit holder is not required to demonstrate compliance with this list item. * This has a possible cost increase depending on the nature and complexity of the system being secured.	Approve as modified *Poss. cost increase
12	110.8	NEC	Included "premises wiring system" as an area where wiring can be installed.	Approve
13	110.10	OR A	Adds two exceptions: one to allow for temporary service energization, and another for fault-current values issued by the serving utility to satisfy the labeling requirements.	Retain
14	110.14(D)	OR A	It is not required that the permit holder demonstrate compliance with this section.	Retain

No.	Article/Section		Topic and change description	Outcome
15	110.16(B)	NEC	Revised title of section, reduced the ampacity requirements for the label to 1000 amps, removed the list format, and replaced "acceptable" with "applicable." <i>* This has a possible cost increase between \$100 and \$1,500.</i>	Approve <i>*Poss. cost increase</i>
16	110.17	NEC	Added section distinguishing between reconditioning and servicing activities and maintenance activities. <i>Disapprove the new NEC provisions and replace them with language permitting the servicing and electrical preventive maintenance of used electrical equipment by means of inspection, testing or repair with listed or recognized components. Aligning amendments are recommended for the definition of "servicing" and the provisions related to "reconditioned equipment."</i>	Disapprove & Adopt New OR A
17	110.20	NEC	Added section to clarify equipment that can/cannot be reconditioned and the process for approval. <i>Modify by adding that reconditioned equipment can be selected by the supervising electrician, adding an Info Note to see ANSI EERS 2018, and adding a new Info Note to see 110.17 and the definition of "servicing."</i>	Approve as modified
18	110.21(A)(2)	OR A	Adds the two Info Notes that were added to the definition of reconditioned. <i>No longer necessary</i>	Rescind
19	110.22(A)	NEC	Revised to require disconnecting means to be marked with both the identification and location of the circuit source that supplies the disconnecting means unless located and arranged so the ID and location are evident. <i>Modify by adding an Info Note clarifying that the location of the circuit source may include the panel name, circuit number, or other information necessary to help service personnel to locate the circuit source disconnecting means.</i>	Approve as modified <i>*Minimal cost increase</i>
20	110.24(A)	OR A	Adds two exceptions: One permitted energization of temporary service without demonstrating compliance (applied at the supervising electrician's discretion), and another permitting the fault-current values provided by the serving utility to satisfy the labeling requirements.	Retain
21	110.24(B)	OR A	Exception is not adopted by the State of Oregon.	Retain
22	110.26	NEC	Clarified what would be considered as impeding access to equipment. <i>*Possible cost increase where a change to structural design is triggered.</i>	Approve <i>*Poss. cost increase</i>
23	110.26(A)(2)	NEC	Relocated requirement for open doors not impeding working space from 110.26(C)(2)	Approve
24	110.26(A)(4)	NEC	Clarified that the working depth requirement must be maintained all the way to the floor and that in no case should there be a side reach of more than 6 inches to work within the panel.	Approve
25	110.26(A)(6)	NEC	Added requirement to maintain the grade level and flat for the full depth and width of working space required, which correlates with 110.34(A).	Approve
26	110.26(C)(2)	NEC	Clarified that the combined width is over 6 ft. and moved doors not impeding entry/egress to working space to 110.26(A)(2).	Approve <i>*Poss. cost decrease</i>
27	110.26(C)(3)	OR A	Clarifies that requirements do not apply to one- and two-family dwellings and individual multifamily units and adds reference to the OSSC for additional construction requirements.	Retain
28		NEC	Requires that personnel doors open at least 90 degrees for safe egress.	Approve
29	110.26(D)	OR A	Adds that illumination "of 10-foot candles average, measured at the floor[.]"	Retain
30	110.26(E)	NEC	Added "service equip." to clarify service disconnects also require dedicated equipment space & protection from damage	Approve
31	110.29	NEC	Added section providing details about equipment "in sight from," "within sight from," or "within sight of."	Approve
32	110.31(A)(4)	NEC	Revised to require that personnel doors open at least 90 degrees	Approve
33		OR A	Removes "listed" for panic hardware and fire exit hardware, and adds an Info Note to see OESC 110.26(C)(3)	Retain
34	110.33(A)	NEC	Added requirement that doors not restrict working space or impede entry or egress from working space.	Approve
35	110.33(A)(3)	NEC	Revised to require that personnel doors open at least 90 degrees	Approve
36		OR A	Removes "listed" for panic hardware and fire exit hardware, and adds an Info Note to see OESC 110.26(C)(3)	Retain

No.	Article/Section		Topic and change description	Outcome
37	110.34(A)	NEC	Added requirement that working space floors must be as flat and level as practicable for the full depth and width of working space required.	Approve
38	110.73	NEC	Added reference to 110.26(F) as being met by a manhole cover weighing over 100 lbs.	Approve
Chapter 2 – Wiring and Protection				
39	210.4(A)	NEC	Revised to ensure all conductors of multiwire branch circuits originate from the equipment containing the branch-circuit OCPD or protective devices and added text to exempt column width panelboards.	Approve
40	210.8	NEC	Revised to require the Class A GFCI to be “listed.”	Approve
41	210.8(A)	OR A	Revises to only require GFCI protection for 15- and 20-ampere receptacles.	Retain
42		PP-01	Mike Stone, NEMA – Rescind the existing OR amendment and adopt model code. Discussion .	Disapprove PP
43	210.8(A)(5)	NEC	Removed Info Note and reference to compliance with Section 210.52(G) under list item (5).	Approve
44		OR A	Revises “Basements” to “Unfinished portions or areas of the basement not intended as habitable rooms.”	Retain
45	210.8(A)(6)	NEC	Revised by removing “where the receptacles are installed to serve the countertop surfaces.” Retain the 2021 OESC language.	Disapprove & Adopt new OR A
46	210.8(A)(7)	NEC	New item (7) for areas with sinks and permanent provisions for food preparation, beverage preparation, or cooking. Retain the 2021 OESC language.	Disapprove & Adopt New OR A
47	210.8(A)(12)	OR A	Does not adopt the GFCI protection requirement for indoor damp and wet locations in dwelling units.	Rescind
48	<i>[210.8(A)(11)]</i>	PP-02	Mike Stone, NEMA - Rescind the existing OR amendment and adopt model code. Discussion .	Approve PP
49	210.8(A) Ex. 2 <i>[210.8(A)(5) Ex.]</i>	OR A	NEC relocated this exception to the end of 210.8(A) – OR A adds that the exception is only applicable where the receptacle is labeled “not GFCI protected.”	Retain
50	210.8(A) Ex. 4	NEC	New Exception No. 4 for factory bath fan receptacles.	Approve
51	210.8(A) Ex. 5 <i>[210.8(A) Ex. to (2),(5),(6),(7),&(10)]</i>	OR A	Does not adopt the GFCI protection requirement for a single receptacle serving an appliance or a duplex receptacle serving two appliances located within a dedicated space, not easily moved in normal use or fastened in place.	Retain
52		OR A	Adds: where this exception is used, it does not meet the requirement of 210.52(G). Modify by adding that they do not meet the requirement of 210.52(C), as well as (G).	Retain as modified
53		PP-03	Mike Stone, NEMA - Rescind the existing OR amendment and adopt model code. Discussion .	Disapprove PP
54	210.8(B)	NEC	Relocated all exceptions to end of list.	Approve
55		OR A	Does not adopt the GFCI protection requirement for receptacles greater than 20-amperes, greater than 125-volt, and three-phase in other than dwelling units.	Retain
56		PP-04	Mike Stone, NEMA - Rescind the existing OR amendment and adopt model code. Discussion .	Disapprove PP
57	210.8(B)(4)	NEC	New item (4) for buffet serving areas with permanent provisions for food serving, beverage serving, or cooking.	Approve
58	210.8(B)(7)	NEC	Added to item (7) for sinks “where receptacles or cord-and-plug-connected fixed and stationary appliances” are installed.	Approve
59	210.8(B)(8) <i>[210.8(B)(6)]</i>	OR A	Adopts the GFCI protection requirement for receptacles in wet locations, but does not adopt the requirement for “damp” locations.	Rescind
60	210.8(B)(10) <i>[210.8(B)(8)]</i>	OR A	Does not adopt the GFCI protection requirement for receptacles in accessory buildings.	Rescind
61		PP-05	Mike Stone, NEMA - Rescind the existing OR amendment and adopt model code. Discussion .	Approve PP
62	210.8(B)(13)	NEC	Added new item (13) for aquariums and live bait wells.	Approve

No.	Article/Section		Topic and change description	Outcome
63	210.8(B) Ex. 7	COMM	Adopt an exception for a single receptacle installed in indoor locations serving aquariums and similar open aquatic vessels or containers if the receptacle is labeled as “not GFCI protected.”	Adopt New OR A
64	210.8(B) Ex. 8 [210.8(B)(11) Ex.]	OR A	Does not require GFCI protection requirement for single receptacle serving an appliance or a duplex receptacle serving two appliances that are located within a dedicated space, not easily moved in normal use or fastened in place in laundry rooms in other than dwelling units.	Retain
65		PP-06	Mike Stone, NEMA - Rescind the existing OR amendment and adopt model code. Discussion .	Disapprove PP
66	210.8(C) [210.8(B)]	OR A	Adds that the GFCI protection shall be provided for lighting outlets not exceeding 120 volts installed in crawl spaces “at or below grade level.”	Retain
67	210.8(D)	NEC	Revised to include the provisions and list of appliances from 422.5(A) rather than just refer to that section. Also adds items (8) through (12). *Note: There are existing Oregon amendments in Section 422.5(A) adding “sewage pumps” and an exception for a single receptacle if labeled “not GFCI protected” in item (6) and deleting item no. (7) Dishwashers Amend to remove all the new language and refer to Section 422.5(A).	Disapprove & Adopt new OR A
68	210.8(E)	OR A	Adds an exception for receptacles installed indoors in dwelling units for equipment requiring service.	Retain
69	210.8(F)	NEC	Added garages having floors located at or below grade level, accessory buildings, and boathouses to the locations requiring protection and revised to require protection for all dwelling outdoor outlets when replaced.	Disapprove
70		OR A	Changes to outdoor receptacles for other than dwelling units. Adds an Info Note that this requirement does not apply to specific-use receptacles regulated in other sections.	Retain
71		PP-07	Mike Stone, NEMA – Delete the OESC amendment for dwelling units that removes GFCI protection for all outdoor outlets rated 150 volts to ground or less and 50 amperes or less and adopt model code. Discussion .	Disapprove PP
72	210.12(A)	NEC	Renamed to “Means of Protection” and relocated the requirement for all 120-volt, single-phase, 15-, and 20-ampere branch circuits supplying outlets or devices installed in specific locations to be protected.	Approve
73	210.12(B) [210.12(A)]	NEC	New section named “Dwelling Units” that only includes the requirement for all 120-volt, single-phase, 15-, and 20-ampere branch circuits supplying outlets or devices installed in specific locations to be protected.	Approve
74		NEC	Added 10-ampere to the list of ampere ratings and formatted locations into a list.	Approve
75		NEC	Added item (14) for similar areas. Delete item 14 for similar areas and note that it is not adopted by the State of Oregon.	Disapprove & Adopt new OR A
76		OR A	Adds “alcoves” to the locations where required.	Retain
77		210.12(B) Ex. 2 [210.12(A)]	OR A	Adds an exception for branch circuits supplying receptacles located in hallways, kitchens or laundry areas and GFCI protected receptacles installed in dining rooms
78	PP-08		Mike Stone, NEMA – Rescind the existing OR amendment adding exception 2. Discussion .	Disapprove PP
79	210.12(B) Ex. 3 [210.12(A)]	OR A	Adds an exception for optional, dedicated outlets that supply equipment known to cause unwanted tripping of AFCI devices.	Retain
80		PP-09	Mike Stone, NEMA - Rescind the existing OR amendment adding exception 3. Discussion .	Disapprove PP
81	210.12(B) Ex. 4 [210.12(A)]	OR A	Adds and exception for branch circuits serving an appliance that is not easily moved or is fastened in place.	Retain
82		PP-10	Mike Stone, NEMA - Rescind the existing OR amendment adding exception 3. Discussion .	Disapprove PP
83	210.12(C) [210.12(B)]	NEC	Added 10-ampere to the branch circuit to correlate with other sections and converted to a list format.	Approve
84		OR A	Removes “bathrooms” from the locations in dormitory units where required.	Retain
85		COMM	Do not adopt (6) for similar rooms and note that it is not adopted by the State of Oregon.	Adopt New OR A

