

September 21, 2011**Establishes specialized electrical inspector training and certification**

Opportunity for public input:

Those who would like to provide testimony may attend a public hearing on September 21, 2011 at 10:00 a.m. The hearing will be located at the Building Codes Division, Conference Room A. Written comments may also be submitted to the contact below. The last day to submit written comments is 5:00 p.m. September 23, 2011.

Live broadcast via the internet:

To view the public hearing live, click on "[View live meeting](#)"

Purpose of the rule:

These proposed rules implement a portion (Phase II) of House Bill 3462 (2009) that allows the Division to establish a training program that qualifies and certifies individuals as specialized building inspectors authorized to perform inspections and enforce portions of the state building code. Inspector certifications cover limited commercial and other multidisciplinary inspections that presently are not independently authorized by the Division in existing inspector certifications. This proposed rule creates a specialized electrical inspector certification and establishes the training requirements necessary to qualify for the certification.

Citation:

Adopt: OAR 918-098-1580 & Amend: 918-098-1510 and 918-098-1530

These proposed amendments would become effective October 1, 2011.

History:

House Bill 3462 (2009) was sponsored by various State Representatives and Senators at the request of the Association of Oregon Counties. The primary purpose of this bill is to provide additional options and greater flexibility for training and educating local building inspectors, allowing cities and counties to improve the application pool of qualified inspectors, and ultimately improving customer service and expediting development.

The Division assembled a rule advisory committee to work on implementing this phase of the bill. The committee, which met April through July 2010, assisted the Division in establishing training outlines to address specific technical and practical requirements unique to each specialized certification. The Division established the criteria for initial application qualification.

Specialized inspector certifications are valid until January 2, 2018 when the enabling legislation expires.

Contact:

If you have questions or need further information, please contact Hearing Officer Aeron Teverbaugh at 503-373-1354, or Aeron.Teverbaugh@state.or.us.



Secretary of State
NOTICE OF PROPOSED RULEMAKING HEARING*
A Statement of Need and Fiscal Impact accompanies this form.

Department of Consumer and Business Services, Building Codes Division	918
Agency and Division	Administrative Rules Chapter Number
Stephanie Snyder	PO Box 14470, Salem, OR 97309
Rules Coordinator	Address
	(503) 373-7438
	Telephone

RULE CAPTION

Establishes specialized electrical inspector training and certifications as required by House Bill 3462 (2009)

Not more than 15 words that reasonably identify the subject matter of the agency's intended action.

September 21, 2011	10 a.m.	1535 Edgewater Street NW, Salem, OR 97304	Aeron Teverbaugh
Hearing Date	Time	Location	Hearings Officer

Auxiliary aids for persons with disabilities are available upon advance request.

RULEMAKING ACTION

Secure approval of new rule numbers (Adopted or Renumbered rules) with the Administrative Rules Unit prior to filing.

ADOPT: OAR 918-098-1580

AMEND: OAR 918-098-1510, 918-098-1530

REPEAL:

RENUMBER:

AMEND & RENUMBER:

Stat. Auth.: ORS 455.720, 455.730 & 455.735

Other Auth.: 2009 Oregon Laws, Chapter 593

Stats. Implemented: ORS 455.720, 455.730 & 455.735

RULE SUMMARY

HB 3462 (2009) authorized the Building Codes Division to create a program for training, qualifying and certifying individuals as specialized building inspectors authorized to perform inspections and enforce portions of Oregon's specialty codes. These new inspector certifications will cover limited commercial and other multidisciplinary inspections that presently are not independently authorized by the Division's existing inspector certifications. The proposed rule specifically addresses the specialized electrical inspector training and certification.

The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing the negative economic impact of the rule on business.

September 23, 2011 by 5 p.m.

Last Day for Public Comment (Last day to submit written comments to the Rules Coordinator)

	Patrick Allen	
Signature	Printed name	Date

STATEMENT OF NEED AND FISCAL IMPACT

A Notice of Proposed Rulemaking Hearing or a Notice of Proposed Rulemaking accompanies this form.

Department of Consumer and Business Services, Building Codes Division

918

Agency and Division

Administrative Rules Chapter Number

Establishes specialized electrical inspector training and certifications as required by House Bill 3462 (2009)

Rule Caption (Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.)

