

**DIVISION 261
ELECTRICAL EXEMPTIONS**

Exemptions Created by the Board

918-261-0000

Partial Exemption for Medical Diagnostic Imaging and Therapy Equipment

(1) An exemption from electrical licensing of ORS 479.620 is created under ORS 479.540 for certain persons installing or working on designated medical equipment under this rule.

(a) Only the following medical equipment can be involved: General X-ray systems, vascular systems, computer tomography scanners (CT), magnetic resonance imaging systems (MRI), nuclear medicine systems, positron emission tomography scanners (PET), radiation therapy systems, image-guided therapy systems, dental radiographic, panoramic systems, film processors and newly developed imaging or therapy equipment approved by order of the board;

(b) Only the following electrical installations are allowed: Assembly, interconnection, equipment modification and retrofit, calibrations, testing, maintenance and trouble shooting;

(c) Only electrical licensing is exempted. A permit pursuant to ORS 479.550 and inspection are required, and the installation shall comply with the **Electrical Specialty Code**; and

(d) The persons performing the work must meet the requirements of section (3) of this rule.

(2) An exemption from the permit requirements of ORS 479.550 and licensing requirements of ORS 479.620 is created under ORS 479.540, for repair, maintenance, parts replacement, calibration, testing and trouble shooting involving assemblies and components of the equipment described in subsection (1)(a) of this rule on the load side of the power source.

(a) Only the following are exempted: Super conducting magnet, gantry, patient tables, computer cabinets, system cabinets, operator consoles, display consoles, x-ray generators, x-ray tubes, collimators, hanger assemblies, filming devices, transducers, detector assemblies, modulator, wave guides, accelerating tube, radiation head, water cooling systems, portable systems, and all sublevel assemblies and components;

(b) The person doing the work must meet the qualifications of section (3) of this rule;

(c) All electrical work shall comply with the **Electrical Specialty Code**; and

(d) Different exempt components shall not be combined to exempt a complete system under section (2) of this rule.

(3) Only qualified personnel are authorized to make the electrical installations in sections (1) and (2)

of this rule. The installation is exempt if the person making the installation is:

(a) An employee or agent of a manufacturer, with training in installation, warranty work and maintenance involving the specific product of the manufacturer;

(b) A contractor or employee of a contractor, if the contractor is a business entity other than a sole proprietor, who has training by the manufacturer or a nationally recognized training facility to perform the specific work on the specific type product of the manufacturer; or

(c) An employee or agent of a health care facility which owns or leases the medical equipment with training by the manufacturer or a nationally recognized training facility to perform the specific work on the specific type product of the manufacturer.

(4) Procedure for proving exemptions.

(a) The exemption is self-executing. A person claiming the exemption has the burden of proof to show, upon request by an electrical inspector or compliance person, that the person meets the relevant requirements of section (3) of this rule; and

(b) A certificate from the manufacturer or equivalent training facility showing the name of the person, scope of training, including the work in question, and identifying the particular equipment or types of equipment, date of issuance, period for certification and any limitations on the certification, shall meet the requirements of this section.

(5) Revocation of Exemption. In addition to civil penalties for violations, the board may revoke partially or completely the right to use this exemption up to one year for a first violation of subsection (2)(d) of this rule, and up to five years for a second violation or subsequent violations.

(6) Prohibited Installations. The following installations are not exempt under sections (1) or (2) of this rule and shall only be made by qualified licensed electrical personnel:

(a) All work on electrical distribution systems within the constructed facility housing the equipment. This includes installation of electrical supply to the primary supply connection of the medical equipment; and

(b) Installation of electrical raceways and conduits interconnecting major components of the medical systems.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 479.540

Stats. Implemented: ORS 479.540

Hist.: BCD 13-1994, f. 4-29-94, cert. ef. 5-2-94; BCD 19-1995, f. 9-17-96, cert. ef. 10-1-96; Renumbered from 918-330-0125