No.	Article/Section		Topic and change description	Outcome
86		COMM	Add item (7) for study areas.	Adopt New OR A
87	210.12(D)	OR A	Not adopted by the State of Oregon.	Retain
88	(210.12(C))	PP-11	Mike Stone, NEMA - Delete the existing OESC amendment that removes AFCI protection for guest rooms, guest suites, and patient sleeping rooms in nursing homes and limited-care facilities. Discussion .	Disapprove PP
89	210.12(E)	NEC	Added "Replacements" to the heading.	Approve
90	(210.12(D))	OR A	No. 1: Adds an exception for extensions or modifications of existing circuits. No. 2: Adds an exception for replacements or upgrades of service or panelboard.	Retain
91		PP-12	Mike Stone, NEMA – Delete the existing OESC amendment that allows exceptions for AFCI protection for extensions or modifications of existing circuits. Discussion .	Disapprove PP
92	210.13	NEC	Revised to require branch circuit disconnects of 1000 amperes or more, on solidly grounded wye systems of more than 150 volts to ground, and 1000-volts phase-to-phase or less be GFCI protected. Changed "disconnect" to "disconnecting means" for correlation with defined term.	Approve
93	210.17	NEC	Revised to add assisted living facilities to the list of occupancies that must have branch circuits installed if they have permanent provisions for cooking to meet rules for dwelling units and added Info Notes for guidance.	Approve
94	210.18	NEC	Revised text to read "shall not" and added Exception No. 2 to prohibit 10-ampere branch circuits from supplying receptacle outlets.	Approve
95	210.23(A)	NEC	Added section to address the introduction of 10-ampere branch circuits and what will be allowed on those branch circuits.	Approve
96	210.24	NEC	Added table note to address 10-ampere branch circuits and created Table 210.24(2) specifically for aluminum and copper-clad aluminum conductors.	Approve
97	210.52(A)(2)	NEC	Revised text around receptacles along the wall space behind stationary appliances to clarify that it is not included in the wall space.	Approve
98	210.52(B)(1)	NEC	Revised Exception No. 1 to clarify that it is permitted and not required.	Approve
99	210.52(C)	NEC	Revised to retain the 2020 NEC language for multi-outlet assemblies and added Exception No. 2 to address installations where there may be an obstruction such as a window over a counter.	Approve
100	210.52(C)(2)	NEC	Revised to clarify that sinks, cooktops, and similar are not included in the calculation of the island or peninsula work surface area to remove confusion around where the perpendicular connection begins for proper measurement.	Approve
101		OR A	Requires one receptacle outlet for the countertop or work surface and does not adopt model code provision stating that peninsular countertop shall be measure from the connected perpendicular wall.	Rescind
102	210.52(D)	OR A	Specifies provisions apply unless prohibited in 406.9(C).	Retain
103	210.52(E)(3)	OR A	Adds exception no. 1 for an additional receptacle for decks or porches at grade level and less than 20 ft ² .	Retain
104		OR A	Adds exception no. 2 for an additional receptacle for decks or porches at grade level and less than 1 ft. deep. Modify exception no. 2 by adding how the deck or porch depth is to be measured: from the outside of the wall to the outside of the framing member."	Retain as modified
105	210.52(G)	NEC	Revised to ensure these receptacles are GFCI protected.	Approve
106	210.52(I)	OR A	Does not adopt model code section on foyers.	Retain
107	210.52(J)	OR A	Adds a section for alcoves. Follow NFPA style and modify by moving the definition of 'alcove' to Article 100.	Retain as modified

No.	Article/Section		Topic and change description	Outcome
108	210.63	OR A	Adds another exception to an additional receptacle for HVAC replacement where one is located on the same level and within 75 feet.	Retain
109	210.65	OR A	Does not adopt the section on meeting rooms.	Retain
110	210.70	NEC	Revised to add language that if a wall mount switch is battery operated and the battery fails the lights need to be energized and illuminate. Modify by removing the requirement that the switch or wall-mounted control device shall not rely exclusively on a battery unless a means is provided for automatically energizing the lighting outlets upon battery failure.	Approve as modified *Minimal cost increase
111	210.70(A)(1)	NEC	Revised text to add laundry area to the list for required illumination and revised title to reflect areas covered.	Approve
112	210.70(A)(2)	NEC	Revised text to limit use of dimmers on lighting outlets over stairways. Added an exception to list item (2) for dwelling units, attached and detached garages, with electric power for an outdoor grade level bulkhead door with a stairway.	Approve
113	215.9	NEC	Revised to require GFCI protection to be listed.	Approve
114	215.15	NEC	Added section for barriers that mirrors 230.62(C). Delete and note Not adopted by the State of Oregon.	Disapprove & Adopt New OR A
115	215.18	NEC	Added section for surge protection. Delete and note Not adopted by the State of Oregon.	Disapprove & Adopt New OR A
116	220	NEC	Reorganized and restructured various sections of Article 220.	Approve
117	220.53	NEC	Revised to not allow demand factors to be applied to the electric vehicle supply equipment.	Approve
118	220.57	NEC	Added section for electric vehicle supply equipment (EVSE).	Approve
119	220.70	NEC	Added section for energy management systems (EMSs).	Approve
120	220.85	NEC	Revised to include services.	Approve
121	220.87	NEC	Revised to account for peak load shaving by renewable energy systems.	Approve
122	220, Part VI	NEC	Added Part VI, Health Care Facilities.	Approve *Poss. cost savings
123	220, Part VII	NEC	Added Part VII, Marinas, Boatyards, Floating Buildings, and Commercial and Noncommercial Docking Facilities.	Approve
124	220.120	NEC	Added section for calculating feeders that supply shore power receptacle loads in marinas, boatyards, floating buildings, and docking facilities.	Approve
125	225.36	OR A	Adds an exception allowing for single light pole installations that have the connections to the light pole circuit in a location accessible only to qualified persons, recognized or certified in-line fuse holders, subject to special permission.	Retain
126	225.41	NEC	Added section for emergency disconnects on one- and two-family dwellings. Delete and note Not adopted by the State of Oregon.	Disapprove & Adopt New OR A
127	225.42	NEC	Added section requiring surge protective device (SPD) on a feeder. Delete and note Not adopted by the State of Oregon.	Disapprove & Adopt New OR A
128	230.7	NEC	Revised title and text around other conductors in handholes or underground boxes with service conductors other than grounding electrode conductors or supply side bonding jumpers.	Approve
129	230.30(B)	NEC	Revised list item (11) to add Type TC-ER cable where identified for direct burial.	Approve
130	230.40	OR A	Adds to Exception No. 3—When there are continuous metallic paths bonded to the grounding system in the buildings involved, a disconnect, a grounded conductor, and an equipment grounding conductor shall be installed to meet the provisions of Article 225, 230, and 250.	Rescind
131	230.43	OR A	Adds an exception that Items (13) and (15) are limited to traffic control devices and highway lighting poles.	Retain

