

24.301.401 INCORPORATION BY REFERENCE OF NATIONAL ELECTRICAL CODE (1) The Department of Labor and Industry, by and through

the ~~Bureau of Building and Measurement Standards~~ Building Codes Bureau, adopts and incorporates by reference the National Fire Protection Association Standard NFPA 70, National Electrical Code, ~~2005~~ 2008 edition referred to as the National Electrical Code unless another edition date is specifically stated. The National Electrical Code is a nationally recognized model code setting forth minimum standards and requirements for electrical installations. A copy of the National Electrical Code may be obtained from the Department of Labor and Industry, ~~Bureau of Building and Measurement Standards~~ Building Codes Bureau, P.O. Box 200517, Helena, MT 59620-0517 or the National Fire Protection Association, One Batterymarch Park, P.O. Box 9101, Quincy, MA 02269-9101.

(History: 50-60-203, 50-60-603, MCA; IMP, 50-60-201, 50-60-203, 50-60-601, 50-60-603, MCA; NEW, 1978 MAR p. 378, Eff. 3/25/78; AMD, 1981 MAR p. 519, Eff. 5/29/81; AMD, 1984 MAR p. 1024, Eff. 7/13/84; TRANS, from Dept. of Admin., Ch. 352, L. 1985, Eff. 7/1/85; AMD, 1987 MAR p. 2237, Eff. 12/11/87; AMD, 1990 MAR p. 2041, Eff. 11/16/90; AMD, 1994 MAR p. 299, Eff. 2/11/94; AMD, 1997 MAR p. 44, Eff. 1/17/97; AMD, 1999 MAR p. 1885, Eff. 10/1/99; TRANS, from Commerce, 2001 MAR p. 2301; AMD, 2002 MAR p.3627, Eff. 12/27/02; AMD,2006 MAR p.567, Eff. 2/24/06.)

24.301.402 DEFINITIONS For the purposes of this chapter, the following definitions shall apply:

(1) Remains the same.

(2) “Permittee” means the property owner that is responsible for the installation of electrical wiring and equipment authorized by an electrical permit, or the license holder named as the “Responsible Licensed Electrician” for an “Electrical Contractor” who is responsible for the installation of electrical wiring and equipment authorized by an electrical permit. On farm and ranch installations used in conjunction with an agricultural or livestock raising operation, the term "Permittee" will mean the owner, owner's agent and/or person(s) employed by the owner on a full time basis as a farm or ranch employee(s) at the farm or ranch involved.

(3) “Rental Property” means any property utilized by any person(s) for other than the owner’s personal use with or without the consideration of compensation for the use.

(4) “Maintenance Work” means ordinary and customary in-plant or on-site installations, modification, additions or repairs which shall be limited to: relamping fixtures, replacing ballasts, trouble shooting, motor controls, replacing motors, breakers, magnetic starters, in a kind-for-kind manner. “Maintenance Work” will also include the connection of listed factory assembled equipment that can be directly connected to an existing branch circuit or panelboard by means of a factory installed lead. If a new circuit is required to operate the equipment, or if the size of the supply conductors need to be increased, this will be considered new work and not “Maintenance work”.

(5) “Provisional Power” means the connection of electrical power to any part of a premises wiring system from any source of energy prior to the final inspection and approval of the installation by the electrical inspector.

(History: 50-60-603, MCA; IMP, 50-60-603, MCA; NEW, 2007 MAR p. 112, Eff. 1/26/07.)

24.301.411 WIRING STANDARDS (1) The National Electrical Code is amended as follows:

(a) NEC ARTICLE ~~110-2~~ 110.2 (SUPPLEMENTARY). When requested, complete wiring diagrams shall be provided prior to installation of conductors and equipment indicating the conductor’s and equipment’s intended use.

(b) NEC Article ~~550-32(a)~~ 550.32(A): The allowable distance for service equipment from the exterior wall of a manufactured or mobile home is increased from 30 ft (9.14m) to 50 ft (15.24 m).

(c) NEC Article ~~550-32(b)(2)~~ 550.33(A): Add the following: It shall be permissible to feed a manufactured (mobile) home with type SER cable when the service equipment is mounted on the exterior of the home. Physical protection of the cable is required by enclosing the cable in an approved raceway where the cable is run on the outside of the home. The cable is to be properly supported and attached per Article 338 where installed under the home.

