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**VIRTUAL/TELECONFERENCE  
ELECTRICAL CODE ADVISORY COUNCIL  
Virtual, 4822 Madison Yards Way, Madison  
Contact: Brad Wojciechowski (608) 266-2112  
September 23, 2024**

*The following agenda describes the issues that the Council plans to consider at the meeting. At the time of the meeting, items may be removed from the agenda. Please consult the meeting minutes for a record of the actions of the Council.*

**AGENDA**

**12:00 P.M.**

**OPEN SESSION – CALL TO ORDER – ROLL CALL**

- A. Adoption of Agenda (1-2)**
- B. Approval of the Minutes from the August 26, 2024 (3-4)**
- C. Reminders: Conflicts of Interest, Scheduling Concerns**
- D. Introductions, Announcements and Recognition**
- E. Administrative Matters – Discussion and Consideration**
  - 1) Department, Staff and Council Updates
  - 2) Advisory Council Members
    - a. Froemming, Steven
    - b. Janikowski, Ron
    - c. Jarosch, Christopher
    - d. Krueger, Kyle
    - e. Martinez, Christopher
    - f. Neitzel, Bill
- F. Legislative and Policy Matters – Discussion and Consideration**
- G. Administrative Rules Matters – Discussion and Consideration (5-13)**
  - 1) Proposed updates to SPS Rules relating to Electrical Code
  - 2) Pending or possible rulemaking items
- H. Discussion and Consideration of Items Added After Preparation of Agenda**
  - 1) Introductions, Announcements and Recognition
  - 2) Administrative Matters
  - 3) Election of Officers
  - 4) Appointment of Liaisons and Alternates
  - 5) Delegation of Authorities
  - 6) Education and Examination Matters
  - 7) Credentialing Matters

- 8) Legislative and Policy Matters
- 9) Administrative Rule Matters
- 10) Council Liaison Training and Appointment of Mentors
- 11) Informational Items
- 12) Division of Legal Services and Compliance (DLSC) Matters
- 13) Motions
- 14) Petitions
- 15) Appearances from Requests Received or Renewed

**I. Public Comments**

**ADJOURNMENT**

**NEXT MEETING: OCTOBER 21, 2024**

*Board Member Training: November 15*

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MEETINGS AND HEARINGS ARE OPEN TO THE PUBLIC, AND MAY BE CANCELLED WITHOUT NOTICE.

Times listed for meeting items are approximate and depend on the length of discussion and voting. All meetings are held virtually unless otherwise indicated. In-person meetings are typically conducted at 4822 Madison Yards Way, Madison, Wisconsin, unless an alternative location is listed on the meeting notice. In order to confirm a meeting or to request a complete copy of the board's agenda, please visit the Department website at <https://dsps.wi.gov>. The board may also consider materials or items filed after the transmission of this notice. Times listed for the commencement of disciplinary hearings may be changed by the examiner for the convenience of the parties. Requests for interpreters for the hard of hearing, or other accommodations, are considered upon request by contacting the Affirmative Action Officer at 608-266-2112, or the Meeting Staff at 608-266-5439.

**VIRTUAL/TELECONFERENCE  
ELECTRICAL CODE ADVISORY COUNCIL  
MEETING MINUTES  
AUGUST 26, 2024**

**PRESENT:** Steven Froemming, Ron Janikowski, Kyle Krueger, Christopher Jarosch, Christopher Martinez, Bill Neitzel

**STAFF:** Brad Wojciechowski, Executive Director; Joseph Ricker, Legal Counsel; Jake Pelegrin, Administrative Rules Coordinator; Ashley Sarnosky, Board Administration Specialist; and other Department Staff

**CALL TO ORDER**

Kyle Krueger, Chairperson, called the meeting to order at 12:00 p.m. A quorum was confirmed with five (5) members present.

**ADOPTION OF AGENDA**

**MOTION:** Steven Froemming moved, seconded by Christopher Jarosch, to adopt the Agenda as published. Motion carried unanimously.

**APPROVAL OF MINUTES OF JULY 22, 2024**

**MOTION:** Steven Froemming moved, seconded by Ron Janikowski, to approve the Minutes of July 22, 2024, as published. Motion carried unanimously.

