

STATE OF WISCONSIN
DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

IN THE MATTER OF RULEMAKING	:	NOTICE OF TIME PERIOD
PROCEEDINGS BEFORE THE	:	FOR COMMENTS FOR THE
DEPARTMENT OF SAFETY AND	:	ECONOMIC IMPACT ANALYSIS
PROFESSIONAL SERVICES	:	

NOTICE IS HEREBY GIVEN of the time period for public comment on the economic impact of this proposed rule of the Department of Safety and Professional Services, including how this proposed rule may affect businesses, local government units and individuals. The comments will be considered when the Department of Safety and Professional Services prepares the Economic Impact Analysis pursuant to § 227.137. Written comments may be submitted to:

Jake Pelegrin, Administrative Rules Coordinator
Office of Chief Legal Counsel
Department of Safety and Professional Services
P.O. Box 14497
Madison, WI 53708-0497
DSPSAdminRules@wisconsin.gov

The deadline for submitting economic impact comments is January 15, 2026.

PROPOSED ORDER

An order of the Department of Safety and Professional Services to **repeal** SPS 316.003 (2), 316.007 (1) (am), 316.230 (1) (c), (3) (a), and (5), 316.240, 316.300 (1) (b) and (2) (a), 316.310 (1), 316.314 (2), 316.358, 316.404, and 316.511 to 316.701; to **renumber** SPS 316.006 (1); to **amend** SPS 316.002 (2) (b) and (c), 316.003 (3) and (4), 316.005 (Note 1), 316.007 (1) (intro.), (1) (a), (Note), (b), and (2), 316.022 (1) (Note), 316.090, 316.100 (2), 316.110 (1) and (2), 316.230 (1) (a) and (3) (b), 316.250 (1) and (2) and (3), 316.300 (1) (intro.) and (2) (b), 316.310 (2), 316.312 (1) and (2) and (3), 316.314 (1), 316.334 (title) and (1) and (2), and 316.406 (1), to **repeal and recreate** SPS 316.005 (Note 2), 316.023, 316.210, 316.220, 316.225 and (4), 316.400, 316.406 (2), and 316.450, and to **create** SPS 316.002 (2) (g) and (h) and (i) and (j), 316.003 (3) (Note), 316.005 (Note 3), 316.006 (1e) and (1m), 316.007 (3) (Note), 316.012 (1) (a) 8. and 9., 316.013 (4), 316.020 (1) (Note 2), and 316.230 (3) (c) relating to the Electrical Code.

Analysis prepared by the Department of Safety and Professional Services.

ANALYSIS

Statutes interpreted:

Section 101.82 (1), Stats.

Statutory authority:

Sections 101.02 (1), 101.82 (1), 101.84 (3) and (5), and 227.11 (2) (a), Stats.

Explanation of agency authority:

Section 101.02 (1), Stats., provides that "[t]he department shall adopt reasonable and proper rules and regulations relative to the exercise of its powers and authorities and proper rules to govern its proceedings and to regulate the mode and manner of all investigations and hearings."

Section 101.82 (1), Stats., provides that "[t]he department shall promulgate by rule a state electrical wiring code that establishes standards for installing, repairing, and maintaining electrical wiring. The rules shall include separate standards, established in consultation with the uniform dwelling code council, that apply only to electrical wiring in camping units that are set in a fixed location in a campground for which a permit is issued under s. 97.67, that contain a sleeping place, and that are used for seasonal overnight camping. The rules do not apply to electrical wiring in primitive rural hunting cabins, as defined in s. 101.61 (3). The standards established in the rules shall also take into account the uses, including seasonal use, that are unique to recreational and educational camps, as defined in s. 101.053 (1). Where feasible, the rules shall reflect nationally recognized standards."

Section 101.84 (3) and (5) provides that "[t]he department may promulgate rules to differentiate the scope of installation, repair, or maintenance of electrical wiring that may be performed by electrical contractors, registered electricians, journeyman electricians, master electricians, and any additional types of electricians recognized under sub. (5)." and

"The department may promulgate rules that recognize and regulate different types and subtypes of electricians that are in addition to those specified in s. 101.82 (1g) and that establish criteria and procedures for enrolling, registering, or licensing these electricians."