(d) NEC Article ~~760-1~~ 760.1 (SUPPLEMENTARY). Smoke ~~detectors~~ Alarms shall be installed in any building or structure as required under the currently adopted International Building Code or International Residential Code, whichever applies, regardless of whether or not the building or structure is exempt by 50-60-102, MCA.

(History: 50-60-203, 50-60-603, MCA; IMP, 50-60-203, 50-60-603, MCA; NEW, 1978 MAR p. 378, Eff. 3/25/78; AMD, 1979 MAR p. 1665, Eff. 12/28/79; TRANS, from Dept. of Admin., Ch. 352, L. 1985, Eff. 7/1/85; AMD, 1989 MAR p. 476, Eff. 4/28/89; AMD, 1994 MAR p. 299, Eff. 2/11/94; AMD, 1997 MAR p. 44, Eff. 1/17/97; AMD, 1999 MAR p. 1885, Eff. 10/1/99; TRANS, from Commerce, & AMD, 2001 MAR p. 2293, Eff. 11/22/01; AMD, 2002 MAR p. 3627, Eff. 12/27/02.)

24.301.421 ELECTRICAL INSPECTORS

- (1) Only persons appointed ~~and certified~~ by the department shall act as electrical inspectors to represent the state of Montana.
- (2) Inspectors shall give information as to the meaning or application of the code, ~~but shall not perform duties for or assume the responsibilities of a consultant or advisor with respect~~ to contractors, electricians, ~~or owners, or users~~ for whom the inspectors perform compliance inspections ~~under the authority granted to them by virtue of their employment as department inspectors.~~ The inspector shall not design circuitry or perform engineering tasks for the Permittee.
- (3) Remains the same.
- (4) State electrical inspectors shall have powers as are vested in them by the department, including but not limited to the power to make inspections and to ascertain that none of the provisions of ~~the Electrical Safety Law~~ Title 50, Chapter 60, Part 6, MCA, the National Electrical Code as amended from time to time, or the ~~rules of the section~~ Administrative Rules of Montana, Subchapter 4, Electrical Requirements are being violated.
- (5) Remains the same.

(History: 50-60-203, 50-60-603, MCA; IMP, 2-2-101, 50-60-103, 50-60-201, 50-60-203, 50-60-603, 50-60-604, MCA; NEW, 1978 MAR p. 378, Eff. 3/25/78; TRANS, from Dept. of Admin., Ch. 352, L. 1985, Eff. 7/1/85; TRANS, from Commerce, 2001 MAR p. 2301; AMD, 2006 MAR p. 567, Eff. 2/24/06.)

24.301.431 ELECTRICAL PERMIT

- (1) Remains the same.
- (2) Prior to the commencement of any electrical installation, in an area where the electrical code is enforced by the department, the ~~installer or owner~~ Permittee shall submit an official and complete request for an electrical permit to the department in Helena with fee(s) as provided in ARM 24.301.461. If the Permittee fails to obtain a permit for an electrical installation a "Failure to Permit Investigation Fee" may be required in addition to the standard permit fee. ~~Request for electrical~~ Electrical permit forms will be made available by the department and may also be available at any power supplier or from the electrical inspector. ~~At the time of application for a permit, the applicant shall indicate on the application for a permit whether or not the applicant will be the permittee for the entire project. Owners shall designate which electrical contractor will be performing work on the project.~~

~~(a) The department may issue a provisional electrical permit authorizing electrical installations for a period not to exceed 14 days when the applicant remits an application with fees that exceed the current fee required. The department will notify the applicant of the correct fee due and retain the original permit fee until the applicant remits the correct fee. If the applicant fails to remit the correct fee within 14 days, the department will return the incorrect fee and application and request the power supplier disconnect the electrical service until such time as the required electrical permit is issued.~~

(3) The term "~~owner~~" "Permittee" listed in ARM 24.301.431(2) applies to owners doing electrical work on their own residence, farm, or ranch property provided that said property is maintained for their personal, private use. The property or residence shall not be built on speculation of resale or intended as rental property. ~~On farm and ranch installations used in conjunction with an agricultural or livestock raising operation, the term "owner" applies to the owner, owner's agent and/or person(s) employed by the owner on a full time basis as a farm or ranch employee(s) at the farm or ranch involved.~~

(4) Remains the same.