*Bill Neitzel arrived at 1:21 p.m.*

*Bill Neitzel left at 1:41 p.m.*

**ADMINISTRATIVE RULE MATTERS**

**Proposed updates to SPS Rules relating to Electrical Code**

**MOTION:** Christopher Martinez moved, seconded by Ron Janikowski, to approve item numbers March-6, March-7, March-8, from the March 18, 2024, meeting, item numbers April-3, April-8, and April-11 from the April 22, 2024, meeting, item numbers May-3a, May-3b and May-11b, from the May 20, 2024, meeting, item June-5 from the June 24, 2024, meeting, item July-5b from the July 22, 2024, meeting, and items August-1, August-2, and August-3 from the August 26, 2024, meeting as presented in the August 26, 2024, meeting agenda materials. Motion carried unanimously.

**MOTION:** Christopher Jarosch moved, seconded by Christopher Martinez, to table item numbers May-1a and May-1d, from the May 20, 2024 meeting for further discussion at future meetings. Motion carried unanimously.

**MOTION:** Steven Froemming moved, seconded by Christopher Jarosch, to reject item number May-11c from the May 20, 2024, meeting. Motion carried unanimously.

**MOTION:** Ron Janikowski moved, seconded by Steven Froemming, to accept the Department's recommendation to withdraw from consideration item numbers March-9, from the March 18, 2024, meeting, and May-2a, from the May 20, 2024, meeting. Motion carried unanimously.

### **ADJOURNMENT**

**MOTION:** Christopher Jarosch moved, seconded by Christopher Martinez, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 2:11 p.m.

DRAFT

**State of Wisconsin  
Department of Safety & Professional Services**

**AGENDA REQUEST FORM**

<b>1) Name and title of person submitting the request:</b> Jake Pelegrin Administrative Rules Coordinator		<b>2) Date when request submitted:</b> 9/10/24 Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting	
<b>3) Name of Board, Committee, Council, Sections:</b> Electrical Code Advisory Council			
<b>4) Meeting Date:</b> 9/23/24	<b>5) Attachments:</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<b>6) How should the item be titled on the agenda page?</b> <b>Administrative Rule Matters – Discussion and Consideration</b> 1. Proposed updates to SPS Rules relating to Electrical Code 2. Pending or possible rulemaking items	
<b>7) Place Item in:</b> <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	<b>8) Is an appearance before the Board being scheduled?</b> <i>(If yes, please complete <a href="#">Appearance Request</a> for Non-DSPS Staff)</i> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<b>9) Name of Case Advisor(s), if required:</b> N/A	
<b>10) Describe the issue and action that should be addressed:</b>  Attachments: -Proposed updates to SPS Rules relating to Electrical Code -Background information from other states on tabled items 1a and 1d from May meeting - 2023 NEC 210.8			
<b>11)</b> <i>Jake Pelegrin</i>		<b>Authorization</b> 9/10/24	
Signature of person making this request		Date	
Supervisor (if required)		Date	
Executive Director signature (indicates approval to add post agenda deadline item to agenda)		Date	
<b>Directions for including supporting documents:</b> 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.			