No.	Article/Section		Topic and change description	Outcome
132		NEC	Revised list item (20) to require that Type TC-ER cable be identified for use as service entrance conductors and added item (21) to allow for flexible bus systems.	Approve
133	230.46	COMM	Revise by not requiring power distribution blocks installed on service conductors or pressure connectors and devices for splices and taps installed on service conductors to be marked "suitable for use on the line side of the service equipment or equivalent.	Adopt New OR A
134	230.62(C)	NEC	Revised to clarify the intent to protect exposed service conductors. Modify by adding exception for more than one service disconnecting means in an enclosure.	Approve as modified
135	230.67	OR A	Does not adopt requirement for a surge-protective device (SPD) for dwelling unit services.	Retain
136		PP-13	Eric Sherman – Rescind existing OR amendment and adopt model code. Discussion .	Disapprove PP
137		PP-14	Mike Stone, NEMA - Rescind existing OR amendment and adopt model code. Discussion .	Disapprove PP
138	230.70(A)(1)	OR A	Adds an exception to readily accessible location requirements for existing installs. Modify by adding to the second exception: If the installation was made prior to July 1, 1978, the workspace requirement in 110.26 for installations of 0-150 volts to ground is reduced to 30" and if the installation was made prior to July 1, 1993, the provisions of 240.24(E) do not apply.	Retain as modified
139	230.71	OR A	Deletes the charging statement.	Retain
140	230.71(A)	OR A	Adds provisions regarding the number of switches and sets of circuit breakers.	Retain
141	230.71(B)	OR A	Does not adopt the "two to six service disconnection means"	Retain
142		OR A	Adds section for "single-pole units.	Retain
143		PP-15	Mike Stone, NEMA - Delete the existing OESC amendment that removed the requirement for a single disconnecting means for services and adopt model code language. Discussion .	Disapprove PP
144	230.82	NEC	Added list item (12) to protect workers.	Approve
145	230.85	OR A	Does not adopt the requirement for an emergency disconnect at a readily accessible outdoor location for one- and two-family dwelling units.	Retain
146	230.95(C)	OR A	Revises to "persons having proper training and experience required to perform and evaluate the results of such performance testing," and "signed by the person(s) performing this test,"	Retain
147	235	NEC	Created new article for branch circuits, feeders, and services over 1000 Vac, 1500 Vdc, nominal, comprised of requirements from Articles 210, 215, 225, and 230.	Approve
148	240.4(D)(1)	NEC	Revised to permit use of Class CF fuses.	Approve
149	240.4(D)(3)	NEC	Added section to address copper-clad aluminum.	Approve
150	240.4(H)	NEC	Added section for dwelling unit service and feeder conductors.	Approve
151	240.6(A)	NEC	Revised to add 10-ampere to standard size breakers and fuses.	Approve
152	240.6(D)	NEC	Added section to address remotely accessible adjustable trip circuit breakers. Modify by adding (2)(c) the permit holder is not required to demonstrate compliance with (a) or (b). * This has a possible cost increase depending on the nature and complexity of the system being secured.	Approve as modified *Poss. cost increase
153	240.7	NEC	Added section for listing requirements.	Approve
154	240.11	NEC	Added section for selective coordination.	Approve
155	240.16	NEC	Added section around interrupting ratings for branch-circuit overcurrent protective devices.	Approve
156	240.24(E)	NEC	Revised to prohibit OCPDs in bathrooms and similar areas. Disapprove changes and retain 2021 OESC language.	Disapprove & Adopt New OR A

No.	Article/Section		Topic and change description	Outcome
157	240.60(E)	NEC	Added section around listing of fuse reducers.	Approve
158	240.67(C)	OR A	Revises the qualified persons(s) requirements with the 230.67(C) amendments: "persons having proper training and experience required to perform and evaluate the results of such performance testing," and "signed by the person(s) performing this test,"	Retain
159	240.87(C)	OR A	Revises the qualified persons(s) requirements with the 230.87(C) amendments: "persons having proper training and experience required to perform and evaluate the results of such performance testing," and "signed by the person(s) performing this test,"	Retain
160	240.89	NEC	Added section requiring that replacement trip units be listed for use with the circuit breaker.	Approve
161	242.9	NEC	Added section to require functional indication on an SPD.	Approve
162	245	NEC	Created new article for overcurrent protection for systems rated over 1000 Vac, 1500 Vdc, comprised of requirements from Article 240.	Approve
163	250.24(A)(1)	OR A	Adds an exception for when an electric utility has installed a ground fault protection system...	Retain
164	250.24(C)	OR A	Adds a third exception for when an electric utility has installed a ground fault protection system...	Retain
165	250.28(C)	NEC	Revised text to ensure methods for bonding jumpers are suitable.	Approve
166	250.52(A)(3)	OR A	Adds: Where an addition to a building or structure is remote from the service and the integrity of the grounding electrode system has been verified, connection of the remote concrete encased electrode is not required.	Retain
167	250.52(B)	OR A	Adds an item: (4) for existing electrical installations.	Retain
168	250.53(A)(2)	OR A	Adds an exception to the supplemental electrode requirements for temporary services single-phase, 200 amps or less.	Retain
169	250.64(B)(4)	NEC	Revised to add reference to 300.15 to clarify burial depth does not apply to grounding electrode conductors.	Approve
170	250.64(G)	NEC	Added section to address enclosures with ventilation openings.	Approve
171	250.92(B)	NEC	Revised list item (1) to ensure connections are made with an applicable method in 250.8(A) and revised item (2) to recognize threaded entries in the list of connections.	Approve
172	250.94(A)	OR A	Adds "or an exposed and supported length of #6 bare copper conductor" as an option to the requirement.	Retain
173	250.118(A)(14)	OR A	Requires an equipment grounding conductor within a raceway, sized using 250.112, where metallic conduit is installed on a roof top.	Retain
174	250.148	NEC	Revised text to require the connection of all equipment grounding conductors in a box if spliced or terminated.	Approve
Chapter 3 – Wiring Methods and Materials				
175	300.4(F)	NEC	Revised Exception No. 1 to specify PVC and to include RTRC.	Approve
176	300.5(G)	OR A	Allows for any approved sealant.	Retain
177	300.9	OR A	Adds an exception identifying interior of raceways up to 2.5m (8 ft) in length installed solely to provide physical protection as not being considered a wet location.	Retain
178	300.25	NEC	Revised text to contain fire resistance rating and to add an exception that permits exterior mounted egress lights to be supplied from the circuit that feeds the exit enclosure lights.	Approve
179	300.26	NEC	Added section for remote-control and signaling circuit classification.	Approve
180		TIA	Changes to the location of code requirements for control conductors resulted in the omission of information required to determine the size and construction of non-power-limited conductors used in these applications. (TIA)	Approve

No.	Article/Section		Topic and change description	Outcome
181	305	NEC	Created new Article 305, General Requirements for Wiring Methods and Materials for Systems Rated Over 1000 Volts ac, 1500 Volts dc, Nominal.	Approve
182	T. 310.16	TIA	Changes to the location of code requirements for control conductors resulted in the omission of information required to determine the size and construction of non-power-limited conductors used in these applications.	Approve
183	312.8(A)	NEC	Added list item (3) condition for 4 AWG and larger conductors to comply with 314.28(A)(2).	Approve
184	312.10	NEC	Added section to address specific types of non-factory screws being placed in covers and devices.	Approve
185	312.102	NEC	Added section to clearly require doors or covers.	Approve
186	314.5	NEC	Added section to address types of screws that enter wiring spaces & how far they can extend into wiring space.	Approve
187	314.16(B)(6)	NEC	Added section to address volume allowance for terminal blocks when used within outlet and device boxes.	Approve
188	314.17	NEC	Revised to add cables to be included with conductors and change wording for 1/4 in. cable sheath from where it enters box to where it emerges from the clamping mechanism.	Approve
189	314.24(C)	NEC	Added section that addresses clearances for side-wiring entrances.	Approve
190	314.27(C)	NEC	Added requirement for marking of fan boxes internally and clarification on access to structural framing.	Disapprove
191		OR A	Modifies section where spare, separately switched, ungrounded conductors are provided and deleted item 2. Modify by replacing 'acceptable' with 'intended.'	Retain as modified
192		PP-17	Eric Sherman – Delete the existing OESC amendment that required fan-rated boxes to be installed in new construction where fan installation is feasible. Discussion .	Disapprove PP
193	314.29(A)	TIA	The proposed TIA intends to correct a previously unknown existing hazard.	Approve
194	315	NEC	Created new Article 315, Medium Voltage Conductors, Cables, Cable Joints, and Cable Terminations, comprised of requirements from former Article 311.	Approve
195	315.40	OR A	Removes the requirement for cable ties to be listed and identified for securement and support. Also, in 320.30(A), 330.30(A), 334.30, 337.30, 348.30(A), 350.30(A), 356.30(1), 362.30, 392.30, 393.14.	Retain
196		PP-16	Mike Stone, NEMA - Delete the existing OESC amendment that removed the requirement for cable ties supporting various wiring methods to be listed. Discussion .	Disapprove PP
197	330.10(A)	NEC	Revised list item (11) to include Type MC cable being able to be installed in damp locations.	Approve
198	334.10	NEC	Revised text in list item (2) for use in detached garages in multifamily applications.	Approve
199	334.12(A)(2) Ex.	OR A	Adds another exception to item (2) the installation within a dropped or suspended ceiling cavity in structures other than one- and two-family and multifamily dwellings when installed in accordance with 334.15.	Retain
200	334.15(B)	NEC	Added requirement for abrasion protection when a cable enters or exits a raceway.	Approve
201		OR A	Requires exposed nonmetallic sheathing cable be protected and provisions to do so.	Retain
202	334.15(C)	OR A	Removes “and crawl spaces” from the requirements.	Retain
203	334.19	NEC	Added section requiring cable sheath to extend at least 1/4 inch beyond any cable clamp or cable entry.	Approve
204	334.24	NEC	Added requirement to use the major diameter (i.e., widest part) of a flat cable when considering bending radius. Delete the last sentence for flat cables.	Disapprove & Adopt New OR A
205	334.80	NEC	Revised to remove the use of the exception within 310.14(A)(2) when dealing with two or more conductors in contact with thermal insulation.	Approve
206	334.112	NEC	Revised Info Note to remove references to Type NMS and NMS-B cables, which are no longer produced.	Approve

No.	Article/Section		Topic and change description	Outcome
207	336.10	NEC	Added list item (12) to permit Type TC cable to be used as service-entrance conductors where identified for such use and marked as Type TC-ER.	Approve
208		OR A	Removes "In one- and two-family dwelling units,"	Retain
209	337.108	NEC	Revised text to state that equipment grounding conductors be provided in multiconductor cable.	Approve
210	337.115	NEC	Revised text to allow single conductors without an overall jacket, within enclosures or machinery.	Approve
211	337.116	NEC	Revised text to allow for additional armor options.	Approve
212	338.24	NEC	Revised to specify that the major dimension of flat cables is to be used for determining bending radius. <i>Delete the last sentence for flat cables.</i>	Disapprove & Adopt New OR A
213	340.24	NEC	Revised to specify that the major dimension of flat cables is to be used for determining bending radius. <i>Delete the last sentence for flat cables.</i>	Disapprove & Adopt New OR A
214	342.10(B)	NEC	Revised text to allow use of IMC in direct burial applications.	Approve
215	342.20(B)	NEC	Revised text to add larger sizes of IMC.	Approve
216	342.30(A)(3)	NEC	Added an exception that allows fishing of unbroken lengths of IMC within existing walls or panels.	Approve
217	344.10(B)	NEC	Revised text to allow for use of RMC in direct burial applications.	Approve
218	344.20(A)	NEC	Revised exception text to allow for use of smaller RMC.	Approve
219	348.2	NEC	Added section stating that FMC shall not be reconditioned.	Approve
220	350.2	NEC	Added section stating that LFMC shall not be reconditioned.	Approve
221	352.10(B)	NEC	Added section to clearly state that PVC can be encased in concrete.	Approve
222	352.10(K)	NEC	Added section to clearly state that Schedule 80 PVC can be used where subject to physical damage.	Approve
223	352.44(B)	NEC	Added section to address frost heave with expansion fittings.	Approve
224	358.20(A)	NEC	Revised the exception to allow for a smaller size EMT.	Approve
225	358.20(B)	NEC	Revised text to allow for larger size EMT.	Approve
226	362.2	NEC	Added section stating that ENT shall not be reconditioned.	Approve
227	362.10	NEC	Revised text for permitted uses of ENT when protected with fire sprinkler systems or encased in concrete. <i>Disapprove the NEC changes and retain the 2021 OESC language for this section. A new term was introduced into the 2023 NEC and is not defined.</i>	Disapprove & Adopt New OR A
228	366.10(C)	NEC	Added section to permit auxiliary gutters extending up to 30 feet and added exception to permit extension beyond 30 feet to correlate with 620.35.	Approve
229	369	NEC	Created new Article 369, Insulated Bus Pipe (IBP)/Tubular Covered Conductors (TCC) Systems.	Approve
230	370.120	NEC	Revised to add subsections for "Nameplates" and "Identification."	Approve
231	371	NEC	Created new article 371, Flexible Bus Systems.	Approve
232	374.6	NEC	Revised to align with UL 209 in requiring both the floor raceways and fittings to be listed.	Approve
233	376.60	NEC	Added section that permits a listed metal wireway to be used as an equipment grounding conductor.	Approve
234	394.12(5)	OR A	Adds an exception. <i>Following NFPA style, modify by removing the editions of the standards.</i>	Retain as modified