(5) The requirements listed in 50-60-605, MCA, requiring an "electrical permit" before the energizing of an electrical installation by a power supplier means the power supplier may energize said installation with provisional power before an inspection has been performed by the department, after issuing a power supplier limited service certificate as allowed in ARM 24.301.472, or upon receipt of the power supplier's copy of the electrical permit issued by the department.

(6) An individual that energizes an electrical installation without first obtaining an electrical permit for that installation is guilty of a misdemeanor per 50-60-607, MCA. The bureau may require a utility per 50-60-605, MCA to not energize or to remove provisional power from the permittee's electrical system if the Permittee connects new wiring to a new or existing power source thereby causing the utility to energize the electrical installation without first receiving the required permit for the connection.

(6) Remains the same but is renumbered (7).

(7) Remains the same but is renumbered (8)

~~(8)~~ (9) Electrical permits ~~on which the fees, as provided in ARM 24.301.461, are under \$350~~ are valid for a period of 18 months from the date of issuance. One Renewals of ~~one year~~ 18 months may be granted by the department as long as the application for renewal is made not more than 30 days following expiration of the original permit. Original electrical permits expire after 18 months from the date of issuance if not renewed. Renewed electrical permits will expire 18 months after the renewal date.

~~(9)~~ (10) The electrical permit is transferable ~~one-time~~, with application for permit transfer being made in writing on forms provided by the department and the payment of a \$20.00 transfer fee. The permit transfer shall be completed prior to the subsequent permittee commencing work under the transferred permit.

~~(10)~~ (11) The exception to permit requirements listed in 50-60-602(2), MCA, for regularly employed maintenance personnel doing maintenance work on the business premises applies to personnel on the regular payroll rather than personnel under contract. ~~Maintenance work includes ordinary and customary in-plant or onsite installations, modification, additions or repairs which shall be limited to: relamping fixtures, replacing ballasts, trouble shooting, motor controls, replacing motors, breakers, magnetic starters, in a kind for kind manner. Also included are connection of specific items or specialized equipment that can be directly connected to an existing branch circuit panel by means of factory installed leads. However, if~~

(11) Remains the same but is renumbered (12).

(History: 50-60-203, 50-60-603, 50-60-607, MCA; IMP, 50-60-201, 50-60-203, 50-60-603, 50-60-604, 50-60-605, MCA; NEW, 1978 MAR p. 378, Eff. 3/15/78; AMD, 1979 MAR p. 1665, Eff. 12/28/79; AMD, 1981 MAR p. 519, Eff. 5/29/81; TRANS, from Dept. of Admin., Ch. 352, L. 1985, Eff. 7/1/85; AMD, 1987 MAR p. 2237, Eff. 12/11/87; AMD, 1994 MAR p. 299, Eff. 2/11/94; AMD, 1997 MAR p. 2061, Eff. 11/18/97; TRANS, from Commerce, & AMD, 2001 MAR p. 2293, Eff. 11/22/01; AMD, 2006 MAR p. 567, Eff. 2/24/06.)

24.301.441 COVER (ROUGH-IN) INSPECTIONS

(1) and (2) Remain the same.

(3) Whenever violations are found upon inspection, the inspector will notify the installer Permittee verbally, with a written inspection report, or a written compliance order as to the nature of the violations.

(4) Provisional power may be removed from the installation if code violations discovered during the cover (rough-in) inspection are of such a nature to be considered an immediate threat of fire to the structure or shock hazard.

(History: 50-60-203, 50-60-603, 50-60-604, MCA; IMP, 50-60-103, 50-60-201, 50-60-203, 50-60-603, 50-60-604, MCA; NEW, 1978 MAR p. 378, Eff. 2/25/78; AMD, 1981 MAR p. 519, Eff. 5/29/81; TRANS, from Dept. of Admin., Ch. 352, L. 1985, Eff. 7/1/85; AMD, 1996 MAR p. 420, Eff. 2/9/96; TRANS, from Commerce, 2001 MAR p. 2301; AMD, 2006 MAR p. 567, Eff. 2/24/06.)

24.301.451 FINAL INSPECTION

(1) Remains the same.

(2) Upon completing final inspections, state inspectors will date and sign the inspection reports. Inspectors will apply a green "approved" tag or an orange "conditionally approved" tag to installations. Green "approved" tags will be applied when installations have been inspected and approved by the department. Orange "conditionally approved" tags will only be applied to those installations that violate the cover inspection provision as provided in ARM 24.301.441. At that time the energy source supplying the installation shall be considered no longer "Provisional Power".

(3) If the installation is disapproved, notice thereof, together with reasons for disapproval, will be given by inspectors to installers the Permittee of record. After removal or repair of the cause for disapproval, installers the Permittee must make a request for re-inspection to the department by the inspector who issued the disapproval. Failure to make corrections or request the final re-inspection may be cause for the provisional power to be removed. When the inspector approves the corrected installation as identified on the permit and inspection documents, an appropriate tag will be applied to the installation and the energy source supplying the installation shall be considered no longer "Provisional Power".

(History: 50-60-203, 50-60-603, 50-60-604, MCA; IMP, 50-60-103, 50-60-201, 50-60-203, 50-60-603, 50-60-604, MCA; NEW, 1978 MAR p. 378, Eff. 2/25/78; AMD, 1979 MAR p. 1665, Eff. 12/28/79; AMD, 1981 MAR p. 519, Eff. 5/29/81; TRANS, from Dept. of Admin., Ch. 352, L. 1985, Eff. 7/1/85; AMD, 1996 MAR p. 420, Eff. 2/9/96; TRANS, from Commerce, 2001 MAR p. 2301; AMD, 2006 MAR p. 567, Eff. 2/24/06.)

24.301.461 ELECTRICAL INSPECTIONS FEES

(1) The following is the schedule of electrical inspection fees as charged by the department. As provided in ARM 24.301.203 local governments certified to enforce the electrical code may establish their own electrical permit fees.

Type of Installation

Permit Fee

(a) single-family dwellings or cabins (includes attached ~~or detached garage~~ if wired at the same time as the house or cabin) (A cabin is a structure designed for use for overnight stays that may not meet the definition of a dwelling unit.)

(i) 100 up to 300 <u>200</u> amp service	\$150* <u>\$200.00</u>
(ii) 301 or more <u>201 to 400</u> amp service	\$300* <u>\$380.00</u>
*Fee includes maximum of three inspections.	
Additional inspections charged at requested electrical inspection rates.	
<u>(iii) 401 to 600 amp service</u>	<u>\$600.00</u>
<u>(iv) 601 and up amp service</u>	<u>\$800.00</u>

(b) private property accessory buildings (includes new service or upgrade of existing service for supply of power to garages, barns, sheds, etc.)

(i) up to 200 amp panel	\$60 <u>\$80.00</u>
(ii) 201 to 300 amp panel	\$120 <u>\$150.00</u>
(iii) 301 or more amp panel	\$150 <u>\$250.00</u>

(c) multi-family dwellings (duplex through 12 units)	\$120 per bldg*
<u>(i) Up to 200 amp service</u>	<u>\$180.00</u>
<u>(ii) 201 to 400 amp service</u>	<u>\$380.00</u>
<u>(iii) 401 to 600 amp service</u>	<u>\$580.00</u>
<u>(iv) 601 and up amp service</u>	<u>\$780.00</u>

*Plus \$60 per unit, up to and including 12 units.

*For buildings containing more than 12 units, use the commercial schedule that follows.

(d) multi-family dwellings (duplex through 12 units) rewire or remodel only - per dwelling unit ~~\$80~~ \$100.00

(e) single family dwelling interior/exterior wiring/rewiring ~~rewire only or new addition to a home (includes~~

<u>(i) more than three circuits and change of service and/or interior panelboard if installed at the same time)</u>	\$80 <u>\$120.00</u>
<u>(ii) more than three circuits only, (does not include change of service or panelboard)</u>	<u>\$100.00</u>
<u>(iii) two or three additional circuits or pieces of equipment only</u>	<u>\$70.00</u>
<u>(iv) one additional circuit or piece of equipment (hot tub, air conditioner, etc)</u>	<u>\$45.00</u>

- (f) change of service
- (i) exterior meterbase and interior/exterior main disconnect Only ~~\$25~~ \$45.00
 - (ii) exterior meterbase and interior/exterior main disconnect with feeder and distribution panelboard replacement \$75.00
- (g) modular homes, mobile homes, and recreational vehicles
- (i) wiring to a mobile or modular home with wiring of a basement and/or garage addition at the same time ~~\$100~~ \$120.00
 - (ii) wiring to a mobile, modular, or RV only on privately owned property ~~\$60*~~ \$80.00
 - (iii) wiring to a mobile or RV on rental space at a licensed court with previously existing electrical service ~~\$25*~~ \$40.00
- ~~*Fee includes only one inspection; reinspections require new permit.~~
- (h) Remains the same.
- (i) new service and wiring for utilization equipment such as livestock well, residential irrigation well, etc. ~~40~~ \$50
- (j) agricultural irrigation pumps or machines on a common service
- (i) ~~per unit~~ (one pump ~~and~~/or one pivot) ~~40~~ \$50
 - (ii) multiple pumps or pivots (\$50 for first pump or pivot plus \$25 for each additional piece of equipment supplied by a common service. (Note: A separate permit is required for each service installed supplying either a single piece of equipment or a combination of equipment.)
- k) permit renewal fee ~~45~~ \$60.00
- l) remains the same.
- (m) permit transfer fee \$20.00
- (n) failure to permit investigation fee \$45/hour
- (m) Remains the same but is re-lettered (o)

~~(n)~~ (p) Provisional Temporary construction service (for nonresidential jobs only) 25 \$60.00 (Note: A provisional construction service permit may only be closed when the permit expires and power is removed or upon the Permittee obtaining a new permit applicable for the wiring of the structure being built. The utility power supplier shall be ordered by the inspector to remove power from a “Provisional construction service” upon expiration of the permit if no additional permit has been obtained.

~~NOTE: this additional \$25 fee is required in addition to the above inspection fees if a temporary service will be used, and is to be paid at the same time as the regular permit fee before construction begins.~~

~~(o) permit issuance fee* \$20~~

~~*This fee does not apply to permits issued pursuant to (1)(k) or (2).~~

(2) A requested inspection is limited to the inspection of existing electrical installations that an owner or occupant may wish to have inspected. The fee for a requested inspection is payable prior to or at the time of the inspection. The fee for a requested electrical inspection is ~~\$45~~ \$60.00 provided that such service including all time spent preparing all paperwork furnished as documentation by the inspector regarding the inspection is not in excess of one hour in duration, and then ~~\$25~~ \$30.00 for each 30 minutes or fractional part thereof in excess of one hour. Travel and per diem will also be charged at the rates established under Title 2, chapter 18, part 5, MCA when considered by the department to be applicable for the situation.

~~(3) If the application for permit and the proper fees, as determined under (1) of this rule, are not sent to the department prior to or upon commencement of the electrical work, the fees will be doubled and will have to be paid before the permit will be issued.~~

(History: 50-60-104, 50-60-203, 50-60-603, 50-60-604, MCA; IMP, 50-60-104, 50-60-203, 50-60-603, 50-60-604, MCA; NEW, 1978 MAR p. 378, Eff. 3/25/78; AMD, 1978 MAR p. 1480, Eff. 10/27/78; AMD, 1979 MAR p. 1665, Eff. 12/28/79; AMD, 1981 MAR p. 1054, Eff. 9/18/81; TRANS, from Dept. of Admin., Ch. 352, L. 1985, Eff. 7/1/85; AMD, 1986 MAR p. 109, Eff. 1/31/86; AMD, 1987 MAR p. 2237, Eff. 12/11/87; AMD, 1994 MAR p. 670, Eff. 2/11/94; AMD, 1998 MAR p. 2563, Eff. 9/25/98; AMD, 1999 MAR p. 1885, Eff. 10/1/99; TRANS, from Commerce, & AMD, 2001 MAR p. 2293, Eff. 11/22/01; AMD, 2006 MAR p. 567, Eff. 2/24/06.)

24.301.491 REFUNDS OR CREDITS

(1) and (2) Remain the same.

(3) A refund or credit issued for a permit fee on a project, which was inspected by the department, shall have the refund or credit prorated at the rate of ~~\$25~~ 45 per required inspection performed, in addition to the \$25 refund/credit fee.

(4) No refund or credit for permit fees shall be issued for duplicate permits, when the Permittee failed to transfer the original permit pursuant to ARM 24.301.431(9) 10 and a subsequent permit was obtained for the same project.

(5) Remains the same.

(History: 50-60-203, 50-60-603, 50-60-604, MCA; IMP, 50-60-203, 50-60-603, 50-60-604, MCA; NEW, 1994 MAR p. 299, Eff. 2/11/94; TRANS, from Commerce, 2001 MAR p. 2301.)