In the Matter of: Adopting OAR 918-098-1580 and Amending 918-098-1510, 918-098-1530

Statutory Authority: ORS 455.720, 455.730 & 455.735

Other Authority:

Stats. Implemented: ORS 455.720, 455.730 & 455.735

Need for the Rule(s): These proposed rules implement a portion (Phase II) of House Bill 3462 (2009) that allows the Division to establish a pilot training program that qualifies and certifies individuals as specialized building inspectors authorized to perform inspections and enforce portions of the state building code. Inspector certifications cover limited commercial and other multidisciplinary inspections that presently are not independently authorized by the Division in existing inspector certifications. The proposed rule specifically addresses the specialized electrical inspector training and certification.

Documents Relied Upon, and where they are available: 3462 (Phase II) Rulemaking Advisory Committee minutes from April 13 and 27, May 25, June 22 and July 27, 2010; and draft rules are available from the division's rules coordinator, located at 1535 Edgewater St NW, Salem, OR 97304 and are available on the Division's website at www.bcd.oregon.gov/rules.html.

Fiscal and Economic Impact: These rules impose little to no fiscal and economic impact. Municipalities and individuals that wish to pursue these specialized inspector certifications will incur some application, training, and certification expenses. The training will be offered through an on-line self-paced program to minimize costs. However, participation in this certification program is voluntary for current building inspectors or local building departments. Furthermore, these certifications are intended to increase economic efficiencies and generally resolve fiscal and economic challenges currently facing many city and county building departments. The division estimates that the proposed rules could have an overall positive fiscal impact. The exact impact is unknown at this time because it is unknown how many jurisdictions will utilize the specialized inspectors in lieu of full commercial inspectors.

Statement of Cost of Compliance:

1. Impact on state agencies, units of local government and the public (ORS 183.335(2)(b)(E)): These rules will result in negligible fiscal and economic impacts on state agencies, units of local government, small businesses and the public. The Building Codes Division will incur some initial expenses in creating and implementing the necessary certification processes and training programs. The Building Codes Division will also incur some ongoing expenses related to administering the program, such as processing applications and issuing certifications. A \$200 registration fee covers the cost of the course and application for the exam. This cost to the jurisdiction will likely be off-set because they will not be required to retain a full commercial inspector for simple commercial structures within the definition of the proposed rule. The public may see reduced costs as well because the availability of specialized inspectors may allow jurisdictions to send out inspectors at a lower cost and within a quicker time frame.

2. Cost of compliance effect on small business (ORS 183.336):

a. Estimate the number of small businesses and types of business and industries with small businesses subject to the rule: The pilot program is optional to jurisdictions. Small businesses are not required to comply with any new rules or inspection criteria. For small businesses that choose to utilize the certifications offered through these rules, some may incur additional administrative expenses for registering employees for training and certification, and tracking any continuing education and renewals eventually required for these certifications. Small businesses could see a reduction in costs because the availability of specialized inspectors may allow jurisdictions to send out inspectors at a lower cost and within a quicker time frame.

b. Projected reporting, recordkeeping and other administrative activities required for compliance, including costs of professional services: The pilot program is optional to jurisdictions. Small businesses are not required to comply with any new record keeping or administrative criteria.

c. Equipment, supplies, labor and increased administration required for compliance: For small businesses that choose to utilize the certifications offered through these rules, some may incur additional administrative expenses for registering employees for training and certification, and tracking any continuing education and renewals eventually required for these certifications. Otherwise, small businesses will not incur any additional equipment, supplies, labor, or increased administration requirements as a result of these rules.

How were small businesses involved in the development of this rule? Small businesses were involved on the rulemaking advisory committee and are represented on the board.

Administrative Rule Advisory Committee consulted?: Yes
If not, why?:

Signature	Patrick Allen Printed name	Date
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Draft Rule

Specialized Electrical Certifications

918-098-1510

Purpose and Scope

(1) The specialized inspector certification program, in OAR 918-098-1510 through 918-098-1570~~80~~, establishes a program for training, qualifying and certifying individuals as specialized building inspectors authorized to perform inspections and enforce portions of the state building code. Inspector certifications cover limited commercial and other multidisciplinary inspections that presently are not independently authorized by the division in existing inspector certifications.

(2) Specialized inspectors may, after receiving certification issued under these rules, conduct inspections as provided in these rules. These rules apply to applicants and certificate holders, training providers, and participating jurisdictions for the purposes of administering and enforcing the restrictions and requirements under these rules.

Stat. Auth.: ORS 455.720, 455.730 & 455.735

Stats. Implemented: ORS 455.720, 455.730 & 455.735

Hist.: BCD 10-2011(Temp), f. 4-15-11, cert. ef. 5-1-11; BCD 15-2011, f. 6-30-11, cert. ef. 7-1-11

918-098-1530

Training Programs

(1) Approved applicants must complete an appropriate division-approved training program and pass a division-approved examination for the desired specialized certification. Training program requirements are stated in OAR 918-098-1560 for the Specialized Solar Photo-Voltaic Inspector Certification, ~~and in OAR 918-098-1570 for the Specialized Plumbing Inspector Certification,~~ **and in OAR 918-098-1580 for the Specialized Electrical Inspector Certification.**

(2) Instructor Qualifications. Specialized certification training course instructors must be approved by the division under these rules.