Tabled Items - ELECTRICAL CODE ADVISORY COMMITTEE MEETING

ORIGINAL ITEM NO.	CODE/RULE PROVISION	ISSUE/REASON FOR CHANGE	WI ADMIN CODE SPS SECTION AFFECTED	EXISTING LANGUAGE AND PROPOSED CHANGES TO SPS	PROPOSED CODE LANGUAGE	COMMENTS & STATUS
<b>April 22, 2024 Meeting</b>						
April - 3	SPS 316.007	Revision - Addition	SPS 316.007 (1) (a)	<p><b>SPS 316.007 Adoption of standards by reference.</b>  <b>(1) PRIMARY STANDARDS.</b> The following <del>standards are</del> incorporated by reference into this chapter, subject to the modifications specified in this chapter:  <b>(a) Except as provided under par. (am), National Fire Protection Association (NFPA), One Batterymarch Park, Quincy, MA 02169-7471, telephone 800-344-3555, www.nfpa.org: NFPA 70 National Electrical Code, (NEC) 2017.</b></p>	<p><b>SPS 316.007 Adoption of standards by reference.</b>  <b>(1) PRIMARY STANDARDS.</b> The following <u>standard is</u> incorporated by reference into this chapter, subject to the modifications specified in this chapter:  <b>(a) National Fire Protection Association (NFPA), One Batterymarch Park, Quincy, MA 02169-7471, telephone 800-344-3555, www.nfpa.org: NFPA 70 National Electrical Code, (NEC) 2023, including all Temporary Interim Amendments and errata prior to XXXXX XX XXXX.</b></p>	Presented here for final approval of language including new language related to errata added at the request of the committee during the August 26, 2024 meeting.
<b>May 20, 2024 Meeting</b>						
May - 1	SPS 316.210		SPS 316.210 (1)	<p><b>SPS 316.210 Branch circuits.</b>  <b>(1) GROUND-FAULT CIRCUIT-INTERRUPTER PROTECTION FOR PERSONNEL.</b>  <del>(a) The requirements in 2017 NEC 210.8 (A) (7) do not apply to sinks located in kitchens.</del>  <del>(b) The requirements in 2017 NEC 210.8 (A) (9) and (10) are not included as part of this chapter.</del>  <del>(c) Substitute the following wording for 2017 NEC 210.8 (B): All 125-volt, single-phase, 15- and 20-ampere receptacles installed in the following locations shall have ground-fault circuit interrupter protection for personnel.</del>  <del>(d) This is a department exception to the requirements in 2011 NEC 210.8 (A) and 2017 NEC 210.8 (A) and (B): Exception- Ground-fault circuit-interrupter protection shall not be required for a single receptacle providing power for camp, sewage, or sump pumps where an accessible ground-fault circuit-interrupter protected receptacle is located within 900 mm (3 ft) of the non-GFCI protected receptacle.</del></p>	<p><b>SPS 316.210 Branch circuits.</b>  <b>(1) GROUND-FAULT CIRCUIT-INTERRUPTER PROTECTION FOR PERSONNEL.</b>  <b>(a) Substitute the following wording for 2023 NEC 210.8 (A): All 125-volt, single-phase, 15- and 20-ampere receptacles installed in the following locations shall have ground-fault circuit interrupter protection for personnel.</b>  <b>(b) Substitute the following wording for 2023 NEC 210.8 (A)(5): Unfinished portions or areas of the basement not intended as habitable rooms.</b>  <b>(c) The requirements in 2023 NEC 210.8 (A)(7) are not included as part of this chapter.</b>  <b>(d) The requirements in 2023 NEC 210.8 (D)(8), (9), (10), and (11) are not included as part of this chapter.</b>  <b>(e) The requirements in 2023 NEC 210.8 (F) are not included as part of this chapter.</b></p>	NOTE: Removal of existing language and creation of new 316.210 (1) (b) (c), and (e) approved at May 20, 2024 meeting.