No.	Article/Section		Topic and change description	Outcome
Chapter 4 – Equipment for General Use				
235	400, Part IV	NEC	Added Part IV to address portable power feeder cables over 2000 volts, nominal.	Approve
236	400.10(A)	OR A	Adds listed assemblies of fixtures and controllers, approved by the Federal Aviation Administration under uses allowing flexible cords and flexible cables.	Retain
237	400.12	OR A	Adds second exception to (5) for certain cord sets and power-supply cords and adding “In other than Spaces Used for Environmental Air.”	Retain
238	404.14(D)	NEC	Added section covering conductors utilized with snap switch terminations.	Approve
239	404.16	NEC	Added section covering reconditioned equipment.	Approve
240	404.30	NEC	Added section covering switch enclosures with doors.	Approve
241	406.2	NEC	Added section covering reconditioned equipment.	Approve
242	406.3(A)	NEC	Revised to delete sentence stating that receptacles shall not be reconditioned, as it is covered by new 406.2.	Approve
243	406.3(D)	NEC	Added section covering receptacle terminations.	Approve
244	406.4(B)	NEC	Revised title to incorporate equipment grounding conductor.	Approve
245	406.4(D)(4)	OR A	AFCI protection is not adopted by the State of Oregon.	Retain
246	406.4(D)(5)	NEC	Revised text around listing requirements for replacement of nongrounding receptacles and aluminum branch-circuit conductors terminated to tamper-resistant receptacles.	Approve
247	406.4(D)(8)	NEC	Added section covering ground-fault protection of equipment (GFPE).	Approve
248	406.4(G)	NEC	Added section covering protection of floor receptacles using relocated requirements from former 406.9(D). ** This has a possible cost increase in certain applications.	Approve *Poss. cost increase
249	406.6(D)	NEC	Revised to address faceplates with integral night lights and USB chargers and added a new exception covering spring-tensioned contact connections of faceplates.	Approve
250	406.7	NEC	Revised to delete sentence stating that attachment plugs, cord connectors, and flanged surface devices shall not be reconditioned, as it is covered by new 406.2	Approve
251	406.9(A)	NEC	Revised to require WR ratings for other receptacles. Modify by adding 15- and 20-ampere for 125-volt, and removing 250-volt from the “weather-resistant type” requirement.	Approve as modified
252		NEC	Revised to require hinged covers of outlet box hoods to open at least 90 degrees, or fully open if not designed to open 90 degrees, after installation.	Approve
253	406.9(B)	NEC	Revised to require other receptacles installed in a wet location to be WR type and to require hinged covers of outlet box hoods to open at least 90 degrees, or fully open if not designed to open 90 degrees, after installation. Remove 250-volt from the “weather-resistant type” requirement.	Approve as modified
254	406.9(C)	OR A	Model code changes were not adopted from the 2020 NEC, retained 2017 OESC language.	Rescind
255		NEC	Revised to clarify receptacle installations within a bathtub and shower space and to add exceptions pertaining to hydromassage bathtub receptacles and weight supporting ceiling receptacles (WSCR). Revise Exc. No. 2 to allow the receptacle to be installed outside of the room as near as practicable to the strike side of the door instead of opposite the bathtub rim or shower stall threshold on the farthest wall within the room.	Approve as modified
256	406.12(1)	NEC	Revised list item (1) to include tamper-resistant receptacle requirements in all dwellings, boathouses, mobile homes, and manufactured homes.	Approve

No.	Article/Section		Topic and change description	Outcome
257	406.12(5)	NEC	Revised list item (5) to add the term "within" for clarity of what areas require tamper-resistant receptacles and to add lobbies, corridors, waiting spaces, and spaces used for patient sleeping. <i>*Minimal cost increase per unit for educational occupancies.</i>	Approve <i>*Minimal cost increase</i>
258		OR A	Item (5) is not adopted in the OESC. No longer necessary	Rescind
259	406.12(6)	NEC	Revised to list item (6) add fitness centers and to clarify that gymnasiums include those within both educational and commercial facilities.	Approve
260		OR A	Item (6) is not adopted in the OESC. No longer necessary	Rescind
261	406.12(8)	NEC	Revised list items (8) to include residential care facilities, rehabilitation facilities, group homes foster care, nursing homes, and psychiatric hospitals.	Approve
262		OR A	Item (8) is not adopted in the OESC. No longer necessary	Rescind
263	406.12(9)	NEC	Added list item (9) to include foster care facilities, nursing homes, and psychiatric hospitals.	Approve
264	406.12(10)	NEC	Added list item (10) covering agricultural buildings accessible to the public and any common areas.	Approve
265	408.2 [408.8]	NEC	Relocated former 408.8 covering reconditioned equipment, revised to remove duplicative requirements with 110.21(A)(2), added the term "corrosive influences", and added "switchboards" in 408.2(B) to correct inadvertent omission from the 2020 edition.	Approve
266		OR A	Allows the signing supervisor to evaluate reconditioned equipment.	Retain
267	408.2(A)	NEC	Deleted duplicative requirements for labeling.	Approve
268	408.9(B) // [408.8(A)]	OR A	Deletes the last sentence about field labeling.	Retain
269	408.36	OR A	Adds another exception for panelboards used as service equipment with multiple disconnecting means. Revises exception no. 2 by specifying panelboard protected on its supply side and removes "in other than service equipment."	Retain
270	408.38	NEC	Revised to add an evaluation requirement on systems with fault currents above 10,000 amperes.	Disapprove & Adopt New OR A
271	409.70	NEC	Added section covering surge protection.	Approve
272	409.110	NEC	Revised to require permanent markings that are visible after installation, including clarification as to what markings are required to be installed inside and outside of the enclosure.	Approve
273	410.2 [410.7]	NEC	Relocated former 410.7 covering reconditioned equipment and revised to add ballasts, LED drivers, and lamps as equipment that cannot be reconditioned. Modify by adding sentence that service and maintenance of luminaires are not considered reconditioning.	Approve as modified
274		OR A	Not adopted by the State of Oregon. No longer necessary	Rescind
275	410.10(D)(1)	NEC	Revised to add luminaires (light kits) connected to paddle fans	Approve
276	410.10(F)	NEC	Revised to add "where subject to physical damage" and to add exception that recognizes additional protection provided by concrete slab.	Approve
277	410.69	OR A	Not adopted by the State of Oregon. No longer necessary	Rescind
278	410.71	NEC	Added section covering requirements for disconnecting means for fluorescent and LED luminaires that utilize double-ended lamps.	Approve
279	410.170	OR A	Adds requirement for horticultural lighting equipment to be evaluated in accordance with IFAU. No longer necessary	Rescind
280	410.184	NEC	Revised to add an exception covering circuits exceeding 150 volts to ground and to add an Info Note referencing UL 943C.	Approve

No.	Article/Section		Topic and change description	Outcome
281	410, Part XVII	NEC	Added Part XVII covering special provisions for germicidal irradiation luminaires.	Approve
282	411.2	NEC	Added section covering reconditioned equipment.	Approve
283	411.3	NEC	Added section covering voltage limitations.	Approve
284	411.7(A)	NEC	Revised to add an exception covering secondary circuits supplied by a Class 2 power source.	Approve
285	422.5(A)	OR A	The GFCI protection requirements for outlets supplying dishwashers installed in dwelling unit locations is not adopted by the State of Oregon.	Retain
286	422.34	OR A	Adds that unit switches on ranges, ovens and dishwashers shall not be considered the disconnect required by section. No longer necessary	Rescind
287	424.48	NEC	Added section covering requirements for heating cables installed in walls.	Approve
288	424.93(C)	NEC	Added section covering requirements for heating panels installed within walls.	Approve
289	425.22	NEC	Added section title.	Approve
290	430.1	NEC	Revised Figure 430.1. Added section covering requirements for reconditioned motors.	Approve
291	430.83(F)	NEC	Added section to provide requirements for the motor controller short-circuit rating.	Approve
292	430.113	NEC	Revised to add requirement to provide a sign to shut off and also identify the circuits for multiple sources of power.	Approve *Minimal cost increase
293	430.204	NEC	Added section with requirements for wire-bending space in motor controller enclosures.	Approve
294	430, Part XIV	NEC	Revised Table 430.249 and Table 430.250 to include 2300 to 2400-volt system voltage ranges.	Approve
295	440.8	NEC	Revised section to add restrictions on mounting mini-split air conditioning units within bathtub and shower spaces.	Approve
296	440.11	NEC	Revised section to add requirements to protect unqualified persons.	Approve
297	445.6	OR A	Not adopted in OESC in accordance with statutory authority.	Retain
298	445.11	NEC	Revised list items (1) and (3) and added list item (2) requiring that equipment mounted to a generator assembly cannot conceal or obscure the nameplate.	Approve
299	445.19(C) [445.18(D)]	OR A	Not adopted in the OESC because we did not adopt the outside emergency disconnect. Adopt section as modified by deleting 'readily' and the last two sentences.	Rescind & Adopt new OR A
300	450.2	NEC	Added section for interconnection of transformers.	Approve
301	450.43	OR A	Removes "listed" and adds an Info Note to see OESC 110.26(C)(3).	Retain
302	480.1	OR A	Removes "listed" and adds an Info Note to see OESC 110.26(C)(3).	Retain
303	490.49	OR A	Allows the signing supervisor to evaluate reconditioned equipment.	Retain
304	495.2	NEC	Added section to provide requirements for reconditioned equipment.	Approve
305	495.48(A)	NEC	Revised list item (12) to align with the title of Article 242.	Approve
306	495.49	NEC	Revised language around reconditioned switchgear. Modify by adding that the evaluation can be performed by the "signing supervisor."	Approve as modified
Chapter 5 – Special Occupancies				
307	500.6(C)	NEC	Added section for fibers/flyings to correct error and to correlate with changes in other sections.	Approve
308	500.7(P)	NEC	Added section for protection by electrical resistance trace heating "60079-30-1".	Approve
309	500.7(Q)	NEC	Added section for protection by impedance heating "IEEE 844.3".	Approve

