



State of Idaho
Division of Occupational and Professional Licenses
Idaho Electrical Board

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Draft Minutes of 08/22/2024

Board Members Present:

Rick Stark, Chair
Josh Madsen
Casey Wilson
Jim Swier
Alex Owens
Jeff Bradley
Jim Marchetti

Division Staff:

Amy Lorenzo, Executive Officer
Jill Randolph, Legal Counsel
Steve Greene, Electrical Pgrm. Mngr.
Jessica Spoja, Licensing Pgrm. Mngr.
Ashlee Boyle, Trades Licensing Sup.
Erin Einarsson, Board Support Spec.

The Board meeting was called to order at 2:04 PM MT by Chairman Rick Stark.

APPROVAL OF 04/24/2024 MEETING MINUTES

A motion was made and seconded to approve the 04/24/2024 meeting minutes. The motion carried unanimously.

DIVISION BUSINESS

Financials Update: Executive Officer (EO) Lorenzo presented the Preliminary Financial Plan Status of the Idaho Electrical Board as of June 30, 2024 document to the Board.

OASIS Update: Phase 1 of the OASIS Licensing system launched July 1, 2024. Phase 2, which includes electrical, is scheduled to go live on November 4, 2024. The trades program licensing was postponed until November to support the heavy summer workload. Trades Licensing Supervisor (TLS) Ashlee Boyle confirmed that the current processing time for electrical applications is 2 – 3 business days.

NASCLA Testing Update: Licensing Program Manager (LPM) Jessica Spoja provided an update on the transition to NASCLA exam. Testing for the Journeyman and Master Electrician Licenses through NASCLA went live in June with seven examination site locations in Idaho and one location in Spokane, WA. DOPL will continue to offer testing in-house until October 18, 2024. Since the NASCLA launch, 117 Journeyman and 15 Master Electrician exams have been administered. Based on the 2 months of data gathered since the NASCLA testing went live, the Journeyman exam has a 28% pass rate. Chairman Stark asked how the NASCLA pass rate compares to the pass rate of the DOPL in-house exam. LPM Spoja responded that she did not have the most current comparison, but that when the transition to NASCLA was first being considered, the in-house pass rate was in the upper thirties to low forties. LPM Spoja noted that the in-house numbers are based on years of data whereas the NASCLA data presented to the Board

today is only based on 8 weeks of testing.

Mr. Jeremy Redman, IBEW 291, asked if there was a third party administering the exams and EO Lorenzo confirmed that PSI is administering the exam. Board Member Jim Marchetti commented that the passing rate seemed low and asked if DOPL was gathering passing rates from other states who are using NASCLA. LPM Spoja agreed that the passing rate seems low and that the licensing team has requested a state-by-state comparison from NASCLA. DOPL will work with partnering states to identify what changes they may have made to their curriculum during the transition to NASCLA. DOPL has also requested from NASCLA and PSI a breakdown of performance by location and education program. Board Member Jim Swier suggested identifying questions that are problematic and requested that DOPL track any outliers.

Miles Whittington, Southwest Idaho Electrical JATC, shared that while the previous test allowed applicants to bring 3 – 4 resources to the exam, the current application lists 15 resources, including electrical theory and OSHA standards. The increase may be creating confusion for test takers as they spend more time navigating through their various resources versus taking the test. Mr. Whittington added that the current exam contains sections on electrical theory and trade knowledge that the DOPL in-house exam did not test on.

Specialty Exams Update: EO Lorenzo shared that DOPL is working towards outsourcing all test development or identifying national equivalents that can be approved by the Board. EO Lorenzo listed the limited licenses that require exams which include limited energy, well-drilling and pump installer, sign installer, elevator, irrigation, solar, refrigeration heating and manufactured housing. Based on the 2024 fiscal year data, DOPL administered 53 limited energy exams, 16 well-driller and pump installer exams and less than 5 for the remaining categories. There has been feedback that the participation rates are low because the tests are not as meaningful as they need to be, and that the industry is not using the tests as a source of validating an applicant's competencies. DOPL is working with a test developer on the limited licenses exams and is requesting feedback from the board as to which ones they would identify as a priority to update first. Chairman Stark asked the Board members to review the list and prepare to give feedback at the next meeting.