Section 227.11 (2) (a), Stats. provides "[e]ach agency may promulgate rules interpreting the provisions of any statute enforced or administered by the agency, if the agency considers it necessary to effectuate the purpose of the statute..."

Related statutes or rules:

- Chapters SPS 361 to 366, Wisconsin Commercial Building Code
- Chapters SPS 320 to 325, Uniform Dwelling Code
- Chapter PSC 114, Wisconsin State Electrical Code (Volume I)

Plain language analysis:

The objective of the rule is to update Wisconsin's Electrical Code, ch. SPS 316, to

reflect current national standards, to update administrative and enforcement aspects of the program, and to update and clarify outdated regulations and provisions. The rule adopts by reference the 2023 edition of the National Electrical Code (NFPA 70 National Electrical Code, 2023) standard. It contains certain specified changes, additions, and omissions to the requirements of the NEC to ensure the rules conform to current statutes and to update provisions for consistency among code chapters and Department procedure.

The majority of the proposed rule implements the Wisconsin Electrical Code's adoption by reference of the 2023 NEC. It updates changed references, adds additional provisions, and eliminates certain provisions that have been rendered redundant due to updates to the NEC. Currently, ch. SPS 316 adopts by reference the 2017 edition of the NEC.

The rule clarifies that installations not under the jurisdiction of the state are not subject to the chapter's rules. The rule clarifies that when hazards are created by an installation, the authority having jurisdiction may require it to be updated to the current code. The rule clarifies that a permit is required to install electrical wiring on vacant land or in any structure, unless exempted. A new requirement is created for municipal recordkeeping of inspections. For electric fences, the Department's additional requirements beyond those of the NEC are simplified to say that the electric fence must be used in accordance with the exact manner and purpose of the manufacturer's instructions. For requirements for GFCI and AFCI protection, the rule maintains similar exceptions to the NEC language that were previously in place. It creates some new language substitutions and exceptions to the NEC requirements regarding dwelling unit receptacle outlets on islands and peninsulas, with location requirements for receptacle outlets. The rule recreates regulations around outside branch circuits and feeders, now requiring only a few additions to the NEC requirements. Feeder or branch circuit cables may not extend more than 8 feet into a building. Where the disconnecting means is installed outside of a structure, it shall be not more than 30 feet from and within sight of the structure that it serves. The rule creates exceptions to surge protection requirements in NEC 230.67 and to emergency disconnect requirements in NEC 225.41 and NEC 230.85.

Summary of, and comparison with, existing or proposed federal statutes and regulations:

There are several existing federal regulations that relate to the installation of electrical wiring and equipment. Some of these regulations require compliance with various editions of the NEC. A search of the Code of Federal Regulations (CFR) found the following regulations pertaining to activities that may be covered by this rule.

- Title 7 CFR, Part 1755 – Telecommunications Policies on Specifications, Acceptable Materials, and Standard Contract Forms. This regulation in the Department of Agriculture applies to telecommunications wiring and equipment and requires compliance with the NEC.
- Title 24 CFR, Part 3280 – Manufactured Home Construction and Safety Standards.

Subpart I of this regulation in the Department of Housing and Urban Development covers electrical systems in manufactured homes and requires compliance with the 2005 NEC.

- Title 29 CFR, Part 1910.302 through 1910.308 – Design Safety Standards for Electrical Systems, and 1910.331 through 1910.335 – Electrical Safety-Related Work Practices Standards. Subpart S of this regulation in the Department of Labor contains design safety standards for electrical systems, safety-related work practices and maintenance requirements and safety requirements for special electrical equipment to safeguard employees in their workplaces. Subpart R contains industrial lighting requirements and safe practices relating to lockouts and emergency lighting requirements for the safety of employees working in special industries. These regulations are part of the Occupational Safety and Health Standards.
- Title 29 CFR, Part 1926 – Safety and Health Regulations for Construction. Subpart K of this regulation in the Department of Labor contains installation safety requirements, safety requirements and environmental considerations for special equipment necessary to safeguard employees working in special industries.
- Title 30 CFR, Part 57 – Safety and Health Standards – Underground Metal and Nonmetal Mines. Subpart K of this regulation in the Department of Labor contains specific electrical safety requirements for the protection of employees working in underground metal and nonmetal mines.
- Title 30 CFR, Part 75 – Mandatory Safety Standards – Underground Coal Mines. Subpart F contains specific electrical safety requirements for the protection of employees working in underground metal and nonmetal mines.