No.	Article/Section		Topic and change description	Outcome
310	500.7(R)	NEC	Added section for enclosed-break protection.	Approve
311	500.7(S)	NEC	Added section for nonsparking protection.	Approve
312	500.7(T)	NEC	Added section for sealed protection.	Approve
313	500.8(A)	OR A	Revises to point to ORS 479.760 for the suitability of equipment.	Retain
314	501.135(B)(4)	NEC	Added section to correct the omission of luminaires.	Approve
315	501.141	NEC	Added section for flexible cables, Class I, Division 2.	Approve
316	501.145	NEC	Revised to add listing requirement of attachment plugs and receptacles.	Approve
317	502.10(B)	NEC	Revised list item (2) to include supplemental corrosion protection coatings and added text to item (3) to allow for listed compression type connectors or couplings for correlation with other articles.	Approve
318	505.8(O)	NEC	Added section for protection by impedance heating "IEEE 844.3."	Approve
319	505.8(P)	NEC	Added section for pressurized room "p."	Approve
320	505.8(Q)	NEC	Added section for special protection "s."	Approve
321	505.16(C)(2)	NEC	Added enforceable requirements for sealing cables and revised text for consistency.	Approve
322	505.20(C)	NEC	Added Exception No. 5 and 6 using language from list items (4) and (5) of 501.125(B)(4).	Approve
323	506.8(O)	NEC	Added section for pressurized room "p."	Approve
324	506.8(P)	NEC	Added section for special protection "s."	Approve
325	511.2	NEC	Added "Other Articles" section and new Table 511.2.	Approve
326	511.8	NEC	Revised former exception into positive enforceable language, added requirement of threaded to RMC and IMC, and corrected change in classification term.	Approve
327	512	NEC	Created new Article 512, Cannabis Oil Equipment and Cannabis Oil Systems Using Flammable Materials.	Approve
328	513.2	NEC	Added "Other Articles" section and new Table 513.2.	Approve
329	514.2	NEC	Added "Other Articles" section and new Table 514.2.	Approve
330	515.2	NEC	Added "Other Articles" section and new Table 514.2.	Approve
331	516.2	NEC	Added "Other Articles" section and new Table 516.2.	Approve
332	517.6	NEC	Added section for patient care-related electrical equipment.	Approve
333	517.10(D)	OR A	Adds examples of "alternative medicine" and three more uses for which Part II shall not apply.	Retain
334	517.13(A)	OR A	Adds an exception for type PVC conduit underground or embedded in concrete in Dental Clinics located in type B occupancies as established in accordance with the building code with some requirements.	Retain
335	517.14	NEC	Added an exception to allow for termination on ground bus.	Approve
336	517.17(D)	OR A	Modified by replacing "qualified" persons with those having proper training and experience... and a signature on the written record of the person performing the test.	Retain
337	517.22	NEC	Added section on demand factors to refer users to 220.110.	Approve *Significant cost savings
338	518.2(A)	NEC	Revised list of assembly occupancies to add casinos and gaming facilities.	Approve
339	518.6	OR A	Not adopted in the OESC.	Retain

No.	Article/Section		Topic and change description	Outcome
340	520.53	NEC	Revised to differentiate between general purpose switchboards and portable stage switchboards.	Approve
341	520.68(D)	NEC	Added section for special-purpose multi-circuit cable systems.	Approve
342	530	NEC	Revised and restructured article extensively to incorporate new technology and to apply to studios in facilities and locations staffed by qualified persons. Revised article title to replace "and Similar Locations" with "and Remote Locations."	Approve
343	547.27	NEC	Revised to require an insulated equipment grounding conductor if it is separate and not part of a cable assembly.	Approve
344	547.28	NEC	Revised list item (1) to replace "having" with "requiring" an equipotential plane.	Approve
345	[547.5]	OR A	Adds exception for single receptacle.	Retain
346	547.44(A) [547.10(A)]	OR A	Adds an exception to (A)(1) & (2) for those designed by a professional engineer and further modifies "where required" to those areas designated by the owner and adding an Info Note to see the definition of equipment in Article 100. Complete the exceptions sentence by adding "the equipotential plane shall not be required."	Retain as modified
347	550.33(A)	NEC	Added section for feeder equipment to address disconnecting means and renumbered former 550.33(A) to (B).	Approve
348	551.3	NEC	Added section around electrical datum plane distances.	Approve
349	551.30(A)	NEC	Revised to require the connection of electrical system from a generator be capable of providing an effective ground-fault return path when operational.	Approve
350	551.40(D)	NEC	Deleted former section "Reverse Polarity Device" and added section "Loss of Ground Device" to address the "hot skin" effect that RVs can have and to provide the intended requirement of circuits at detection of a loss of ground.	Approve
351	551.71(B)	NEC	Revised to add "weather-resistant" to 30-amp 125-volt receptacle. Disapprove change by deleting "weather-resistant."	Disapprove & Adopt new OR A
352	551.71(C)	NEC	Revised to require weather-resistant receptacles with delayed effective date. Disapprove change by deleting "weather-resistant" and the last sentence.	Disapprove & Adopt new OR A
353	551.77	NEC	Revised to add listing requirement to RV site supply equipment. Modify by removing listing requirements.	Approve as modified
354	551.77(D)	NEC	Revised to require site supply equipment be 2 feet above electrical datum plane.	Approve
355	555.3	NEC	Added section for electrical datum plane distances.	Approve
356	555.4	NEC	Revised to add service equipment location to be adjacent to structure and for the height be measured from electrical datum plane to correlate with Article 682.	Approve
357	555.14	NEC	Added section for equipotential planes and bonding of equipotential planes.	Approve
358	555.15	NEC	Added section for replacement of equipment. Delete and note Not adopted by the State of Oregon.	Disapprove & Adopt New OR A
359	555.34(A)	NEC	Revised to remove temporary wiring from section, to require an insulated equipment grounding conductor, and to add extra hard usage to portable cables.	Approve
360	555.34(B)(4)	NEC	Revised to add IMC as a method of permitted protection from physical damage similar to 300.5.	Approve
361	555.35(A)	NEC	Revised to require listed GFPE protection of not more than 100 milliamperes for feeders installed on docking facilities.	Approve
362		OR A	Adds another exception to not require GFPE on modifications to existing systems.	Retain
363	555.35(B)	NEC	Revised to require GFPE protection of not more than 30 milliamperes for receptacles providing shore power and to require GFCI protection for outlets for other than shore power.	Approve
364	555.36(C)	NEC	Added section for emergency electrical disconnects for shore power connections. Modify by deleting last sentence prohibiting the use of a circuit breaker handle for this purpose.	Approve as modified

No.	Article/Section		Topic and change description	Outcome
365	555.38	NEC	Added section for luminaire general requirements and underwater luminaires.	Approve
366	555.53	NEC	Revised to add language requiring outdoor outlets, shore power outlets, and boat hoists comply with the GFCI and GFPE protection requirements in 555.35(B) and (C).	Approve
367	590.4(F)	NEC	Revised to require metal guards for lamps be connected to EGC, if used.	Approve
368	590.8(A)	OR A	Removes the unenforceable requirement that the devices be “examined.”	Retain
369	590.8(B)	OR A	Not adopted in OESC	Retain
370		NEC	Revised text requiring current-limiting OCP where available fault current is greater than 10,000 amperes.	N/A
Chapter 6 – Special Equipment				
371	600.33(B)	OR A	Requires secondary wiring installation to comply with all of 300.4 and not just 300.4(D).	Retain
372	620.1	OR A	Points to the Oregon Elevator Specialty Code in Info Note no. 1.	Retain
373	620.2	OR A	Adds a definition for a “Separate branch circuit.” <i>Modify by moving the definition to Article 100.</i>	Retain as modified
374	620.5	OR A	Requires that the arc of the door does not encroach on those clearances required by 110.26(A), Adds where machine room doors swing inward.	Retain
375	620.6(C)	OR A	Does not require permanent GFCI protection where sump pumps are installed.	Retain
376	620.11(A)	OR A	Provides an exception for where not required by the Oregon Elevator Specialty Code.	Retain
377	620.12(A)(2)	NEC	Added section on Class 2 wiring and to provide minimum cable sizes.	Approve
378	620.12(A)(4)	NEC	Added section allowing parallel conductors in elevator traveling cables.	Approve
379	620.22(A)	NEC	Revised to permit additional loads on car lighting branch circuit.	Approve
380	620.36	NEC	Revised to permit communications limited power cable, shielded pairs, coaxial cables, and communications circuits in traveling cables to accommodate communications and Class 2 applications and for compliance with 800.179.	Approve
381	620.37(A)	OR A	Conduits and raceways necessary for the connection of such devices shall only enter hoistways and machine rooms to the extent necessary to connect the devices(s) attached thereto.	Retain
382	620.51(B)	OR A	Requires that the disconnecting means be located in the elevator control room or control space, when provided and that the installation comply with the requirements of NFPA 72 as adopted in OAR 918-306-0005.	Retain
383	620.51(C)	OR A	Provides specific requirements for machine rooms.	Retain
384	620.51(C)(4)	OR A	Provides specific requirements for motor controllers.	Retain
385	620.51(C)(5)	OR A	Provides specific requirements for residential installations.	Retain
386	620.86	OR A	Adds requirements for flexible metal conduit used between the disconnecting means and the elevator controller.	Retain
387	625.22	NEC	Revised to require a listed personnel protection system (PPS) for WPTE.	Approve
388	625.42	OR A	Adds an Info Note pointing to SAM 09-01	Retain
389	625.44(A)	NEC	Revised to add 3-pole, 4-wire configuration and permit 60-amp receptacles.	Approve
390	625.44(B)	NEC	Revised to add 125/250 volts as 3-pole, 4-wire configuration and permit 60-amp receptacles.	Approve
391	625.44(C)	NEC	Revised to add 125/250 volts as 3-pole, 4-wire configuration.	Approve
392	625.49	NEC	Added section for island mode for EVPE and bidirectional EVSE.	Approve
393	625.54	COMM	Delete section / Not adopted by the State of Oregon. Discussion .	Adopt New OR A