(a) Training course instructors may apply for approval as part of the course approval process or independent of the course approval process.

(b) Approved training course instructors must be qualified by training, licensure, and experience to teach the subject matter and supervise the corresponding fieldwork training inspections of a specialized inspector certification training program.

(c) Approved fieldwork supervisors must be qualified by training, licensure, and experience to perform the specialized inspector certification fieldwork inspections being performed.

(d) Division staff teaching training courses of supervising related fieldwork in the normal course of their duties are considered approved instructors for the purposes of these rules.

(3) Fieldwork Training. A specialized inspector certification applicant is eligible to perform the required fieldwork training after the applicant has begun the required academic coursework ~~and has been approved by the course instructor to begin fieldwork training.~~

(4) Fieldwork Supervision. All specialized certification fieldwork training must be supervised and verified by an inspector with a valid Oregon Inspector Certification required to conduct the inspections being performed.

(a) An applicant's fieldwork training must be documented on a division-approved form and signed by the inspector who supervised the inspections.

(b) An inspector supervising and verifying an applicant's fieldwork training may not be qualified to conduct the inspections performed based solely on a specialized inspector certification issued according to these rules.

(5) Fieldwork Training Approval. A specialized inspector certification applicant must submit proof of completed fieldwork training to the division for verification and approval, and issuance of specialized inspector certification.

(6) Examination Approval. A specialized inspector certification applicant is eligible to take a certification examination after the division receives proof that the applicant has successfully completed the required academic coursework and fieldwork training.

Draft Rule
Specialized Electrical Certifications

Stat. Auth.: ORS 455.720, 455.730 & 455.735

Stats. Implemented: ORS 455.720, 455.730 & 455.735

Hist.: BCD 10-2011(Temp), f. 4-15-11, cert. ef. 5-1-11; BCD 15-2011, f. 6-30-11, cert. ef. 7-1-11

918-098-1580

Specialized Electrical Inspector Certification

(1) Scope of Activities and Authority.

(a) Specialized Electrical Inspectors may conduct electrical inspections in buildings less than 75 feet above grade as defined in the Oregon Structural Specialty Code where the building service or the feeder to the electrical installation being inspected is not more than 400 amps at less than 150 volts to ground or 200 amps at 150 volts or more to ground.

(b) A Specialized Electrical Inspector may not inspect any of the following:

(A) Separately derived systems, other than renewable energy, rated more than 150kw;

(B) Renewable energy systems rated more than 25kw;

(C) Occupancies classified as Assembly or Education, or any (I)-Institutional Occupancies as defined in the Oregon Structural Specialty Code;

(D) Installations governed by Chapter 5 or Articles 610, 668, 669, 695 and 700 of the Oregon Electrical Specialty Code, except for the following:

i. Electrical connection to or alteration of a single mobile home, recreational vehicle or manufactured dwelling, including the service but excluding park construction, alteration or enlargement.

ii. Agricultural buildings that do not contain excessive dust or corrosive areas as defined in OESC 547.1 (A) and (B).

(E) New or replacement motor loads over 100 HP.

(2) Procedure for Qualification. An applicant for certification under this rule must meet the general qualifications in OAR 918-098-1520 and Section (3) of this rule, complete a training program that meets minimum requirements established by the division, make application, pay the required fees, and pass a division-approved examination.

(3) Experience, Education, and Training Requirements. Specialized Electrical Inspector Certification applicants must have:

Draft Rule
Specialized Electrical Certifications

(a) A current 1 and 2 Family or Residential Electrical Inspector Oregon Code Certificate;

(b) Held a current 1 and 2 Family or Residential Electrical Inspector Oregon Code Certificate for one year prior to applying for Specialized Electrical Inspector Certification;
and

(c) Been employed as an inspector and performed inspections in the specialty code area listed in (a) above for a minimum of one year prior to applying for Specialized Electrical Inspector Certification.

(4) Certification. Upon completion of all training, and after passing a division-approved examination, the division will certify an applicant as a Specialized Electrical Inspector, and issue the appropriate documentation.

Stat. Auth.: ORS 455.720, 455.730 & 455.735

Stats. Implemented: ORS 455.720, 455.730 & 455.735

Hist.: