

PUBLIC SAFETY DEPARTMENT[661]

Adopted and Filed Emergency

Rule making related to standards for electrical work

The Electrical Examining Board hereby amends Chapter 504, “Standards for Electrical Work,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is proposed under the authority provided in Iowa Code sections 17A.3 and 103.6.

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code sections 17A.3 and 103.6.

Purpose and Summary

The purpose of this rule making is to update the Standards for Electrical Work to the National Electrical Code, 2020 edition. Consistent with recent rule making in this chapter, the entire National Electrical Code (NEC) is adopted, with the time-limited amendments included in this chapter. It is the intention of the Department and the Board not to make further amendments, regardless of new additions to the NEC, until it is necessary for the state of Iowa. A significant effect of the adoption of the 2020 edition of the NEC would have been the requirement for 250-volt receptacles, but the Board, in addition to adopting the 2020 edition of the NEC by reference, is amending the 2020 edition to postpone that requirement until January 1, 2022.

Two typographical errors in the amendments are corrected as well, and language has been added to better describe the receptacles that would require GFCI protection.

Reason for Adoption of Rule Making without Prior Notice and Opportunity for Public Participation

Pursuant to Iowa Code section 17A.4(3), the Department of Public Safety finds that notice and public participation are unnecessary or impractical because this rule making was originally proposed with the aforementioned amendments remaining in the rules indefinitely as part of Iowa’s adoption of the NEC 2020 code. The rule making was adopted and filed on October 15, 2020 and published on November 18, 2020. However, when the Department came before the ARRC on December 8, 2020 for the final step of the rule making process, the committee had serious concerns about the proposed amendments. As a result, the committee imposed a 70-day delay. In that time, House File 97 was introduced in the 2021 legislative session with an amendment that would have delayed the implementation of the entire 2020 NEC until January 1, 2022. As an alternative and in the interest in getting the code adopted as soon as possible for the myriad benefits it offers, the Electrical Examining Board proposed the compromise of coming forward with an emergency rule making that adopts the 2020 NEC with the previous amendments concerning 250-volt receptacles, with the proviso that those amendments shall expire on January 1, 2022. The expiration of the amendments was offered in the interest of safety and to otherwise comport with the purpose of House File 97.

In compliance with Iowa Code section 17A.4(3)“a,” the Administrative Rules Review Committee at its February 26, 2021, meeting reviewed the Department’s determination and this rule making and approved the emergency adoption

Reason for Waiver of Normal Effective Date

Pursuant to Iowa Code section 17A.5(2)“b”(1)(b), the Department of Public Safety also finds that the normal effective date of this rule making, 35 days after publication, should be waived and the

rule making made effective on April 1, 2021, because it confers the benefits of the 2020 NEC Code on the industry and the public as soon as possible without having to wait for the legislative process or any other delays. The rule making implementation date also gives the industry time to adapt before the full implementation of the code without amendment on January 1, 2022. This rule making has also, save for the time limitation on the amendments, already been through the rule making process.

Adoption of Rule Making

This rule making was adopted by the Department of Public Safety on February __, 2021.

Concurrent Publication of Notice of Intended Action

In addition to its adoption on an emergency basis, this rule making has been initiated through the normal rule-making process and is published herein under Notice of Intended Action as _____ to allow for public comment.

Fiscal Impact

This rule making has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rule making, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Department for a waiver of the discretionary provisions, if any. Pursuant to the provisions of rule 661—10.222(17A), the Department does not have authority to waive requirements established by statute.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its regular monthly meeting or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

Effective Date

This rule making becomes effective on April 1, 2021.

The following rule-making actions are adopted:

Amend **661—Chapter 504** as follows:

CHAPTER 504
STANDARDS FOR ELECTRICAL WORK

661—504.1(103) Installation requirements. The provisions of the National Electrical Code, 2020 edition, published by the National Fire Protection Association, 1 Batterymarch Park, Quincy, MA 02169-7471, are adopted as the requirements for electrical installations performed by persons licensed pursuant to 661—Chapters 500 through 503 and to installations subject to inspection pursuant to Iowa Code chapter 103 with the following amendments, which shall expire on January 1, 2022:

504.1(1) Delete section 210.8(A) and insert in lieu thereof the following new section:

210.8(A) Dwelling Units.

All 125-volt, single-phase, 15- and 20-ampere receptacles installed in locations specified in 210.8(A)(1) through 210.8(A)(11) shall have ground-fault circuit-interrupter protection for personnel.

(1) Bathrooms

(2) Garages and also accessory buildings that have a floor located at or below grade level not intended to be habitable rooms and limited to storage areas, work areas or similar use

(3) Outdoors

Exception to (3): Receptacles that are not readily accessible and are supplied branch circuit dedicated to electrical snow-melting, deicing, or pipeline and vessel heating equipment shall be permitted to be installed in accordance with 426.28 or 427.22, as applicable.

(4) Crawl spaces – at or below grade level

(5) Basements

Exception to (5): A receptacle supplying only a permanently installed fire alarm or burglar alarm system shall not be required to have ground-fault circuit-interrupter protection.

Informational Note: See 760.41B and 760.121(B) for power supply requirements for fire alarm systems.

Receptacles installed under the exception to 210.8(A)(5) shall not be considered as meeting the requirements of 210.52(G)

(6) Kitchens – where the receptacles are installed to serve the countertop surfaces

(7) Sinks – where receptacles are installed within 1.8 m (6 ft) from the top inside edge of the bowl of the sink

(8) Boathouses

(9) Bathtubs or shower stalls – where receptacles are installed within 1.8 m (6 ft) of the outside edge of the bathtub or shower stall

(10) Laundry areas

Exception to (1) through (3), (5) through (8), and (10): Listed locking support and mounting receptacles utilized in combination with compatible attachment fittings installed for the purpose of serving a ceiling luminaire or ceiling fan shall not be required to be ground-fault circuit-interrupter protected. If a general-purpose convenience receptacle is integral to the ceiling luminaire or ceiling fan, GFCI protection shall be provided.

(11) Indoor damp and wet locations

504.1(2) Delete section 210.8(F).

This rule is intended to implement Iowa Code chapter 103.