No.	Article/Section		Topic and change description	Outcome
394	630.8	NEC	A new section was added after 630.6 to require GFCI protection for personnel for all electric welder applications. The intent is not for the welder receptacle itself, but for all the other receptacles in that area where other tools might be connected and come in contact with the water used in the welding process. Language is not clear where the GFCI is required. Delete section / Not adopted by the State of Oregon. Discussion .	Disapprove & Adopt New OR A
395	630.13	NEC	Revised to allow for listed cord-and-plug connector as a disconnecting means.	Approve
396	640.3(C)	NEC	Added section for communications cables.	Approve
397	645.2	OR A	Revises the definition for "Critical Operations Data System" to that which is designated by the building owner as requiring continuous operation. Modify by moving the definition to Article 100.	Retain as modified
398	645.10	OR A	Requires that the disconnecting means be grouped and identified, and be readily accessible at the principal exit doors or comply with either 645.10(A) or (B).	Rescind
399	646.19	NEC	Revised to require doors open to the full extent of the designed opening. Modify by removing "listed" requirements for panic hardware and fire exit hardware.	Approve as modified
400	670.6	OR A	Not adopted in OESC.	Retain
401	680.4	OR A	Does not adopt the requirement for re-inspection of permanently installed equipment covered within the scope of 680.	Retain
402	680.5(B)	NEC	Revised to add an exception for receptacles and outlets below the low voltage contact limit not requiring GFCI protection.	Approve
403	680.12	NEC	Revised into subsections and added text to recognize rated and identified for submersion regarding electrical equipment and GFCI requirements.	Approve
404	680.14(A)	NEC	Revised text to add "tubing" as an item not permitted in this section.	Approve
405	680.21(C)	NEC	Revised for proper reference to 680.5 for GFCI and revised exception to indicate ground-fault protection is not required for listed low-voltage motors.	Approve
406	680.21(D)	OR A	Not adopted in the OESC	Retain
407	680.26(A)	NEC	Revised to require equipotential bonding for pools with or without associated electrical equipment related to the pool. There is a TIA rewriting these provisions.	Approve
408	680.41	NEC	Revised text into subsections, added requirements for equipment exceeding low-voltage contact limit, and exempted one-family dwellings from emergency switch.	Approve
409	680.42(B)(4)	OR A	Adds deck to the requirement.	Retain
410	680.54(C)	NEC	Added section for equipotential bonding of splash pads.	Approve
411	680.59	NEC	Revised for the requirement of GFCI and SPGFCI protection for permanently installed nonsubmersible pumps and added exception of listed low-voltage motors not requiring grounding.	Approve
412	680.74(A)	NEC	Added Exception No. 3 to clarify additional items that require bonding and included common terms "mounting strap" and "yoke".	Approve
413	682.15	NEC	Revised to add the requirement of listing.	Approve
414	682.15(A)	OR A	Not adopted in the OESC. Rescind amendment and adopt the provisions in Section 682.15(A)	Rescind
415	682.15(B)	OR A	Modifies the requirement that feeder and branch-circuit conductors installed on piers be provided with GFP not exceeding 30 mA to "not exceeding 100mA."	Retain
416	682.31(A)	NEC	Added section to clarify what must be connected to the EGC and renumbered remaining subsections accordingly.	Approve
417	682.31(E)	NEC	Added exception.	Approve

No.	Article/Section		Topic and change description	Outcome
418	690.4(G)	NEC	Added section for PV equipment floating on bodies of water.	Approve
419	690.12	OR A	Requires a rapid shutdown function be provided where an addition to an existing system is installed and adds that 690.12(B)(2) shall not apply top existing systems.	Retain
420		PP-19	Stephen Schmiechen , Delete NEC section 690.12 in its entirety, remove the requirement for rapid-shutdown systems in Oregon. Discussion .	Disapprove PP
421	690.12 Ex. 2	NEC	Added Exception No. 2 to align with existing exception to correlate requirements for firefighter rooftop access.	Approve
422	690.31(A)	PP-20	Bud Hill , ORSC R1107.4 deals with the installation of a 'Solar Interconnection Pathway' that requires a 3/4-inch non-flexible metal raceway. OESC Section 690.31 (A) states that PV output circuits shall be guarded or installed in MC cable or in raceway. Discussion .	Disapprove PP
423	690.31(C)(1)	COMM	Remove the requirement that cable ties be listed and identified for securement and support.	Adopt New OR A
424	690.31(G)	NEC	Added section for over 1000 volts dc.	Approve
425	690.41	NEC	Revised to focus on dc grounding and added 690.41(B) for dc ground-fault detector interrupter (GFDI) protection means.	Approve
426	690.47(B)	OR A	Oregon specifies that equipment grounding conductors required by 690.47(A) or (B) shall not be smaller than 6 AWG copper or 4 AWG aluminum. (Energy Trust)	Retain
427	690.42	NEC	Revised and reorganized into subsections and added section on ground-fault detector interrupter (GFDI) protection.	Approve
428	692.60	NEC	Added section to refer to specific Parts within Article 705.	Approve
429	694.7(A)	NEC	Revised to list both onshore and offshore installations.	Approve
430	695.2	NEC	Added section stating that reconditioned equipment is not permitted.	Approve
431	695.3(l)	NEC	Revised text to replace "shall not be permitted to be used" with "shall not be used to supply power to."	Approve
Chapter 7 – Specialty Conditions				
432	700	OR A	Requires that building officials/inspectors ensure compliance with Sections 700.32, 701.32, or 708.54 by verifying receipt of a certificate signed by the Engineer of Record or the Signing Supervisor stating that the proposed installation complies with the selective coordination requirements of this code.	Retain
433	700.2	NEC	Added section covering reconditioned equipment.	Approve
434	700.3(F)	NEC	Revised section requirements around listing and interlocking and added new list items on connection points being located outdoors and labeled.	Approve
435		OR A	Requires that the building owner deem it necessary to provide permanent switching means.	Retain
436	700.4(A)	NEC	Deleted former section on "rating," relocated text from former 700.4(B), revised to require that the emergency system be sized to accommodate rapid load changes, and added reference to Parts I through IV of Article 220.	Approve
437	700.4(C)	NEC	Added section covering parallel operation.	Approve
438	700.5(C)	NEC	Revised text to remove reference to reconditioning.	Approve
439	700.5(D)	NEC	Added section on redundant transfer equipment. Modify by requiring that the building owner needs to deem it necessary to provide redundant transfer equipment.	Approve as modified
440	700.8	NEC	Revised to add switchgear to the equipment requiring a listed SPD.	Approve
441	700.11	NEC	Added section covering Class 2 powered emergency lighting systems.	Approve
442	700.12(C)	NEC	Added section covering supply duration.	Approve

No.	Article/Section		Topic and change description	Outcome
443	700.27	NEC	Added section to address Class 2 powered emergency lighting systems.	Approve
444	700.32	OR A	Adds selective coordination requirements.	Retain
445	701.2	NEC	Added section covering reconditioned equipment.	Approve
446	701.4(B)	NEC	Revised to require the system be sized to accommodate rapid load changes, such as large motor startup and corrected cross references.	Approve
447	701.32	OR A	Adds selective coordination requirements.	Retain
448	702.2	NEC	Added section for "Reconditioned Equipment" and to states that it is not permitted.	Approve
449	702.4(A)(2)	OR A	Adds exception in one- and two-family dwellings manual management of the connected load.	Retain
450	702.7(A)	NEC	Revised to add requirement for signage to be placed at other than one- and two-family dwellings Delete 'for other than one- and two-family dwellings.'	Disapprove / Adopt New OR A
451		OR A	Deletes the disconnecting means sign for one- and two-family dwellings.	Retain
452		OR A	Does not require a sign for individual unit equipment for standby illumination.	Rescind
453	702.12(B)	NEC	Revised to require flanged inlets and other cord and plug connections to be installed outside of the building or structure.	Approve
454	705.12	NEC	Revised and reorganized section under new subsections "Feeders and Feeder Taps" and "Busbars."	Approve
455	705.12(A)(3)	COMM	Add Info Note to see SCI 21-03	Adopt New OR A
456	705.76	NEC	Added section for microgrid control systems (MCS) that correlates with the current state of the industry and available standards.	Approve
457	705.80	NEC	Added section covering interconnected power production sources that are operating in island mode.	Approve
458	705.81	NEC	Added section requiring power sources in island mode be controlled.	Approve
459	705.82	NEC	Added section on 120-volt supplies from 710.15(C).	Approve
460	706.7	NEC	Revised to require ESS to be commissioned upon installation in other than one- and two-family dwellings. Delete all of Section 706.7 for commissioning and maintenance as it is no enforceable in Oregon.	Disapprove Adopt New OR A
461	706.15	NEC	Revised text to be able to disconnect ESS from all other wiring and comply with emergency shutdown requirements for one- and two-family dwellings.	Approve
462	706.51	NEC	Added section for flywheel ESS (FESS).	Approve
463	708.1	OR A	Oregon amends the language for critical operations.	Retain
464	708.2	NEC	Added section for reconditioned equipment.	Approve
465	708.7	NEC	Added section for cybersecurity with COPS.	Approve
466	708.24(A)	NEC	Revised to add listing requirements for transfer switches and to clarify cross reference.	Approve
467	708.54	NEC	Added section to correlate with 700.32 on selective coordination to address requirements where critical operations power system OCPDs are replaced, modified, added, or deleted.	Approve
468		OR A	Adds selective coordination requirements.	Retain
469	722	NEC	Created new Article 722, Cables for Power-Limited Circuits and Fault-Managed Power Circuits, covering Class 2 and Class 3 power-limited circuits, power-limited fire alarm (PLFA) circuits, and Class 4 fault-managed power circuits. Common cabling requirements formerly in Articles 725 and 760 have been relocated into new Article 722.	Approve

