



Final Proposed Coversheet

1. TITLE OF RULE FILING:

**Electrical Safety Rules - 2020**

2. PROPOSED NUMBER ASSIGNED BY THE SECRETARY OF STATE

21P-040

3. ADOPTING AGENCY:

Vermont Electricians' Licensing Board

4. PRIMARY CONTACT PERSON:

*(A PERSON WHO IS ABLE TO ANSWER QUESTIONS ABOUT THE CONTENT OF THE RULE).*

Name: John Black, Chief Electrical Inspector

Agency: Division of Fire Safety - Department of Public Safety

Mailing Address: 1311 US Route 302, Suite 500, Barre, VT 05641

Telephone: 802 479 - 7576 Fax: 802 479 - 4446

E-Mail: john.black@vermont.gov

Web URL *(WHERE THE RULE WILL BE POSTED)*:

<https://firesafety.vermont.gov/>

5. SECONDARY CONTACT PERSON:

*(A SPECIFIC PERSON FROM WHOM COPIES OF FILINGS MAY BE REQUESTED OR WHO MAY ANSWER QUESTIONS ABOUT FORMS SUBMITTED FOR FILING IF DIFFERENT FROM THE PRIMARY CONTACT PERSON).*

Name: Robert Sponable, Deputy Director

Agency: Division of Fire Safety - Department of Public Safety

Mailing Address: 1311 US Route 302, Suite 600, Barre, VT 05641

Telephone: 802 479 - 7566 Fax: 802 479 - 7562

E-Mail: robert.sponable@vermont.gov

6. RECORDS EXEMPTION INCLUDED WITHIN RULE:

*(DOES THE RULE CONTAIN ANY PROVISION DESIGNATING INFORMATION AS CONFIDENTIAL; LIMITING ITS PUBLIC RELEASE; OR OTHERWISE EXEMPTING IT FROM INSPECTION AND COPYING?)* No

IF YES, CITE THE STATUTORY AUTHORITY FOR THE EXEMPTION:

PLEASE SUMMARIZE THE REASON FOR THE EXEMPTION:

7. LEGAL AUTHORITY / ENABLING LEGISLATION:

*(THE SPECIFIC STATUTORY OR LEGAL CITATION FROM SESSION LAW INDICATING WHO THE ADOPTING ENTITY IS AND THUS WHO THE SIGNATORY SHOULD BE. THIS SHOULD BE A SPECIFIC CITATION NOT A CHAPTER CITATION).*

26 V.S.A. § 891

8. EXPLANATION OF HOW THE RULE IS WITHIN THE AUTHORITY OF THE AGENCY:

The Electricians' Licensing Board may, pursuant to the provisions of 3 V.S.A. chapter 25 (Administrative Procedure Act), make and revise such electrical rules as necessary for the protection of public safety.

9. THE FILING HAS CHANGED SINCE THE FILING OF THE PROPOSED RULE.

10. THE AGENCY HAS INCLUDED WITH THIS FILING A LETTER EXPLAINING IN DETAIL WHAT CHANGES WERE MADE, CITING CHAPTER AND SECTION WHERE APPLICABLE.

11. SUBSTANTIAL ARGUMENTS AND CONSIDERATIONS WERE RAISED FOR OR AGAINST THE ORIGINAL PROPOSAL.

12. THE AGENCY HAS NOT INCLUDED COPIES OF ALL WRITTEN SUBMISSIONS AND SYNOPSES OF ORAL COMMENTS RECEIVED.

13. THE AGENCY HAS INCLUDED A LETTER EXPLAINING IN DETAIL THE REASONS FOR THE AGENCY'S DECISION TO REJECT OR ADOPT THEM.

14. CONCISE SUMMARY (150 WORDS OR LESS):

The Proposed Vermont Electrical Safety Rules will update the technical codes and standards, including the adoption of the 2020 edition of the National Electrical Code (N.E.C.) also known as the National Fire Protection Association (NFPA) 70. This will better coordinate the license examination with the state apprenticeship program, establishes an expiration date for a permit and a process for refunding permit fees. The rules also provide requirements for filing an electrical work notice, inspection and energizing procedures, details powers of enforcement and licensing disciplinary procedure.

15. EXPLANATION OF WHY THE RULE IS NECESSARY:

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The N.E.C. is the code used nationwide in the electrical industry and is reviewed and updated on a three year basis. The periodic updating of the Vermont Electrical Safety Rules and the National Electrical Code is necessary to be consistent with other state regulations and national codes and recognize new technology. These rules are necessary to assist in maintaining a safe working and living environment that may be threatened by potential unsafe electrical installations and practices.