918-261-0010

Exemption for 12-volt Electrical Products Used in Recreational Vehicles

Recreational vehicle 12-volt DC electrical products, not required to be listed by **Article 551** of the **Oregon Electrical Specialty Code** adopted in OAR 918, division

305, are exempt from the electrical product certification requirement contained in ORS 479.610 and 479.760. This exemption is created under authority granted in ORS 479.540.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 479.540

Stats. Implemented: ORS 479.540

Hist.: BCD 30-1994, f. & cert. ef. 12-23-94; BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96; Renumbered from 918-330-0190; BCD 23-2000, f. 9-29-00, cert. ef. 10-1-00

918-261-0020

Exemption for HVAC/R Electrical Components

(1) Definitions. For the purposes of this rule, a "component" is an electrical part installed inside, or as part of, an appliance where the part is approved by and meets the design specifications of the manufacturer of the appliance. An appliance is not a "component."

(2) An exemption from permits and listing requirements is created under ORS 479.540 for the following components repaired, maintained or replaced by a licensed general electrical contractor with a supervising electrician, properly licensed personnel or a limited maintenance specialty contractor HVAC/R:

- (a) Electrical motor;
- (b) Compressor;
- (c) Capacitor;
- (d) Relay;
- (e) Wiring;
- (f) Ignition transformer;
- (g) Low voltage transformer;
- (h) Fan or motor control;
- (i) Sequencer;
- (j) Pressure switch;
- (k) Limit switch;
- (l) Air switch;
- (m) Air cleaner;
- (n) Humidifier;
- (o) Reversing valve;
- (p) Timer;
- (q) Defrost heater;
- (r) Stack switch;
- (s) Gas valves;
- (t) An external thermostat operating at less than

100 va;

- (u) Electric water heating element; and
- (v) Other control devices within the appliance in residential, commercial or industrial service.

(3) An exemption from permits and listing requirements is created under ORS 479.540 for the following components repaired, maintained or replaced by a limited maintenance specialty contractor:

- (a) Electrical motor;

- (b) Compressor;
- (c) Capacitor;
- (d) Relay;
- (e) Wiring;
- (f) Ignition transformer;
- (g) Low voltage transformer;
- (h) Fan or motor control;
- (i) Sequencer;
- (j) Pressure switch;
- (k) Limit switch;
- (l) Air switch;
- (m) Air cleaner;
- (n) Humidifier;
- (o) Reversing valve;
- (p) Timer;
- (q) Defrost heater;
- (r) Stack switch;
- (s) Gas valves;
- (t) Electric water heating element; and
- (u) Other control devices within the appliance only of the size and type typically located in a one- or two-family residence.

Stat. Auth.: ORS 479.540(1), 479.550 & 479.730(5)

Stats. Implemented: ORS 479.540

Hist.: BCA 8-1992(Temp), f. 4-29-92, cert. ef. 7-1-92; BCA 17-1992, f. & cert. ef. 9-1-92; BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96; Renumbered from 918-330-0130; BCD 4-1999, f. & cert. ef. 4-1-99; BCD 14-1999, f. & cert. ef. 10-1-99; BCD 12-2003(Temp), f. & cert. ef. 6-24-03 thru 10-31-03; BCD 15-2003, f. & cert. ef. 10-1-03

918-261-0025

Exemption for Limited Energy Underground Signaling Circuits

(1) A license and permit is not required to install limited energy underground signaling circuits or loops defined in this rule. Unlicensed individuals are allowed to install underground signaling circuits or loops, and cover these circuits or loops without a permit or inspection.

(2) For purposes of this rule "underground signaling circuits or loops" means Class 2 circuits defined in Article 725 of the Electrical Specialty Code intended for use as traffic signal devices, gate controllers, weigh stations, counters or other similar devices.

(3) A license and permit is required to splice, connect, or extend the signaling circuits, loops, or loop conductor, or to connect to any of the following:

- (a) Controller;
- (b) Control devices;
- (c) Underground wiring; or
- (d) Conduit outside the roadway surface.