May - 1a	SPS 316.210	Create new SPS 316.210(1)(a)	SPS 316.210 (1) (a)	Existing language repealed in section 1.	<p><b>SPS 316.210 (1) (a) Substitute the following wording for 2023 NEC 210.8 (A): All 125-volt, single-phase, 15- and 20-ampere receptacles installed in the following locations shall have ground-fault circuit interrupter protection for personnel.</b></p>	<p>At the August 26, 2024 meeting the committee requested that this item be brought back with a sunset date of September 1, 2024, however there are potential issues with setting a firm sunset date given the uncertainty of the timeline for resolving the issues that this provision is intended to address and the department would like the committee to consider the proposed amendment as presented.</p> <p><b>Create (a):</b> Incompatibility issues caused by requiring 240-volt appliances to be on a GFCI device. Additionally, an evaluation was not performed on equipment that would be req'd to be connected to a GFCI circuit.</p> <p><b>Presented by: Craig and Joe F.</b></p>
May - 1d	SPS 316.210	Create new SPS 316.210(1)(d)	SPS 316.210 (1) (d)	Existing language repealed in section 1.	<p><b>SPS 316.210 (1) (d) The requirements in 2023 NEC 210.8 (D) (8), (9), (10), and (11) are not included as part of this chapter.</b></p>	<p>At the August 26, 2024 meeting the committee requested that this item be brought back with a sunset date of September 1, 2024, however there are potential issues with setting a firm sunset date given the uncertainty of the timeline for resolving the issues that this provision is intended to address and the department would like the committee to consider the proposed amendment as presented.</p> <p><b>Create (d):</b> Documented incompatibility issues caused by requiring 240-volt appliances to be on a GFCI device. The incompatibility causes nuisance tripping of the GFCI device.</p> <p><b>Presented by: Craig and Joe F.</b></p>
<b>Additional Items From May 20, 2024 Meeting</b>						
May - 9	SPS 316.210	Repeal existing SPS 316.220 and Replace	SPS 316.220	<p><b>SPS 316.220 Branch-circuit, feeder and service calculations.</b>  <b>(1) GENERAL.</b> This is a department exception to the requirements in 2011 NEC 220.10. Circuit load calculations may use unit load values lower than those identified in NEC Table 220.12 for lighting loads calculated using the maximum electrical energy conservation values specified under ch. SPS 363 for public buildings and places of employment.  <b>(2) EXCEPTION.</b> This is a department exception to the requirements in 2011 and 2017 NEC 220.40. Exception- Under the supervision of a Wisconsin professional engineer, architect or designer of electrical systems, the feeder or service size may be computed using diversity factors or historical data of a similar type of building, other than one and 2-family dwelling units.</p>	<p><b>SPS 316.220 Branch-circuit, feeder and service calculations.</b> Substitute the following wording for 2023 NEC 220.5 (C): <u>The floor area for each floor shall be calculated from the outside dimensions of the building, dwelling unit, or other area involved. For dwelling units, the calculated floor area shall not include open porches, garages, or unfinished areas not adaptable for future use as a habitable room or occupiable space.</u></p>	<p>Removal of the existing SPS 316.220 (1) and (2) approved at the August 26, 2024 meeting. The creation of 316.220, which was rejected at the August 26, 2024 meeting will be revisited at this meeting.</p> <p><b>Create new 316.220:</b> New section adds Garages to the 2023 Code Language in NEC 220.5(C).</p> <p><b>Presented by Craig and Joe</b></p>