### 16. EXPLANATION OF HOW THE RULE IS NOT ARBITRARY:

This rule does not single out any one entity. This rule applies a fair and unbiased application of the Vermont Electrical Sa ty Rules to all entities the St e of Vermont that are subject to the application of the electrical code. The National Electrical Code(NEC)is widely used and recognized throughout the United States.

### 17. LIST OF PEOPLE, ENTERPRISES AND GOVERNMENT ENTITIES AFFECTED BY THIS RULE:

The fire service, building owners and the public are generally affected by this rule by the reduction of fires and shock hazards. State and municipal government entities that own or operate buildings are affected by this rule in the same manner as private building owners. The updated code will assist electricians, engineers and architects with the purchase, specification, design and installation of electrical work. Owner occupied, single family dwellings and working farms are not affected by the rule.

### 18. BRIEF SUMMARY OF ECONOMIC IMPACT (150 WORDS OR LESS):

Updating the Vermont Electrical Safety Rules to include the most recent editions of the codes and standards will simplify electrical installation work and recognize new technology. These rule are not significantly different from the 2017 rules. Where rule changes have been made to improve public safety, though there has not been a significant increase in cost for electrical installation work, availability of components and materials may be a driver of increased costs. Changes have been made to the rules to reduce

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costs where there is not an adverse effect.

Electricians and others who work in the trade will need to purchase a 2020 N.E.C. at the cost of \$113.50.

19. A HEARING WAS HELD.

20. HEARING INFORMATION

(THE FIRST HEARING SHALL BE NO SOONER THAN 30 DAYS FOLLOWING THE POSTING OF NOTICES ONLINE).

IF THIS FORM IS INSUFFICIENT TO LIST THE INFORMATION FOR EACH HEARING PLEASE ATTACH A SEPARATE SHEET TO COMPLETE THE HEARING INFORMATION.

Date: 1/26/2022

Time: 09:00 AM

Street Address: Public Safety Headquarters - Lab Conference Room, 45 State Drive, Waterbury, VT

Zip Code: 05671

Date:

Time: AM

Street Address:

Zip Code:

Date:

Time: AM

Street Address:

Zip Code:

Date:

Time: AM

Street Address:

Zip Code:

21. DEADLINE FOR COMMENT (NO EARLIER THAN 7 DAYS FOLLOWING LAST HEARING):

2/2/2022

KEYWORDS (PLEASE PROVIDE AT LEAST 3 KEYWORDS OR PHRASES TO AID IN THE SEARCHABILITY OF THE RULE NOTICE ONLINE).

Electrical

License

Inspection

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Heating System

National Electrical Code, N.E.C.

National Fire Protection Association, N.F.P.A.





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*Department of Public Safety*

**Division of Fire Safety**

Central Administrative Office

45 State Drive

Waterbury, VT 05671

Firesafety.vermont.gov

(phone) (802)479-7561

(fax) (802) 479-7562

February 17, 2022

To: James Condos, Secretary of State  
Mark McDonald, Senator – LCAR Chair

RE: 2020 Electrical Safety Rules

This letter is to advise of changes made to the original submittal.

In Section 5, language changes have been made to better clarify the intent and purpose of the rule. These changes encompass information that was gathered during the public input portion of the rule's adoption process.

210.8 (A) Dwelling Units. All 125-volt through 250-volt receptacles installed in the locations specified in 210.8(A) (1) through (A) (11) and supplied by single-phase branch circuits rated 150 volts or less to ground shall have ground-fault circuit-interrupter protection for personnel

210.8(B) Other than Dwelling Units. All 125-volt through 250-volt 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 ampere or less, installed in the locations specified in 210.8(B)(1) through (B)(12) shall have ground fault circuit-interrupter protection for personnel.

Reason for change. Many appliances are experiencing nuisance tripping. This change will give the industry time to correct the programming of the GFCI overcurrent devices.

Cost associated with the change. This change will produce a cost saving of \$100 to \$500 per project and is based on equipment costs and availability issue.

We also made numerous updates, throughout the rules document, to reflect address changes of our Central and Waterbury (old Barre) Offices.

For the Division of Fire Safety,

Robert Sponable, Deputy Director – Division of Fire Safety  
John Black, Chief Electrical Inspector/Chair of the Vermont Electricians Licensing Board





## Administrative Procedures – Adopting Page

### Instructions:

This form must accompany each filing made during the rulemaking process:

Note: To satisfy the requirement for an annotated text, an agency must submit the entire rule in annotated form with proposed and final proposed filings. Filing an annotated paragraph or page of a larger rule is not sufficient. Annotation must clearly show the changes to the rule.

When possible, the agency shall file the annotated text, using the appropriate page or pages from the Code of Vermont Rules as a basis for the annotated version. New rules need not be accompanied by an annotated text.

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1. TITLE OF RULE FILING:

**Electrical Safety Rules - 2020**

2. ADOPTING AGENCY:

Vermont Electricians' Licensing Board

3. TYPE OF FILING (*PLEASE CHOOSE THE TYPE OF FILING FROM THE DROPDOWN MENU BASED ON THE DEFINITIONS PROVIDED BELOW*):

- **AMENDMENT** - Any change to an already existing rule, even if it is a complete rewrite of the rule, it is considered an amendment as long as the rule is replaced with other text.
- **NEW RULE** - A rule that did not previously exist even under a different name.
- **REPEAL** - The removal of a rule in its entirety, without replacing it with other text.

This filing is **AN AMENDMENT OF AN EXISTING RULE** .

4. LAST ADOPTED (*PLEASE PROVIDE THE SOS LOG#, TITLE AND EFFECTIVE DATE OF THE LAST ADOPTION FOR THE EXISTING RULE*):

Vermont Electrical Safety Rules - 2017 effective  
10/1/2017 SOS Log# 17-056



State of Vermont  
Agency of Administration  
109 State Street  
Montpelier, VT 05609-0201  
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Office of the Secretary

## INTERAGENCY COMMITTEE ON ADMINISTRATIVE RULES (ICAR) MINUTES

**Meeting Date/Location:** June 14, 2021, Microsoft Teams Virtual Meeting

**Members Present:** Chair Kristin Clouser, Diane Bothfeld, Jennifer Mojo, Matt Langham, Diane Sherman, Clare O'Shaughnessy and John Kessler

**Members Absent:** Ashley Berliner, Dirk Anderson

**Minutes By:** Melissa Mazza-Paquette

- 2:01 p.m. meeting called to order, welcome and introductions.
- Review and approval of minutes from the May 10, 2021 meeting.
- No additions/deletions to agenda. Agenda approved as drafted.
- No public comments made.
- Presentation of Proposed Rules on pages 2-6 to follow:
  1. Allocation and Apportionment of Vermont Net Income By Corporations, Department of Taxes, page 2
  2. Electrical Safety Rules – 2020, Vermont Electricians' Licensing Board, page 3
  3. Rule 8.000: Data Submission, Green Mountain Care Board, page 4
  4. Rule 9.000: Data Release, Green Mountain Care Board, page 5
  5. Vermont Hazardous Waste Management Regulations, Agency of Natural Resources, page 6
- Next scheduled meeting is July 12, 2021 at 2:00 p.m. via Microsoft Teams.
- 3:45 p.m. meeting adjourned.



**Proposed Rule:** Electrical Safety Rules – 2020, Vermont Electricians' Licensing Board

**Presented By:** Robert Sponable

Motion made to accept the rule by Diane Bothfeld, seconded by Jennifer Mojo, and passed unanimously with the following recommendations:

1. Proposed Rule Coversheet, #12: Be more descriptive in the third sentence. Explain the difference or be consistent with pricing throughout as it lists \$113 in #5 of the Incorporation by Reference.
2. Proposed Rule Coversheet, #13-15: A hearing is recommended. Complete and be consistent with the Public Input Form.
3. Economic Impact Analysis, #9: Include reasonings and analysis to describe what's been done.
4. Environmental Impact Analysis, #9: Change 'provide' to 'cause'.
5. Public Input, #3: Include public engagement and plan for outreach.
6. Public Input, #4: Add website address. Include a comparison of changes from 2017 to 2020. Include hearing information once date is selected.
7. Proposed Rule, #10(b), Page 14: Change 'TBD' to the date once known.



## Administrative Procedures – Economic Impact Analysis

### **Instructions:**

In completing the economic impact analysis, an agency analyzes and evaluates the anticipated costs and benefits to be expected from adoption of the rule; estimates the costs and benefits for each category of people enterprises and government entities affected by the rule; compares alternatives to adopting the rule; and explains their analysis concluding that rulemaking is the most appropriate method of achieving the regulatory purpose.

Rules affecting or regulating schools or school districts must include cost implications to local school districts and taxpayers in the impact statement, a clear statement of associated costs, and consideration of alternatives to the rule to reduce or ameliorate costs to local school districts while still achieving the objectives of the rule (see 3 V.S.A. § 832b for details).

