



Oregon

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Building Codes Division Statewide Interpretation

PROGRAM: Electrical Program
SUBJECT: Lighting (parking lot, streets, signals)
SOURCE: Oregon Revised Statutes
REFERENCE: ORS 479.540
DATE OF ISSUE: Re-Issue April 1, 2005
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QUESTION: Are permits and inspections required when utility companies install street lighting?

ANALYSIS:

Exemptions from licensure, permitting and inspection can be found in Oregon Revised Statutes (ORS) 479.540 and 479.943, respectively. (ORS 479.943 applies to telecommunication utilities)

ORS 479.540 grants exemptions to a public utility in several sections.

ORS 479.540(2) grants a public utility exemption from an electrical contractor's license in connection with electrical installations for the purpose of generation, transmission or distribution on property which the public utility owns or manages.

ORS 479.540(3) grants a person whose sole business is generating or selling electricity an exemption from licensing to transform, transmit or distribute electricity from its source to the service head of the premises to be supplied. (person as used in this context would include a public utility).

ORS 479.540(4)(b)(B) grants individual licensing exemption for installation or maintenance of a street lighting system located on a public street or in a right of way. The installation or maintenance must be performed by a qualified employee of a licensed electrical contractor principally engaged in the business of installing or maintaining such systems. A qualified

employee as used in this section means someone who has registered with or graduated from a State of Oregon or federally approved apprenticeship course designed for the work being performed. Additionally, a signing supervising electricians signature on the permit is not required.

ORS 479.540(5)(a) grants exemption from any of the provisions of the Electrical Safety Law to electrical products supplied to or to be supplied to a public utility.

ORS 479.540(5)(b) grants exemption from any of the provisions of the Electrical Safety Law to electrical installations made by or for a public utility where the installation is an integral part of the equipment or electrical products of the utility.

DETERMINATION:

Street lighting systems that are owned or managed by a public utility are exempt from the permitting, inspection, product certification and licensing requirements of the Electrical Safety Law.

Street lighting systems that are not owned or managed by a public utility and on a public street or right of way must meet the permitting, inspection and product certification requirements of the Electrical Safety Law. The installation of these systems requires an electrical contractors license, and the permit does not require a signing supervisors signature. Persons installing the street lighting system located on a public street or right of way must be “qualified employees” of the electrical contractor. A “qualified employee” is one who has registered with or graduated from a State of Oregon or federally approved apprenticeship program. Installations of street lighting, parking lot lighting or signaling systems, under this section, must meet the requirements of the 2005 National Electrical Code and Oregon Electrical Specialty Code.

Parking lot lighting or signaling systems must meet the licensing, permitting, inspection and product certification requirements of the Electrical Safety Law. Installations of parking lot lighting or signaling systems, under this section, must meet the requirements of the 2005 National Electrical Code and Oregon Electrical Specialty Code.

Example:

- 1) A grocery store has decided to install new parking lot lighting. The local utility has been contacted to provide these lights and to perform the installation. The

local utility does not own the property, nor do they own the parking lot lights. The utility needs to be a properly licensed electrical contractor, needs to use properly licensed electricians, permit and inspection is required.

- 2) A municipality is installing street lighting along public streets and the local utility is not involved. The installation must be performed by a properly licensed electrical contractor, using properly licensed electricians, permit and inspection is required.
- 3) A local utility company is installing street lighting along a public street, the utility owns the street lights. In this case, the utility is exempt from any of the requirements of the Electrical Safety Law.
- 4) A municipality contracts with a public utility to provide a street lighting system and perform maintenance on the system. The municipality owns the system. In this case the public utility could perform the installations using “qualified employees”. The installation must meet the permitting, inspection, product certification requirements of the Electrical Safety Law. The requirements of the Oregon Electrical Specialty Code and 2005 National Electrical Code must be met.