BOARD BUSINESS

Apprenticeship Draft Legislation: EO Lorenzo presented draft legislation on registration waiver requests for apprentices to the Board for their review. For apprentices who have met all licensure requirements, the legislation creates the option to apply for a waiver of the active registration requirement from the Board to take the Journeyman exam. Mr. Jeff Fitzloff, IEC of Idaho, identified areas of concern with the legality of unregistered apprentices working in Idaho. Mr. Whittington noted that within JATC apprentices with expired licenses are not allowed into the classroom and are not allowed to work. Mr. Whittington added that employers should be checking the license status of their employees on a routine basis. Mr. Redmond questioned whether this draft legislation violates statute and asked if there would be retroactive civil penalties towards employers.

Board Member Marchetti asked if there are other solutions to preventing a lapsed registration for apprentices. TLS Boyle stated that a reminder is emailed to the address DOPL has on file for the licensee the month of their expiration. EO Lorenzo asked what the notification processes will be in the OASIS licensing system. LPM Spoja confirmed that licenses will be notified 6 weeks prior to their expiration date and again at the time of expiration. OASIS will send another notification one year later warning the licensee that the registration will close. The ability to receive text message reminders will be included in OASIS.

Josh Scholer, Division of Financial Management, emphasized that the legislation was drafted with the intention of providing the option of a waiver for those individuals whose registration with DOPL has lapsed, but does not change any other requirements. Larry Geyer, Quality Electric, commented that a contractor should not be employing an apprentice for a significant amount of time without monitoring licenses. Mr. Geyer shared that Quality Electric sends license renewal reminders to their employees at 90 days and again at 30 days before expiration. Chairman Stark asked the Board to review the draft language in preparation for voting at the next board meeting. Board Member Marchetti requested that the board be presented with other avenues for this issue.

Temporary Rules: Electrical Program Manager (EPM) Steve Greene presented the Analysis for NEC 2023 and Exceptions document to the Board. EPM Greene noted that permits obtained before April 19, 2024 will adhere to the 2017 NEC code for inspections. The 2023 NEC code will be softly implemented until the end of 2024 with full enforcement commencing on January 1, 2025. The Analysis for NEC 2023 and Exceptions document was created to review the temporary rules and to provide language that will clean up any technical issues discovered. These recommendations will be presented to the Governor's office for their consideration.

- Article 210.8 (D)(1): The clarification for the Automotive Vacuum Machines exemption will read that while GFCI protection is only required if the receptacle is installed within 6 feet of the outside edge or rim of the conductive support framing of the automotive vacuum, Article 210.8(B) requires GFCI protection regardless of the receptacle's location in the specified areas.
- Article 422.5(A)(1) 422.5 GFCI Protection, 422.5 (A) General: The clarification will read that while GFCI protection is only required if the receptacle is installed within 6 feet of the outside edge or rim of the conductive support framing of the automotive vacuum, Article 210.8(B) requires GFCI protection regardless of the receptacle's location in the specified areas.
- Article 210.12(B) Arc-Fault Circuit-Interrupter Protection, Dwelling Units: It was suggested that the exception include Multifamily units as well. Chairman Stark remarked that Representative Lance Clow had emphasized that the legislative intent was for one- and two-family dwellings only and suggested the language not be changed.
- Article 690.12 Rapid Shut Down of PV Systems on Buildings: According to Idaho Building Code a detached structure is considered a building. Board Member Casey Wilson suggested modifying the exception to read "Detached structures whose sole purpose is to house PV system equipment shall not be required to comply with Article 690.12".
- Article 210.8(D)(4) and (5) Specific Appliances: The clarification will read that tire inflation machines and vending machines do not require GFCI protection unless they are

installed in the areas specified in Article 210.8 (A) for Dwelling Units and 210.8 (D) for areas other than dwelling units.

- Article 230.67 Surge Protection (A) Surge Protective Device: To clarify, Article 225.42, which pertains to surge protection for outside branch circuits and feeders, should also be deleted for consistency within the code. Chairman Stark added that Article 215.18 should be deleted as well.
- Article 230.85 Emergency Disconnects: To clarify, Article 225.41, which pertains to emergency disconnects in outside branch circuits and feeders, should also be deleted for consistency within the code.

