

**DIVISION 306  
QUALIFYING ELECTRICAL PRODUCTS  
FOR SALE OR DISPOSAL IN OREGON**

**General**

**918-306-0000****Scope and Authority for Rule**

(1) The rules in OAR 918-306-0000 to 918-306-0530 deal with the different ways to qualify an electrical product for sale, disposal and installation in Oregon.

(2) Authority for rules.

(a) ORS 479.540 authorizes partial and complete product exemptions;

(b) ORS 479.610 requires products for sale in Oregon to be certified; and

(c) ORS 479.730 authorizes creation of procedures for product certifications, administration and enforcement and field evaluation of electrical products.

Stat. Auth.: ORS 479.730

Stats. Implemented: ORS 479.540, 479.610, 479.730 & 479.760

Hist.: BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96; Suspended by BCD 12-2003(Temp), f. & cert. ef. 6-24-03 thru 10-31-03; BCD 15-2003, f. & cert. ef. 10-1-03

**918-306-0005****Standards for Product Evaluations**

The following standards shall be adopted for use when completing product evaluation:

(1) NFPA standards on list dated April 1, 2005, maintained by the division titled "NFPA Standards"; and

(2) UL standards on list dated April 1, 2005, maintained by the division titled "UL Standards."

Stat. Auth.: ORS 479.730

Stats. Implemented: ORS 479.730

Hist.: BCD 19-2002, f. 8-1-02, cert. ef. 10-1-02; BCD 23-2004, f. 12-15-04, cert. ef. 4-1-05

**918-306-0010****Overview**

(1) ORS 479.610 establishes certification requirements for electrical products.

(2) The certification process generally involves inspection, testing and evaluation of the product. This is done through:

(a) Listing and application of listing label by a Nationally Recognized Testing Laboratory (NRTL);

(b) Special Deputy Evaluation and Certification. A product can be submitted to the division for certification under ORS 479.760. The special deputy procedures, rules and limitations are located in OAR 918-306-0510 to 918-306-0530; or

(c) Field Evaluation of Products. Field evaluation involves inspection, testing, evaluation and application of an evaluation label utilizing Recommended Practice and Procedures for Unlabeled Electrical Equipment Evaluation dated June 2003 and published by the American Council of Independent Laboratories (ACIL).

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

Stat. Auth.: ORS 479.730

Stats. Implemented: ORS 479.730

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; Suspended by BCD 12-2003(Temp), f. & cert. ef. 6-24-03 thru 10-31-03; BCD 15-2003, f. & cert. ef. 10-1-03; BCD 4-2004, f. 3-31-04, cert. ef. 4-1-04

**Approval of Field Evaluation Firms**

**918-306-0340****General Requirement for Approval of Field Evaluation Firms**

Approval of a field evaluation firm requires:

(1) The firm to meet Oregon approval standards in these rules for each type of product for which it seeks approval and be approved according to OAR 918-306-0350;

(2) Examination and continued approval under OAR 918-306-0360;

(3) Payment of actual expenses of examination and evaluation; and

(4) The address and contact person representing the field evaluation firm be provided.

Stat. Auth.: ORS 479.730

Stats. Implemented: ORS 479.730

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

**918-306-0350****Checklist for Applicants**

The application for approval as a field evaluation firm shall require proof that the firm:

(1) Is an independent, third-party inspection company with no direct or indirect affiliation with manufacturers, suppliers or vendors of the products it evaluates;

(2) Is primarily engaged in the business of testing electrical products, equipment and systems;

(3) Does not engage in the promotion or design of the product being evaluated;

(4) Has sufficient diversity of clients or activity and financial net worth, so loss or award of an evaluation contract would not be a material factor in the financial well-being of the firm;

(5) Operates in accordance with generally accepted professional and ethical business practices; and

(a) Performs inspections, tests and evaluations required under the field evaluation programs in accordance with the referenced recommended practice in OAR 918-306-0010;

(b) Assures that reported values accurately reflect the inspection measurement data and final evaluation assessment; and

(c) Limits its work to that for which it has the competence and capacity to fulfill.

(6) Provides in its client agreement that it may report to appropriate jurisdictions information concerning safety hazards and failures to meet applicable product safety standards and to provide any information requested by regulatory agencies;

(7) Maintains a consumer complaint file dealing with written complaints and resolve complaints contesting test results and evaluations fairly and promptly;

(8) Is able to do all examinations, tests, evaluations and inspections for field evaluating and labeling of products for which it is approved;

(9) Maintains an independent relationship between its clients, client affiliates or other organizations so the firm's ability to issue reports and certifications objectively and without bias is not adversely affected;

(10) Has a quality control manual as provided in OAR 918-306-0380;

(11) Has personnel meeting the requirements of OAR 918-306-0390;

(12) Has test and measurement equipment meeting the requirements of OAR 918-306-0400;

(13) Maintains records according to OAR 918-306-0410; and

(14) Maintains an up-to-date library of all product safety standards as defined in OAR 918-306-0005 relating to each product being evaluated.

Stat. Auth.: ORS 479.730

Stats. Implemented: ORS 479.730

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

### **918-306-0360**

#### **Examination Schedule for Field Evaluation Firms**

(1) Approved field evaluation firms shall be examined under the following schedule:

(a) Firms initially approved shall be examined at the end of two years; and

(b) Firms in good standing shall be examined every three years.

(2) Firms examined shall make all arrangements and pay all fees in advance of the re-examination.

(3) Field evaluation firms shall provide submittals to the division for the initial examination and re-examinations according to the schedule in Section (1) for review of the company's field evaluation program

including procedures, processes, equipment calibration program, personnel qualifications and training, controls and record keeping as specified in OAR 918-306-0340 to 918-306-0410. Approval of field evaluation firms shall be for all company locations.

(4) On re-examination, field evaluation firms shall be specifically examined for corrections in prior examinations and to determine whether the firm continues to meet Oregon requirements.

Stat. Auth.: ORS 479.730

Stats. Implemented: ORS 479.730

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

### **Operating Equipment and Procedures**

#### **918-306-0380**

##### **Quality Control Manual**

The firm shall:

(1) Maintain a quality control system to assure accuracy and technical integrity;

(2) Have a quality control manual or a firm operations control manual with written procedures, references and information covering evaluation of each product for which approval is sought. The contents must be adequate to guide a testing technician or inspector through the required tests and inspection; and

(3) Keep an updated copy of all applicable manuals and standards at the work site for use by firm personnel and make manuals available to the division for review and audit.

Stat. Auth.: ORS 479.730

Stats. Implemented: ORS 479.730

Hist.: BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96; BCD 4-2004, f. 3-31-04, cert. ef. 4-1-04

#### **918-306-0390**

##### **Field Evaluation Firm Personnel**

(1) Firm personnel shall be competent to perform the tests, examinations, reevaluations and inspections for field evaluation of each product for which approval is sought.

(2) Staff competency shall be verified at least annually by observations and/or examinations by qualified persons selected by the manager having technical responsibility for the firm's field evaluation operations.

(3) A training program to assure new or untrained staff will be able to perform tests and inspections properly and uniformly to the requisite degree of precision and accuracy shall be maintained.

(4) The firm shall maintain records, including dates of training, observation or examination of personnel performance.

Stat. Auth.: ORS 479.730

Stats. Implemented: ORS 479.730

Hist.: BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96; BCD 4-2004, f. 3-31-04, cert. ef. 4-1-04

### 918-306-0400

#### Electrical Evaluation Equipment

The firm shall calibrate, verify and maintain its test and measurement equipment used to conduct any field evaluation. It shall maintain:

(1) A description of the procedures used in calibrating, verifying and maintaining the test equipment, including as applicable:

(a) Calibration and verification equipment or services used;

(b) Reference standards and materials used;

(c) Measurement assurance, corroborative references, or other programs in which the laboratory participates;

(d) Specified maintenance practices.

(2) Calibration and verification records, including as applicable:

(a) Equipment description or name;

(b) Name of manufacturer;

(c) Model, style and serial number, or other identification;

(d) Equipment variables subject to calibration and verification;

(e) Statement of the instrument's allowable error and tolerances of readings;

(f) Calibration and verification schedules (intervals);

(g) Dates and results of last calibrations including "as received" results or verifications and schedule of future calibrations or verifications;

(h) Name of laboratory person or outside contractor providing the calibration or verification service;

(i) Traceability to National Institute of Standards and Technology or other standard reference authority as required.

Stat. Auth.: ORS 479.730

Stats. Implemented: ORS 479.730

Hist.: BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96; BCD 4-2004, f. 3-31-04, cert. ef. 4-1-04

### 918-306-0410

#### Records

(1) The firm shall maintain reports and supporting data as records of evaluation activities associated with each product inspected and tested for which approval is sought. The firm shall make available to the division, upon request, a typical completed test or inspection report deleting the name of the client and installation location.

(2) Test and inspection reports shall be retained for at least three years and contain as applicable:

(a) Name and address of the evaluation firm;

(b) Pertinent dates and identification of tests or inspections;

(c) Name of client;

(d) An appropriate title;

(e) Identification of the test, inspection or procedure as specified for the field evaluation program;

(f) Known deviations, additions to or exclusions from testing, inspection and evaluation activities to be appropriate to new or innovative products not contemplated by the standard;

(g) Measurements, examinations, derived results and identification of test anomalies;

(h) A statement whether or not the results comply with the requirements of the standard;

(i) Name of the person completing the inspections, testing and evaluation and the signature of the person having responsibility for the report;

(j) Data generated during testing if not included in the test report, such as raw data, calculations, table, graphs, sketches and photographs;

(k) Records of its quality control checks and audits for monitoring its test work associated with its evaluation programs.

Stat. Auth.: ORS 479.730

Stats. Implemented: ORS 479.730

Hist.: BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96; BCD 4-2004, f. 3-31-04, cert. ef. 4-1-04

### Certification through Special Deputies

### 918-306-0510

#### Special Deputy Certification Procedures

When a product is accepted for special deputy certification under ORS 479.760:

(1) A division inspector determines if the product meets applicable minimum safety standards adopted by the board by:

(a) Examining the product and its components for compliance with applicable board-approved standards;

(b) Reviewing the assembly of labeled, listed, recognized or noncertified components for correct and applicable application, installation and circuit protection. Noncertified components are subject to the requirements of ORS 479.760(2); and

(c) Reviewing code compliance.

(2) A certification label is attached by the special deputy inspector on the product, or placement of a certification label is authorized.

Stat. Auth.: ORS 479.760

Stats. Implemented: ORS 479.760

Hist.: BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96; BCD 12-2003(Temp), f. & cert. ef. 6-24-03 thru 10-31-03; BCD 15-2003, f. & cert. ef. 10-1-03

**918-306-0520**

**Submission Requirements for Product Approval by Special Deputy**

Applications for:

(1) Product approval by a special deputy shall be accompanied by a specimen, sample or prototype, or advice on the location of a sitespecific or use-specific product that was field assembled, and engineering data, wiring diagrams and other test data available to evaluate the product; and

(2) Certification of production produced in volume shall, in addition to section (1) of this rule, provide documentation of the quality control process proposed to be used in the manufacturing, assembly or production of the product.

Stat. Auth.: ORS 479.760

Stats. Implemented: ORS 479.760

Hist.: BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96

**918-306-0530**

**Fees and Procedures**

(1) Applicants requesting product approval by special deputies shall pay hourly fees in OAR 918-309-0070 for “other inspections” or any successor rule. If it is determined by the division testing or evaluation through a laboratory or engineering firm is needed, the person requesting special deputy certification shall pay the company doing the testing or evaluation directly.

(2) Inspection fees shall be paid prior to inspection. If the exact amount cannot be determined in advance, an amount sufficient to pay the estimated fee shall be deposited with the division prior to inspection. Any portion of the deposit not required for the fee shall be refunded to the applicant upon written request.

Stat. Auth.: ORS 479.760

Stats. Implemented: ORS 479.760

Hist.: BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96