May - 11	CODE IN ITS ENTIRETY FOR FORMAT PURPOSES	Revision and Addition	<p><b>SPS 316.230 Services.</b>  <b>(1) NUMBER OF SERVICES.</b>  <b>(a)</b> This is a department informational note to be used under <del>2011 and 2012</del> NEC 230.2 (intro.). Note: It is recommended that the electric utility or cooperative supplying electric current be contacted prior to service equipment installations for any special requirements.  <b>(b)</b> Substitute the following wording for NEC 230.2 (B) (2): Two or more service drops or laterals for the same class of service if located more than 150 feet apart, measured in a straight line, and provided that all electrical wiring supplied by each service has no common raceway or connection with any other service.  <del>(c) This is a department rule in addition to the requirements of 2011-NEC 230.2 (B): For a building which is not more than 2 stories in height and which contains only 3 or more attached, vertically-separated, side-by-side, or back-to-back dwelling units, with each dwelling unit served by an individual exterior exit within 6 feet of the exit discharge grade, a separate service drop or lateral shall be permitted for each 2 attached units.</del>  <del>(2) NUMBER OF SERVICE ENTRANCE CONDUCTOR SETS. The requirements specified in 2011 and 2017 NEC 230.40 Exception No. 3 are not included as part of this chapter.</del>  <b>(3) SERVICE EQUIPMENT — DISCONNECTING MEANS.</b>  <del>(a) General. This is a department rule in addition to the requirements of 2011 and 2017 NEC 230.70. Disconnecting means shall be provided to disconnect the utility wiring from the premises wiring at any point where utility wiring terminates and premises wiring extends overhead or underground to more than one building or structure.</del>  <b>(b) Location.</b> This is a department rule in addition to the requirements of <del>2011 and 2017</del> NEC 230.70 (A): Raceways containing service conductors or cables, or service entrance cable not contained within a raceway, may not extend longer than 8 feet into a building to the service disconnect or the first service disconnect of a group of disconnects as permitted by NEC 230.71. The raceways or conductors shall be considered to have entered the building at the point where they pass through the outer surface of the building exterior, except as permitted by NEC 230.6.  <del>(4) RATING OF SERVICE DISCONNECTING MEANS — 2011-NEC. This is a department rule in addition to the requirements of 2011-NEC 230.70.</del>  <del>(a) Two- or multi-family dwellings. Except as provided in par. (b), for 2-family or multi-family dwellings, the service equipment shall have a rating of not less than 150 amperes, 3-wire or 4-wire. Where the combined rating of all service disconnecting means is 150 amperes or larger, the service or feeder equipment rating for each dwelling unit shall have a rating of not less than 60 amperes.</del>  <del>(b) Exception. Service equipment having a rating of not less than 100 amperes, 2-wire or 4-wire, may be installed in an existing 2-family dwelling only where both of the following conditions are complied with:  1. The load computed in accordance with NEC 220 does not exceed 80 amperes.  2. Specific written approval is granted by the municipal inspection department having jurisdiction.</del>  <b>(5) RATING OF SERVICE DISCONNECTING MEANS — 2017-NEC. This is a department rule in addition to the requirements of 2017-NEC 230.70. For 2-family or multi-family dwellings, the service equipment shall have a rating of not less than 150 amperes, 3-wire or 4-wire.</b></p>	<p><b>SPS 316.230 Services.</b>  <b>(1) NUMBER OF SERVICES.</b>  <b>(a)</b> This is a department informational note to be used under <b>2023</b> NEC 230.2 (intro.). Note: It is recommended that the electric utility or cooperative supplying electric current be contacted prior to service equipment installations for any special requirements.  <b>(b)</b> Substitute the following wording for NEC 230.2 (B) (2): Two or more service drops or laterals for the same class of service if located more than 150 feet apart, measured in a straight line, and provided that all electrical wiring supplied by each service has no common raceway or connection with any other service.  <del>(2) SURGE PROTECTION. The requirements of the 2023 NEC 230.67 are not included as part of this chapter.</del>  <b>(3) SERVICE EQUIPMENT - DISCONNECTING MEANS.</b>  <b>(b) Location.</b> This is a department rule in addition to the requirements of <b>2023</b> NEC 230.70 (A): Raceways containing service conductors or cables, or service entrance cable not contained within a raceway, may not extend longer than 8 feet into a building to the service disconnect or the first service disconnect of a group of disconnects as permitted by NEC 230.71. The raceways or conductors shall be considered to have entered the building at the point where they pass through the outer surface of the building exterior, except as permitted by NEC 230.6.  <del>(c) Where the service disconnecting means is installed outside of a building or structure the service disconnecting means shall be no more than 30' and within sight from the building or structure it serves.</del>  <b>(4) EMERGENCY DISCONNECTS. The requirements of 2023 NEC 230.85 are not included as part of this chapter.</b></p>	<p>Note: Changes to 316.230 (1), (3)(c), removal of existing (4), and removal of (5) approved at May 20, 2024 meeting. Deletion of existing 316.230(2) approved at August 26, 2024 meeting.</p> <p>The creation of 316.230 (2), which was rejected at the August 26, 2024 meeting, and the creation of (4), which was rejected at the May 20, 2024 meeting, will be revisited at this meeting.</p>
May - 11c	SPS 316.230	Create new SPS 316.230(2)	SPS 316.230 (2)	<del>316.230 (2) SURGE PROTECTION. The requirements of 2023 NEC 230.67 are not included as part of this chapter.</del>	Presented by: Craig and Joe
May - 11f	SPS 316.230(4)	Create new SPS 316.230(4)	SPS 316.230	<del>SPS 316.230 (4) EMERGENCY DISCONNECTS. The requirements of 2023 NEC 230.85 are not included as part of this chapter.</del>	Presented by: Craig and Joe