No.	Article/Section		Topic and change description	Outcome
470	724	NEC	Created new Article 724, Class 1 Power-Limited Circuits and Class 1 Power-Limited Remote- Control and Signaling Circuits, covering Class 1 circuits that are not a part of a device or utilization equipment.	Approve
471	725.3(E)	NEC	Added section for listing and installation of cables for Class 2 and Class 3 circuits and to correlate with new Article 722.	Approve
472	725.10	NEC	Added section covering hazardous (classified) location requirements.	Approve
473	725.24	OR A	Adds compliance requirement with 300.11. No longer necessary	Rescind
474		NEC	Revised and added compliance requirement with 300.11.	Approve
475	725.130(A)	NEC	Revised to permit Class 1 wiring methods with Class 2 and Class 3 circuits.	Approve
476	726	NEC	Created new Article 726, Class 4 Fault-Managed Power Systems, for wiring systems and equipment including utilization equipment of Class 4 fault-managed power (FMP) systems.	Approve
477	750.6	NEC	Added section to include listing requirements.	Approve
478	760.3(O)	NEC	Added section referencing Part III of Article 760 and Parts I and II of Article 722 for the listing and installation of cable for power-limited fire alarm circuits.	Approve
479	760.10	NEC	Added section for hazardous (classified) location requirements.	Approve
480	760.24	NEC	Revised to include additional means of support and reference to 300.11.	Approve
481	760.24(A)	OR A	Adds compliance requirement with 300.11. No longer necessary	Rescind
482		NEC	Added compliance requirement with 300.11.	Approve
483		NEC	Added requirement for cable ties to be listed and identified for securement and support. Remove the requirement that cable ties be listed and identified for securement and support.	Disapprove / Adopt New OR A
484	760.33	NEC	Added section to require a listed surge-protective device to be installed on the supply side of a fire alarm control panel.	Approve
485	760.41(A)	PP-21	Bud Hill , align with the requirements of NFPA 72, by requiring the fire alarm circuit disconnect to be secured in the "on" position and not just 'permitted to' be secured in the "on" position. Withdrawn by the proponent as compliance with NFPA 72 is possible without modifying NEC language.	Withdrawn by proponent
486	760.41(B)	OR A	Removes requirement that the circuit disconnecting means for the branch circuit supplying the fire alarm equipment be accessible only to qualified personnel.	Retain
487	760.121(B)	OR A	Removes requirement that the circuit disconnecting means for the branch circuit supplying the fire alarm equipment be accessible only to qualified personnel.	Retain
488	760.130(B)	NEC	Revised to add subsections for nonconcealed spaces and portable fire alarm systems.	Approve
489	760.136(G)	NEC	Added section that permits PLFA circuits to be installed with other circuit conductors when installed using NPLFA wiring methods in accordance with Part II of Article 760 and are protected by an approved method.	Approve
490	760.139(C)	NEC	Added section addressing Class 3 and communications circuits installed with PLFA circuits.	Approve
491	770.3(D)	NEC	Added section for vertical support of fire-resistive cables.	Approve
492	770.24(A)	NEC	Revised to require cable ties to be listed and identified for securement and support. Remove the requirement that cable ties be listed and identified for securement and support.	Disapprove / Adopt New OR A
493	770.24(B)	NEC	Added a subsection for circuit integrity (CI) cable.	Approve
494	770.27	NEC	Added section regarding temperature limitation of optical fiber cables.	Approve
495	770.48(A)	NEC	Revised to include "roof" as a potential point of entrance penetration point.	Approve

No.	Article/Section		Topic and change description	Outcome
496	770.48(B)	OR A	Adds item No. 5: Electrical Nonmetallic conduit (ENT)	Retain
497	770.113(B)	NEC	Revised to add "Uses Permitted" and "Uses Not Permitted" subsections.	Approve
Chapter 8 – Communication Systems				
498	800.24(A)	NEC	Revised to clarify that cable ties can be used for securement and support. Remove the requirement that cable ties be listed and identified for securement and support.	Disapprove / Adopt New OR A
499	800.24(B)	NEC	Added a subsection for circuit integrity (CI) cable.	Approve
500	800.47	NEC	Added section for consolidation of common requirements from Articles 805, 820, 830 and 840.	Approve
501	800.48	NEC	Added section for consolidation of common requirements from Articles 805, 820, 830 and 840 and revised text to correlate with the definition of point of entrance.	Approve
502	800.100(B)(2)	NEC	Revised list item (7) to reflect the increased use of nonmetallic water piping systems within buildings and to de-emphasize their use as a grounding connection for communications systems.	Approve
503	800.100(B)(3)	NEC	Revised to prohibit steam and hot water pipes as bonding or grounding electrode conductors.	Approve
504	800.133	NEC	Added section to consolidate common requirements from 805.133 and 820.133.	Approve
505	800.170	NEC	Revised to add listing requirements for plenum cable ties.	Approve
506	805.170(A)	NEC	Revised to add listing requirement to primary protector.	Approve
Statewide Code Interpretations and Statewide Alternate Methods				
507	110.3(B)	SAM	08-02: Underground splicing of equipment grounding conductors for traffic Signal Installations	Retain
508	230/250	Interp	15-02: Service requirements for meter bases on poles or posts Rescind the interpretation; with the revision of the definition for 'structure' to "that which is built or constructed, other than equipment or a post(s) or pole(s) with an attached meter base" the interpretation is no longer necessary.	Rescind
509	250.130/250.140	Interp	15-01: Grounding frames from existing branch circuits	Retain
510	422.31/440.3(B)&(C) 430.109(B)	Interp	09-01: Disconnecting means for HVAC system	Retain
511	547	Interp	19-03: Application of Article 547 to agricultural buildings	Retain
512	406.9/547.5	Interp	22-03: Receptacle box hood covers in agricultural buildings	Retain
513	625	SAM	09-01: Use of a demand factor table for calculating electrical vehicle charging equipment services and feeders	Retain
514	625.54	SAM	22-01: Electrical vehicle supply circuit GFCI protection for personnel Rescind the alternate method; with disapproving and deleting Section 625.54 the alternate method is no longer necessary.	Rescind
515	690.4/705.12	Interp	21-03: Solar connections to feeders	Retain

State of Oregon

Board memo

Building Codes Division

March 23, 2023

To: The Electrical and Elevator Board

From: Chair Nathan Philips, 2023 Oregon Electrical Specialty Code Review Committee

Subject: Continuing Education Credit for Committee Members and Staff

Action requested:

Electrical and Elevator Board consideration of approving continuing education credit for members of the 2023 Oregon Electrical Specialty Code Review Committee and staff.

Background:

The Electrical and Elevator Board establishes continuing education requirements for all electrical licensees in order to ensure licensees possess up-to-date knowledge of the code and administrative requirements.

Previous code change committee members were given continuing education credit toward their licensing requirement for volunteering their time. Members of the code change committee are exceedingly knowledgeable on the electrical code and have years of experience with Oregon's regulatory requirements.

Discussion:

The 2023 OESC code review committee met six times from December 13, 2022 to January 24, 2023, for a total of approximately 26 hours, as well as additional time outside of committee meetings researching and preparing. The time was spent reviewing the 2023 model code, existing Oregon amendments, public proposals, statewide interpretations, and statewide alternate methods.

The chair of the code change committee is requesting the following continuing education credit be given to the licensed members of the 2023 Oregon Electrical Specialty Code Review Committee and division staff. Four hours of Oregon Rule and Law, and 20 hours of code change credit.

Options:

- Approve the code change committee's request for continuing education hours.
- Amend and approve the code change committee's request for continuing education hours.
- Disapprove the code change committee's request for continuing education hours.

State of Oregon

Board memo

Building Codes Division

March 23, 2023

To: Electrical and Elevator Board

From: Ian Paik, policy analyst, Policy and Technical Services

Subject: Continuing Education Applications

Action requested:

Electrical and Elevator Board consideration of the Continuing Education Committee's recommendations regarding continuing education courses and instructors.

Background:

The Electrical and Elevator Board establishes continuing education requirements for all electrical licensees in order to ensure licensees possess up-to-date knowledge of the code and administrative requirements. The board sets standards for approval of courses and instructors in order to have a sufficient number and variety of continuing education courses available to licensees.

The board's continuing education committee has been evaluating courses and instructors on the board's behalf. In February, the committee reviewed 66 applications from 15 organizations:

- 37 courses were recommended for approval.
- 4 courses were not recommended for approval
- 25 instructors were recommended for approval.

See attached summary for more information.

In addition to the Oregon Rule and Law criteria, the committee is using the following when reviewing applications:

- NFPA 70E courses are eligible for a maximum of eight hours code-related credits.
- OSHA 10 courses are eligible for a maximum of four hours code-related credits.
- OSHA 30 courses are eligible for a maximum of sixteen hours code-related credits.
- First Aid/CPR courses are eligible for a maximum of four hours code-related credits (two hours for each course).
- For correspondence courses – Provider must submit complete course.
- For online courses – Provider must submit a log-on or screen shots of course content.

Options:

- Approve the committee's recommendations for approval or denial of courses or instructors.
- Amend and approve the committee's recommendations for approval or denial of courses or instructors.
- Disapprove the committee's recommendations for approval or denial of courses or instructors.

**Electrical and Elevator Board
Committee on Continuing Education Course and Instructor Review
March 23, 2023**

Courses

	Applicant	Course Name	Committee Recommendation	Board Action
1	Curtis Gillette UA Local 290	Basic Life Safety / First Aid 4 hours, CR	Approve for 2021 code cycle	
2	Dana Matlock AETech Electrical Training	2023 NEC Code Change Highlights 8 hours, CC	Approve for 2021 code cycle	
3	David Modica At Your Pace Online	2023 NEC Changes for LEA and LEB 8 hours, CC:MC	Approve for 2021 code cycle	
4	David Modica At Your Pace Online	2023 NEC Changes for LME Licenses 2 hours, CC:MC	Approve for 2021 code cycle	
5	David Modica At Your Pace Online	2023 NEC Changes for LRT and SIG Licenses 4 hours, CC:MC	Approve for 2021 code cycle	
6	David Modica At Your Pace Online	2023 NEC Changes Part 1 8 hours, CC:MC	Approve for 2021 code cycle	
7	David Modica At Your Pace Online	2023 NEC Changes Part 2 8 hours, CC:MC	Approve for 2021 code cycle	
8	Eric P Campbell Blue Phoenix Engineering	High Voltage Qualified Electrical Safety 8 hours, CR	Deny for 2021 code cycle	
9	Eric P Campbell Blue Phoenix Engineering	High Voltage Qualified Electrical Safety – Refresher 4 hours, CR	Approve for 2021 code cycle	
10	Eric P Campbell Blue Phoenix Engineering	Electrical Workplace Safety NFPA 70E 8 hours, CR	Deny for 2021 code cycle	