Rules affecting small businesses (excluding impacts incidental to the purchase and payment of goods and services by the State or an agency thereof), must include ways that a business can reduce the cost or burden of compliance or an explanation of why the agency determines that such evaluation isn't appropriate, and an evaluation of creative, innovative or flexible methods of compliance that would not significantly impair the effectiveness of the rule or increase the risk to the health, safety, or welfare of the public or those affected by the rule.

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#### 1. TITLE OF RULE FILING:

**Electrical Safety Rules - 2020**

#### 2. ADOPTING AGENCY:

Vermont Electricians' Licensing Board

#### 3. CATEGORY OF AFFECTED PARTIES:

*LIST CATEGORIES OF PEOPLE, ENTERPRISES, AND GOVERNMENTAL ENTITIES POTENTIALLY AFFECTED BY THE ADOPTION OF THIS RULE AND THE ESTIMATED COSTS AND BENEFITS ANTICIPATED:*

The fire service, building owners and public are generally affected by this rule by reducing the events of fire and shock hazards. State and municipal government entities that own or operate buildings are affected by this rule in the same manner as private building owners. The updated rule (code) will assist electricians, engineers and architects with the purchase, specification, design and installation of

## Economic Impact Analysis

electrical work components. Owner occupied, single family dwellings and most working farms are not affected by the rule. The adoption of the 2020 N.E.C. is consistent with other states and electrical manufacturers. Improved consistency results in cost savings by avoiding costly change orders or retrofits. Electricians, or others who work in the trade, will need to purchase the 2020 edition of the N.E.C. Most electricians, or others who work in the trade, will not need to purchase the other adopted codes unless they work in those specialized areas. From a practical standpoint, many electricians purchase the most recent code edition as soon as it's published and available.

### 4. IMPACT ON SCHOOLS:

*INDICATE ANY IMPACT THAT THE RULE WILL HAVE ON PUBLIC EDUCATION, PUBLIC SCHOOLS, LOCAL SCHOOL DISTRICTS AND/OR TAXPAYERS CLEARLY STATING ANY ASSOCIATED COSTS:*

Electrical installation work in schools would be affected the same as for any commercial/public building.

### 5. ALTERNATIVES: *CONSIDERATION OF ALTERNATIVES TO THE RULE TO REDUCE OR AMELIORATE COSTS TO LOCAL SCHOOL DISTRICTS WHILE STILL ACHIEVING THE OBJECTIVE OF THE RULE.*

Any alternative would increase the risk to the safety of the public as addressed in 3 V.S.A. section 832a.

### 6. IMPACT ON SMALL BUSINESSES:

*INDICATE ANY IMPACT THAT THE RULE WILL HAVE ON SMALL BUSINESSES (EXCLUDING IMPACTS INCIDENTAL TO THE PURCHASE AND PAYMENT OF GOODS AND SERVICES BY THE STATE OR AN AGENCY THEREOF):*

Having no safety requirements for electrical installation work for small business would place people at risk from electrical shock and fire hazards. The national standards being adopted do have some requirements that are based on the size and use of a building being used as a small business. For example, a small restaurant seating less than 30 people would not have to use the same wiring method and materials for an electrical installation that a restaurant seating 130 people would have to use. The overall impact is minimal.

Economic Impact Analysis

7. **SMALL BUSINESS COMPLIANCE:** *EXPLAIN WAYS A BUSINESS CAN REDUCE THE COST/BURDEN OF COMPLIANCE OR AN EXPLANATION OF WHY THE AGENCY DETERMINES THAT SUCH EVALUATION ISN'T APPROPRIATE.*

The cost of compliance for a small business will have minimal impact.

8. **COMPARISON:**

*COMPARE THE IMPACT OF THE RULE WITH THE ECONOMIC IMPACT OF OTHER ALTERNATIVES TO THE RULE, INCLUDING NO RULE ON THE SUBJECT OR A RULE HAVING SEPARATE REQUIREMENTS FOR SMALL BUSINESS:*

There really is no alternative means and having no safety requirements for electrical installation work for small business would place people at risk from electrical shock and buildings from the impact of fire hazards. No oversight or required standards could result in poor or unsafe electrical installations that could result in the loss of life and/or catastrophic property damage.

9. **SUFFICIENCY:** *EXPLAIN THE SUFFICIENCY OF THIS ECONOMIC IMPACT ANALYSIS.*

These rules will have a minimal economic impact to small business operations and their everyday functionality. The general cost of electrical work projects will be based on labor costs and component and material costs. Labor costs should remain consistent with current and regional trends and component and material costs may vary based on availability, shipping costs and delays created by supply chain issues.