## Tabled items #1a and #1d from May meeting: Wisconsinisms for NEC 210.8 (A) and (D)

### Analysis of other states' handling of this issue

1 - Minnesota has adopted the 2023 NEC without amendments. However, they provide the form below to report the installation of a non-GFCI appliance to their Department of Labor and Industry.

2 - Ohio has adopted the 2023 NEC, and has made extensive amendments to NEC 210.8, and plans to make more with their next code update. These are described in the memo below.

3 - Washington state has adopted the 2023 NEC, and made the following amendments to NEC 210.8 (A) and (B):

**WAC 296-46B-210 Branch circuits not over 1,000 volts ac, 1,500 volts dc nominal.**

**008(A) Dwelling units GFCI requirements.**

(1) In a garage or unfinished basement, a red receptacle, with a red cover plate, supplying a fire alarm system is not required to have ground-fault circuit-interrupter protection. The receptacle must be identified for use only with the fire alarm system by an identification plate or engraved cover with letters at least 1/4 inch high.

(2) All fixed electrical equipment with exposed grounded metal parts within an enclosed shower area or within five feet of the top inside edge of a bathtub must have ground fault circuit interrupter protection.

**008(B) Other than dwelling units - GFCI requirements.**

(3) GFCI requirements. GFCI protection for personnel will not be required for:

(a) Three-phase receptacles unless specifically required elsewhere in the NEC; or

(b) Receptacles other than 125-volt, single phase, 15- or 20-ampere used for: Recreational vehicle supply equipment or for attachment of a mobile home supply cord.

For the purposes of NEC 210.8(B), kitchen means any area where utensils, dishes, etc., are cleaned or where food or beverages are prepared or cooked.



4 - Massachusetts has adopted the 2023 NEC, and made the following amendments to 210.8:

**210.8.** Insert the following exception after the first paragraph:

**Exception:** Permanently connected equipment and cord-and-plug connected stationary equipment that is listed, but incompatible with GFCI protective devices as made available by the manufacturer of the circuit protection currently installed, shall be permitted to omit such protection provided it is installed and inspected in accordance with the provisions of Rule 11 of this Code. This exception shall expire on January 1, 2026.

Revise the second paragraph to read as follows:

For the purposes of this section, when determining distance from receptacles the distance shall be measured as the shortest path the supply cord of equipment connected to the receptacle would follow without piercing a floor, wall, ceiling, fixed barrier, or without passing through a cabinet door opening, doorway, or window.

**210.8(A)(7).** Revise to read as follows:

(7) Sinks - where receptacles are installed within 1.8 m (6 ft) from the top inside edge of the bowl of the sink, or where located within a cabinet supporting a sink.

**210.8(B)(7)** Revise to read as follows:

(7) Sinks - where receptacles are installed within 1.8 m (6 ft) from the top inside edge of the bowl of the sink, or where located within a cabinet supporting a sink.

**210.8(F).** Delete this requirement.

Massachusetts also added in the rule below regarding inspections of non-GFCI compatible installations. Note that this rule has an expiration date of January 1, 2026.

**Rule 11.** Electrical installations that appear incompatible with GFCI protection as covered in 210.8 Exception of this Code, regardless of the code requirements in effect at the time when the permit as described in Rule 8 was issued, or when the installation was completed, shall be inspected by a qualified person. The inspection shall review all field elements of the branch-circuit equipment grounding return path, and the quality of any field-accessible cord connections if applicable. The inspection shall be documented, subject to audit by the Inspector of Wires, and inspected by him or her as deemed necessary. Installations of listed equipment that, under normal operating conditions, are found to be incompatible with GFCI protective devices as made available by the manufacturer of the circuit protection currently installed shall be excused from providing GFCI protection. If not connected to an individual branch circuit, incompatible equipment shall be directly wired or connected to a single receptacle, and the circuit shall be arranged so required GFCI protection is retained for the remaining outlets. The inspection documentation required by this rule shall constitute the notice required in Rule 8 and no additional notice shall be required for corrections applied accordingly. The location and the date of this determination shall be forwarded to the Department of Fire Services for inclusion in a central registry of such allowances. The report shall also include the appliance manufacturer and model, together with the identity of the GFCI protective device. This rule shall expire on January 1, 2026.