11	Eric P Campbell Blue Phoenix Engineering	Electrical Workplace Safety NFPA 70E – Refresher 4 hours, CR	Approve for 2021 code cycle	
12	Ana Davenport CITC	2023 NEC Code Changes 8 hours, CC:MC	Approve for 2021 code cycle	
13	Ana Davenport CITC	2023 NEC Code Changes 8 hours, CR	Approve for 2021 code cycle	
14	Ana Davenport CITC	Comprehensive Review of the 2020 NEC 8 hours, CC:MC	Approve for 2021 code cycle	
15	Ana Davenport CITC	NEC Article 210: Branch Circuits 8 hours, CR	Approve for 2021 code cycle	
16	Ana Davenport CITC	NEC Article 230: Electrical Services 8 hours, CR	Approve for 2021 code cycle	
17	Ana Davenport CITC	NEC Article 250: Grounding and Bonding 8 hours, CR	Approve for 2021 code cycle	
18	Ana Davenport CITC	NEC Article 310: Conductors for General Wiring 8 hours, CR	Approve for 2021 code cycle	
19	Paul Hesselroth Current Electric Training	Online 2023 NEC Code Update Part 1 8 hours, CC:MC	Approve for 2021 code cycle	
20	Paul Hesselroth Current Electric Training	Online 2023 NEC Code Update Part 2 8 hours, CC:MC	Approve for 2021 code cycle	
21	Andrew Olsen ElecTrain	2023 NEC Application and Review 8 hours, CC:MC, CR	Approve for 2021 code cycle	
22	Andrew Olsen ElecTrain	2023 NEC Code Update 8 hours, CC:MC	Approve for 2021 code cycle	
23	Kristi Lachenmeier Heartlink Health Services	CPR AED First Aid Class 4 hours, CR	Approve for 2021 code cycle	

24	James Imlah Imlah Electrical Consulting	2023 National Electrical Code Changes Chapter 1 & Article 210 4 hours, CC:MC	Approve for 2021 code cycle	
25	James Imlah Imlah Electrical Consulting	2023 National Electrical Code Changes Chapter 2 4 hours, CC:MC	Approve for 2021 code cycle	
26	James Imlah Imlah Electrical Consulting	2023 National Electrical Code Changes Chapter 3 & 4 4 hours, CC:MC	Approve for 2021 code cycle	
27	James Imlah Imlah Electrical Consulting	2023 National Electrical Code Changes Chapter 5, 6, & 7 4 hours, CC:MC	Approve for 2021 code cycle	
28	Michelle Tamburo JADE Learning	Communicating as a Leader, 4 hours, CR	Deny for 2021 code cycle	
29	Bart Pijenburg Leaf Electrical Training	Arc Flash & High Voltage Training 8 hours, CR	Approve for 2021 code cycle	
30	Bart Pijenburg Leaf Electrical Training	Arc Flash & Low Voltage Training 8 hours, CR	Approve for 2021 code cycle	
31	Bart Pijenburg Leaf Electrical Training	Electrical Hazard Awareness Training 4 hours, CR	Approve for 2021 code cycle	
32	Erika Huffman Portland Community College	NEC 2023 8 hours, CC:MC	Approve for 2021 code cycle	
33	Windy Wahlke Portland Community College	Rule and Law 4 hours, ORL	Approve for 2021 code cycle	
34	Mike Pellham PELLCO CEU	NFPA 70E Definitions 4 hours, CR	Approve for 2021 code cycle	
35	Mike Pellham PELLCO CEU	Article 250 Grounding and Bonding 4 hours, CR	Approve for 2021 code cycle	

36	Mike Pellham PELLCO CEU	Article 517 Health Care Facilities 4 hours, CR	Approve for 2021 code cycle	
37	Mike Pellham PELLCO CEU	Article 680/682 Pools and Bodies of Water 4 hours, CR	Approve for 2021 code cycle	
38	Mike Pellham PELLCO CEU	Article 690/691 Photovoltaic Systems 4 hours, CR	Approve for 2021 code cycle	
39	Mike Pellham PELLCO CEU	NFPA 70E Chapters 1, 2, and 3 4 hours, CR	Approve for 2021 code cycle	
40	Tom Dorsey Jr. Rocket Cert.	Oregon Electrical 4 Hours Code Related CE Course 4 hours, CR	Approve for 2021 code cycle	
41	Eric Sherman Pacific Inside Electrical JATC	2023 Intro to PLC Programming 8 hours, CR	Deny for 2021 code cycle	

Instructors

	Applicant	Committee Recommendation	Board Action
1	David Gill 290 Tech	Approve for 2021 code cycle	
2	Derrick Tackett Permacold	Approve for 2021 code cycle	
3	Sean McElhinney 290 Tech	Approve for 2021 code cycle	
4	Ryan Arne AETech	Approve for 2021 code cycle	
5	Steve Arne AETech	Approve for 2021 code cycle	
6	Jerry Durham AMERSC	Approve for 2021 code cycle	

7	Jerry Durham At Your Pace Online	Approve for 2021 code cycle	
8	Jerry Durham AMERSC	Approve for 2021 code cycle	
9	Jerry Durham AMERSC	Approve for 2021 code cycle	
10	Jerry Durham AMERSC	Approve for 2021 code cycle	
11	Eric Paul Campbell Blue Phoenix Engineering	Approve for 2021 code cycle	
12	Derek Beresford CITC	Approve for 2021 code cycle	
13	Elissa Hoefs CITC	Approve for 2021 code cycle	
14	Greg McNaught CITC	Approve for 2021 code cycle	
15	Richard St. Vincent CITC	Approve for 2021 code cycle	
16	Andrew Olsen ElecTrain	Approve for 2021 code cycle	
17	Jennifer Martin ElecTrain	Approve for 2021 code cycle	
18	Caitlin Kazmierczak Heartlink	Approve for 2021 code cycle	
19	Kristina Lachenmeier Heartlink	Approve for 2021 code cycle	
20	James Imlah Imlah Electrical Consulting	Approve for 2021 code cycle	
21	Barry Fraser Leaf Electrical Safety	Approve for 2021 code cycle	

22	Gordon Little NTT Training	Approve for 2021 code cycle	
23	John Kempa Portland Community College	Approve for 2021 code cycle	
24	Gordon Ullrich Portland Community College	Approve for 2021 code cycle	
25	Mike Holt Mike Holt Enterprises Inc.	Approve for 2021 code cycle	

Dear Building Codes Division:

I have applied for Continuing Education Instructor approval for Journeyman electricians. I would like to have that upon approval retroactive back to September 21, 2022. I will be teaching Collins Company in Klamath Falls. The name of the course is American Heart First Aid, CPR and AED. Dates of classes were Sept 21, 28, 29 and 30, 2022. The total amount of CE hours are 4.

Electricians are needed CE's are:

John O'Flynn-22612J
Miguel Rodriguez-5284PJ
Joshua Haskins-5586PJ
Brandon Sharp-1417PS
Sean Hensley-1378PS
Jason Young-5324PJ
Jordan Grenier-5395PJ
Victoria Hatcher-5311PJ
Tim Grever-5470PJ
Lee Collins-5537PJ
Mathew Watkins-5533PJ
Carson Barlow-29043J
Mark Mitchell 5610PJ

If you have any questions, please contact me at 541-892-0898 or walkerpoppe@charter.net.

Thank you

Marian Diann Walker-Pope

From: [Schuette, Bernie](#)
To: [WOODS Debra J * DCBS](#)
Subject: March 23rd BCD Board meeting request.
Date: Tuesday, February 28, 2023 8:34:29 AM

Agenda Item VII.E.

Dear Debi

Hello, I would like to thank you once again for extending the time for me to submit this letter to plead my case to the Building Code Division board.

As you know, I had missed the deadline to pay the renewal fee for my electrical license 20167J. Although I had completed my continuing education hours in a timely manner I failed to meet the deadline of making a payment.

Of course you know this was an oversight as I did complete the 24 hours of continuing education which was not a fun task due to my state of health. I totally forgot that I had not made payment. I blame this on a continuing bout of Covid 19. I had a bad case of Long Covid resulting in brain fog. I had spent numerous hours in the hospital and in bed fighting this horrible pandemic. On top of having a heart condition I have developed COPD and Diabetes. However... I AM ALIVE! ☺

I had no clue that I had missed my payment, I had been watching the mail looking forward for my license to arrive, when I finally realized something was amiss, looked up the status of my license, only to discover that I had failed to meet the requirements. I was crushed, embarrassed and outraged with myself for letting such a valuable hard earned and prized possession slip from my hands for a \$100.00 payment. ☹ .

I'd like to point out that in the past 20 plus years that I have carried my license I have never once been late with my continuing education. I have never been in any form of trouble working as an electrician, I have a clean record and I am proud of being an electrician/engineer, I pray to god that I can retain my license.

I appreciate the time and consideration that you and Becky have given me this far and I hate to waste your time, I most definitely do not want to waste the board's time with my plea for leniency in this matter but my license is far too valuable to let slip away without at least trying to save it.

Again, thank you and I appreciate your time in this matter, I respectfully request to attend the March 23rd Board meeting to plead my case in front of the board.

Sincerely,

Bernie Schuette
Senior Engineering Tech
503-812-9075



Licensee Summary			
Name	Address	License Type	License/Apl. Numb
SCHUETTE, BERNARD D	NONE	J-General Journeyman	20167J/ 198143

CE Credits By Cycle				
Cycle Name	Date Taken	Credits Taken	Result	Waiver Reason
<u>Current cycle</u>		24.0	Not checked	
<u>Other old cycles</u>		0.0	Not checked	
<u>Other old cycles</u>	10/01/2018	24.0	Passed	
<u>Other old cycles</u>	10/06/2015	24.0	Passed	
<u>Other old cycles</u>	09/17/2012	24.0	Passed	
<u>Other old cycles</u>	09/23/2009	24.0	Passed	
<u>Other old cycles</u>	09/07/2006	24.0	Passed	

CE Course Credits for Selected Cycle					
Date Completed	Course Number	Course Title	Hours	Category	S
<input type="radio"/> 09/29/2022	240480	NFPA 70E REVIEW	4.00	Code Related	
<input type="radio"/> 09/29/2022	240440	ARTICLE 250 GROUNDING AND BONDING	4.00	Code Related	
<input type="radio"/> 09/29/2022	240420	2020 NEC CHANGES	8.00	Code Change	A II
<input type="radio"/> 09/29/2022	240410	2020 NEC CHANGES DEFINITIONS	4.00	Code Change	
<input type="radio"/> 09/29/2022	240430	OREGON RULE AND LAW	4.00	OR Rule & Law	

Add Edit Delete Summary