Stat. Auth.: ORS 479.740

Stats. Implemented: ORS 479.540

Hist.: BCD 27-2005, f. 12-30-05, cert. ef. 1-1-06

918-261-0030**Exemption and Interpretation Regarding Overhead and Underground Electrical Power Lines and Equipment**

(1) Licensing exemption for municipality owned or operated power lines for transmission or distribution of electricity to the point of service. An exemption is created from the requirements of the **Electrical Specialty Code**, for permits, compliance inspections, licenses or product certification for overhead and underground electrical power lines for transmission or distribution of electricity to the point of service and related equipment owned or operated by a municipality.

(2) Interpretation regarding privately owned power lines. Overhead or underground electrical power lines and equipment owned or operated by a private party that is not a utility or municipality, and utilities who contract to manage private systems are regulated by the **Electrical Specialty Code**. This means the division and municipalities shall require permit and inspection, **Electrical Specialty Code** compliance, and electrical contractor licensing. The licensing exemption for qualified personnel working for the electrical contractor principally engaged in the business of installing and maintaining these systems is in ORS 479.540. Product certification is required for products used in a system that generates and distributes electricity unless the following conditions are satisfied:

(a) The system is designed and stamped by an Oregon-licensed professional electrical engineer;

(b) The system meets NESC standards;

(c) All plan reviews, design specifications, permits and inspections are reviewed and approved by the authority having jurisdiction;

(d) The owner and the operator meet the Federal Energy Regulatory Commission definition of a "wholesale generator";

(e) The system is connected to a utility grid and that connection is for the sole purpose of generating and selling electrical power;

(f) The individual turbines are 25 kW or larger and the system is 10 megawatts or larger; and

(g) All generation and distribution systems undergo startup and commissioning by qualified personnel prior to being placed in operation.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 479.540

Stats. Implemented: ORS 479.540

Hist.: BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96; BCD 21-2001(Temp), f. & cert. 12-21-01 thru 6-18-02; BCD 7-2002, f. 3-29-02, cert. ef. 4-1-02

918-261-0031**Exemptions for Industrial Electrical Equipment**

Industrial electrical equipment designed for and used directly in the production of a product; which due to the equipment design or use requires specialized and specific training in the process, function, design, modification, repair, or maintenance of the equipment is exempt from permits specifically for repair, modification or maintenance. Individuals performing work under this rule are also exempt from licensing.

Stat. Auth.: ORS 479.540

Stats. Implemented: ORS 479.540

Hist.: BCD 13-2005, f. 6-20-05, cert. ef. 7-1-05

918-261-0034**Product Certification Partial Exemption**

(1) A partial exemption from electrical product certification is created under ORS 479.540 for distribution equipment operating at over 600 volts only when:

(a) used in an emergency repair or installation as defined in section (4); and

(b) the installer provides the local jurisdiction with written evidence that the equipment meets the appropriate standards within 72 hours of installation.

(2) The exemption is restricted to repairs or installations that include the following:

(a) cable and associated fittings that meet the standards of the serving utility; or

(b) pad-mounted switch gear that meets ANSI IEEE C37.73-1998 or C37.74-2003, or the equivalent and appropriate standard in effect at the time the product was manufactured.

(3) A jurisdiction may require product certification or take other appropriate steps if any of the circumstances in section (1) and (2) do not exist.

(4) For the purposes of this rule, emergency repair or installation means an acute, unplanned and immediate need for electrical repair or replacement involving an existing electrical installation or electrical product.

Stat. Auth.: 479.540

Stats. Implemented: 479.540

Hist.: BCD 18-2006, f. 12-29-06, cert. ef. 1-1-07

918-261-0036**Exemption for Transformers**

An exemption from certification is created under ORS 479.540 for transformers over 600 volts that are built to or conform with:

(1) IEEE C57.12.00 standards; or

(2) Standards used by a public utility as defined in ORS 757.005.

Stat. Auth.: ORS 479.540

Stats. Implemented: ORS 479.540

Hist.: BCD 4-2004, f. 3-31-04, cert. ef. 4-1-04

918-261-0037**Exemption for Traffic Management Systems**

An exemption from certification is created under ORS 479.540 for traffic management systems approved by Oregon Department of Transportation (ODOT) and maintained on their qualified products list. This exemption does not apply to message boards nor does it remove the requirements of licensing, permitting and inspection for the installation of these products.