Negotiated Rulemaking Public Hearings Summary: DOPL conducted a total of 6 public hearings throughout Idaho in the cities of Boise, Pocatello, Rexburg, Twin Falls, Moscow and Post Falls. There was a total of 78 attendees at the meetings with 75 unique attendees, meaning only 3 people attended more than one meeting. A wide variety of industry attended the meetings including contractors, suppliers, inspectors, educators and home builders. DOPL also received 25 written comments. There is a significant amount of input that the NEC should be adopted in its entirety, citing that the code is written purposefully and with the focus on life-safety. The home builders provided feedback about the balance between life-safety and the costs associated with building new homes. In addition to the temporary rules, the 2023 NEC requirements for receptacles installed in kitchen islands was discussed at every meeting and DOPL received 11 written comments specifically about this topic.

Zero-Based Regulation: IDAPA 24.39.10: EO Lorenzo reviewed the comments received and suggested changes to IDAPA 24.39.10 with the Board.

- 100.05 Continuing Education: Residential Electrician should be subject to continuing education requirements. Additional language such as “as approved by the Board” will be added to clarify the limitations of “independent study”.
- 200.03 Supervision: Because the scope of work a Residential Electrician is allowed to perform is clearly defined, it was recommended that the requirements for supervision by Residential Electricians should be defined as well.
- 600 Idaho Code: DOPL has received feedback to include the names of the exempted items in the rules for easier reference. This will increase the length of the document but will increase the clarity.
- 600.01 (f) Article 210.8 (B): EO Lorenzo noted that 2017 rules included GFCI protection in commercial kitchens and the exemptions were only applied to residential kitchens.
- 600.01 (i) Article 210.8 (D): The legacy of including GFCI protection for (1) Automotive vacuum machines, (4) Tire inflation machines, and (5) Vending machines in the 2017 rules was noted. EO Lorenzo will communicate to the legislators that these requirements were previously approved and were just moved to a new section in the 2023 NEC Code.
- 600.01 (k) Article 210.12 (B): The language as written in the temporary rules aligns with the 2017 rules for Arc-Fault Circuit-Interrupter (AFCI) requirements. The feedback received during the public hearings was in support of this rule as written. Ken Burgess, Idaho Home Builders Association (IHBA), commented that the IHBA is asking to exempt AFCI requirements in the bedrooms due to cost associated with installation and nuisance

tripping after installation. Kevin Spreda, B&H Electric, stated that the cost for electrical installation in new homes is a significantly smaller percentage of the total home price, especially when compared to other components such as concrete, framing and roofing. Mr. Spreda suggested that the exemptions listed in the rules will amount to a savings of \$2500.00 in the average new home and emphasized that the life-safety measures the code provides out-weighs the cost. Chairman Stark agreed the rule should be kept as written.

- 600.01 (m) Article 230.67 Surge Protection: Public comment noted that the installation of surge protection when building the home is significantly less than retrofitting a home afterwards.
- 600.01 (n) Article 230.85 Emergency Disconnects: Public comment noted that homes with back up generators will continue to be powered, even after the meter has been pulled. Board Member Swier asked if Emergency Disconnects were included in the 2017 NEC code. Mr. Fitzloff confirmed they were added into the 2020 NEC code. EO Lorenzo will research costs for emergency disconnects for the Board.
- 600.01 (s) Article 422.5 (A)(7)(1) Automotive vacuum machines: EO Lorenzo will delete this and refer to the 2017 requirements.
- 600.01 (t) Article 422.5 (A) Appliances: EO Lorenzo will delete (4) Tire inflation machines and (5) Vending machines and refer to the 2017 requirements.
- 600.01 (u) Article 480.7 (B) Emergency Disconnects: Board Member Wilson suggested that this could be deleted as it no longer applies to solar.
- Article 210.8 (A)(5) Dwelling Units, Basements: Board Member Alex Owens asked if this would return to the 2017 code which referenced "Unfinished Basements". Chairman Stark agreed that this change should be made.

Public Comment: Tyler Perot, City of Meridian, stated that the direction provided by Representative Clow was to follow the 2017 amendments and that those conditions should be followed when drafting the rules to ensure approval. Mr. Fitzloff stated that the expectation of the public is that new homes are built to the nationally recognized code and that the public is not aware that the code in Idaho has been amended.

ADJOURNMENT

With no further discussion, the meeting adjourned at 5:20 PM.