5 – North Dakota has adopted the 2023 NEC, and made the following amendment to 210.8 (A):

Exception: 2023 edition, National Electrical Code (first version, printed in 2022), article 210.8(A): GFCI protection shall not be required for refrigeration appliances in dwelling units if a single receptacle on an individual branch circuit is installed.

They also provide the form below, to report incompatibility issues or report the installation of a non-GFCI appliance to their Electrical Board.

6 - Michigan has adopted the 2023 NEC with many amendments, but made no changes to NEC 210.8.

## Non-GFCI Protected Equipment Notification

### Installer Information

Full Name: \_\_\_\_\_ Date: \_\_\_\_\_  
*Last First M.I.*

Installing Company's Name:

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Installation Address: \_\_\_\_\_  
*Street Address Apartment/Unit #*

\_\_\_\_\_ *City State ZIP Code*

Permit Number: \_\_\_\_\_ Date Installed.: \_\_\_\_\_

**To date, what has the contractor done to resolve the issue: (Attach a separate sheet if necessary)**

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### Appliance Information

Type of Equipment Installed (Range, Built-in Oven, Cook-top etc.): \_\_\_\_\_

Manufacturer's Name: \_\_\_\_\_

**Please consider attaching a picture of the nameplate!**

### Panelboard/ Breaker Information

Panelboard Manufacturer's Name: \_\_\_\_\_

Panelboard Size: \_\_\_\_\_

Breaker Manufacturer's Name: \_\_\_\_\_

Breaker Model Number: \_\_\_\_\_ Breaker Size: \_\_\_\_\_

### Disclaimer and Signature

*I certify that my answers are true and complete to the best of my knowledge.*

Signature: \_\_\_\_\_ Date: \_\_\_\_\_



# BBS MEMO



Ohio Board of Building Standards

May 3, 2024

6606 Tussing Road, P.O. Box 4009, Reynoldsburg, Ohio 43068-9009

## 2023 NEC Adoption in the Residential Code of Ohio

Effective April 15, 2024, the Board of Building Standards (Board) adopted the 2023 edition of NFPA 70 National Electrical Code (NEC), for 1-, 2- & 3- family dwellings as modified by provisions in Chapter 34 of the Residential Code of Ohio (RCO).

### *GFCI Protection Requirements*

Included in the Ohio modifications to the NEC in RCO Chapter 34 were changes to NEC § 210.8(A) to exclude Ground-Fault Circuit-Interrupter (GFCI) protection for personnel where the branch circuit is providing voltage in excess of 125 Volts and 20-amperes. This same modification was not made NEC § 210.8(D) which retains GFCI requirements for specific appliances listed in the section, creating inconsistencies between the two.

The intention of the Board was to exclude Ground-Fault Circuit-Interrupter (GFCI) protection for personnel where the branch circuit is providing voltage in excess of 125 Volts and 20-amperes. The typical electrical appliances found in a home such as ranges, dryers, ovens, etc. that are powered by 2-pole branch circuits were not intended to be included as requiring GFCI protection.

The list of specific appliances to which GFCI protection is required was based on the list of specific appliances identified under NEC § 422.5 as modified under RCO Chapter 34 and is intended to be used as the more limited list of specific appliances.

The Board will address the lack of coordination between NEC §§ 210.8(A) and 210.8(D) in the next amendment package to the RCO. Until the rule is revised, building departments should only require GFCI protection for appliances listed in NEC § 422.5 as described above.

### *Understanding Ohio Modifications to the 2023 NEC*

Ohio modifications to the 2023 NEC are noted in amended RCO Chapter 34 effective April 15, 2024. As the published rule retains language that was struck from the previous edition of the rule, the rule has caused confusion regarding which specific provisions of the 2023 NEC have been modified. The following is a summary of the Ohio modifications made to the 2023 NEC.

- Limits GFCI protection for personnel to branch circuits up to 125 V, 20 amps.
- Exempts a single receptacle in a garage ceiling to power a garage door opener from GFCI protection.
- Exempts a single receptacle serving a sump pump from GFCI protection provided a duplex receptacle with GFCI protection is within 6 ft.
- Removes expiration of GFCI exception for outlets supplying listed outdoor HVAC equipment
- Makes surge suppression an option not a requirement.