Stat. Auth.: ORS 479.540

Stats. Implemented: ORS 479.540

Hist.: BCD 4-2004, f. 3-31-04, cert. ef. 4-1-04

918-261-0038**Exemption for Manufactured Construction Services**

An exemption from licensing is created under ORS 479.540 for the placement of manufactured construction services of 100 amperes, 240 volts single-phase or less. This exemption applies only to manufactured services used during construction. Repairs or alterations to the manufactured construction service require permit, inspection and appropriately licensed person(s). The word "manufactured" as used in this rule applies to a construction service built by and supplied from an electrical contractor or manufacturer.

Stat. Auth.: ORS 479.540

Stats. Implemented: ORS 479.540

Hist.: BCD 4-2004, f. 3-31-04, cert. ef. 4-1-04

918-261-0039**Exemption for Products Located on the Load Side of a Listed Class 2 Transformer**

(1) An exemption from product certification is granted under ORS 479.540 for installation of Class 2 products, other than wiring, located on the load side of a listed Class 2 transformer. The exemption applies only to products that are not:

- (a) In a damp or wet location;
- (b) Located in a plenum, duct or other air-handling space;
- (c) Located in any area from chapter 5 of the adopted **Oregon Electrical Specialty Code**; or
- (d) Part of a protective signaling system.

(2) An exemption from permitting is created for installation of Class 2 wiring located on the load side of a listed garage door controller. The exemption applies only to one- and two-family dwellings when the wiring is not part of the original wiring of the dwelling.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 479.540

Stats. Implemented: ORS 479.540

Hist.: BCD 4-2004, f. 3-31-04, cert. ef. 4-1-04

Interpretations Concerning Exemptions**918-261-0040****Interpretation of "Owner" in ORS 479.540(1)**

For the purposes of ORS 479.540(1):

(1) The owner of property to which this exemption applies shall be a natural person and not a business entity such as a corporation or partnership.

(2) The members of the owner's immediate family are defined in section (3). Persons whose only relationship is as an officer, stockholder, partner or employee of a business entity to which the owner is affiliated are not included.

(3) "Immediate family" of an owner includes the owner's

- (a) parent;
- (b) step-parent or parent's domestic partner;
- (c) sibling and sibling's spouse or domestic partner;
- (d) child and child's spouse or domestic partner;
- (e) spouse or domestic partner;
- (f) spouse's or domestic partner's child and the child's spouse or domestic partner;
- (g) grandchild; and
- (h) grandparent.

(4) "Immediate family" of an owner does not include the owner's step-sibling, aunt, uncle, cousin, step-grandchild, or step-grandparent.

(5) "Domestic partner" means a person in a relationship with another person, each of whom:

(a) is at least 18 years of age and capable of entering into a civil contract or, if 17, has the written consent of a parent or guardian to enter into the domestic partnership;

(b) is not a first cousin or any nearer kin to the other person, whether of the whole or half blood, and whether by blood or adoption, except for a first cousin by adoption only;

(c) desires a relationship of marriage under Oregon law and would enter into marriage with the other person, and only with the other person, if Oregon law permitted such a marriage;

(d) acknowledges and accepts financial obligations to the other person and to third parties similar to the financial obligations that arise by reason of a marriage recognized under Oregon law and has joint financial accounts, and joint financial responsibilities;

(e) is not married and has no similar commitment and responsibility to any other person; and

(f) has continuously lived with the other person for six (6) months in an exclusive relationship that each intends to maintain for the rest of their lives.

Stat. Auth.: ORS 455.117, 479.540, 479.680, 479.730

Stats. Implemented: ORS 479.540, 479.680

Hist.: BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96; BCD
23-2000, f. 9-29-00, cert. ef. 10-1-00; BCD 3-2007, f.
3-30-07, cert. ef. 4-1-07