When comparing RCO Chapter 34 changes to the 2023 NEC, the following is the complete list of Ohio modifications to the code adopted by the Board:

**Modify Section 210.8(A) to read:**

(A) Dwelling units. All 125-volt, single phase, 15- and 20-ampere receptacles installed in locations specified in 210.8(A)(1) through (A)(12) are to have ground-fault circuit-interrupter protection for personnel.

**Modify Section 210.8(A)(2) to read:**

(2) Garages, and also accessory buildings that have a floor located at or below grade level not intended as habitable rooms and limited to storage areas, work areas, and areas of similar use except for the receptacle located to serve a garage door opener when the device is a single receptacle and located in the ceiling.

**Add Exception (5) under Section 210.8(A) to read:**

Exception No 5: A single receptacle located to serve a sump pump shall not be required to have ground-fault circuit-interrupter protection when there is a duplex receptacle with ground-fault circuit-interrupter protection within six (6) feet of the sump pump.

**Modify Section 210.8(F) to read:**

(F) Outdoor Outlets. All outdoor outlets for dwellings, other than those covered in 210.8(A), Exception No. 1, garages with floor level at or below grade, accessory buildings and boathouses, where the outlets are supplied by single-phase branch circuits rated 150 volts or less to ground, and 50 amperes or less, are to be provided with ground-fault circuit-interrupter protection for personnel.

If equipment supplied by an outlet covered under the requirements of this section is replaced, the outlet is to be supplied with GFCI protection.

Exception No. 1: GFCI protection is not required on lighting outlets other than those covered in 210.8(C)

Exception No. 2: GFCI protection is not required for listed HVAC equipment.

**Modify Section 215.18(A) to read:**

(A) Surge-Protection Device. Where provided as part of feeder supplies for the dwelling or dwelling unit, a surge-protection device (SPD) is to be installed in accordance with this section.

**Modify Section 225.42(A) to read:**

(A) Surge-Protection Device. Where provided as part of feeder supplies for the dwelling or dwelling unit, a surge-protection device (SPD) is to be installed in accordance with this section.

**Modify Section 230.67(A) to read:**

(A) Surge-Protection Device. Where provided as part of the service supplying the dwelling or dwelling unit, surge-protection devices (SPD) are to be installed in accordance with this section.

**Delete Item (6) Sump Pumps under Section 422.5.**



# North Dakota State Electrical Board Non-GFCI/AFCI Protected Equipment Notification

## Installer Information

Full Name: \_\_\_\_\_ Date: \_\_\_\_\_  
*Last First M.I.*

Installing Company's Name: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Installation Address: \_\_\_\_\_  
*Street Address Apartment/Unit #*  
\_\_\_\_\_  
*City State ZIP Code*

Certificate Number: \_\_\_\_\_ Date Installed.: \_\_\_\_\_

**To date, what has the contractor done to resolve the issue: (Attach a separate sheet if necessary)**

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## Equipment/Appliance Information

Type of Equipment/Appliance (Range, A/C, Air Comp. etc.): \_\_\_\_\_

Manufacturer's Name: \_\_\_\_\_

**Please consider attaching a picture of the nameplate!**

## Panelboard/ Breaker Information

Panelboard Manufacturer's Name: \_\_\_\_\_

Panelboard Size: \_\_\_\_\_

Breaker Manufacturer's Name: \_\_\_\_\_

Breaker Model Number: \_\_\_\_\_ Breaker Size: \_\_\_\_\_

## Disclaimer and Signature

*If after the equipment or appliance is installed and is shown to not be compatible with the GFCI/AFCI protective device, the electrical contractor or self-wire homeowner must certify a NEMA incident report has been submitted, then the GFCI/AFCI device can be removed as long as the issues are documented at the following:*

*For GFCI: <https://www.nema.org/membership/products/gfci-unwanted-tripping-report>*

*For AFCI: <https://www.afcisafety.org/>*

*I certify that my answers are true and complete to the best of my knowledge and that I have shared the same information to NEMA on its incident reporting website.*

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

- Email a copy of NEMA form and this completed form to [electric@nd.gov](mailto:electric@nd.gov)