Summary of public comments received on statement of scope:

A preliminary public hearing on Statement of Scope SS 019-24 was held on February 26, 2024. Two comments were received in support of the scope statement. Bill Neitzel, member of the Electrical Code Advisory Council and the Wisconsin Chapter of the International Association of Electrical Inspectors, and Brad Boycks, representing the Wisconsin Builders Association, submitted the following comments:

Name: Bill Neitzel

Organization: WI Chapter IAEI

“Please approve Scope Statement SS 019-24 for rule SPS 316 and allow the Electrical Code Advisory Council to review and recommend for adoption an updated version of SPS 316 and the 2023 National Electrical Code. Delaying any of the construction codes (building, heating, plumbing, electrical, fire and more) is detrimental to the citizens of the Great State of Wisconsin. Each delay can cause added costs by requiring variances for new products and methods, increases in insurance rates, confusion by designers and installers, the inability to use newer - cost effective and more efficient technologies and techniques and more. As a taxpayer in the State of Wisconsin my entire life and being in the electrical trade for 56+ years, I humbly request that the legislature allow the electrical code to move forward as our state motto recommends.”

Name: Brad Boycks

Organization: Wisconsin Builders Association

“Thank you for the opportunity to testify at the public hearing today on the scope statement 019-24 for SPS 302, 305, 316, 324, relating to updating the Wisconsin Electrical Code.

As I mentioned during my testimony the WBA would ask that the council to carefully consider how any changes to the electrical code would affect the cost of a single-family home or an apartment home. This past legislative session saw a historic focus to bring more workforce housing units online by making a \$525 million investment in workforce housing with a bipartisan effort. We would hate to see some of those efforts blunted by costly new requirements in any updated building code, including updates to the electrical code. Price increases to a home can have a dramatic effect on a family’s ability to receive a home mortgage. According to a recent study by the National Association of Home Builders (NAHB) a \$1000 increase to the cost of a single-family home will price out 1996 families from being able to purchase a home.

We have heard from several members who are concerned with a provision that was contained in the 2020 code update concerning emergency disconnects (230.85) and the current lack of availability for this device. We have received notice from electrical supplies with vast knowledge on current supply chain challenges in the industry that the current lead time for this device is 85 weeks (just under 2 years).

Finally, we would like to make the Electrical Code Council aware of the list of recommended amendments to the 2023 NEC electrical code that has been prepared by the NAHB for reference during the code updating process. Also for the council’s consideration is a cost analysis of the 2023 NEC code changes for single family and multifamily buildings from the Home Innovation Research Labs.

We commend each member of the electrical code council for taking the time to review and update the current electrical code in Wisconsin and we thank you for your consideration of the enclosed comments and the materials provided by the NAHB and the Home Innovation Research Labs.

Sincerely,

Brad Boycks
Executive Director
Wisconsin Builders Association”

Comparison with rules in adjacent states:

Illinois: Illinois does not administer a statewide electrical code. However, county and municipal governments are free to adopt versions of the NEC.

Iowa: The Iowa Department of Public Safety administers a statewide electrical code that adopts the 2020 edition of the NEC with modifications [661 IAC 504.1].

Michigan: The Michigan Department of Licensing and Regulatory Affairs administers a statewide electrical code that incorporates by reference the 2017 edition of the NEC with modifications [Mich Admin Code, R 408.30801].

Minnesota: The Minnesota Department of Labor and Industry administers a statewide electrical code that incorporates by reference the 2023 edition of the NEC [Minnesota Rules, Part 1315.0200].

Summary of factual data and analytical methodologies:

The primary methodology for updating the Wisconsin Electrical Code, ch. SPS 316, was a review and assessment of the latest edition of the national technical standards that serve as the basis for Wisconsin code. Staff compared the 2023 edition of the NEC to the 2017 edition currently adopted under ch. SPS 316 and solicited code change proposals.

The Department's review and assessment process also involved the participation of the Electrical Code Advisory Committee. The members of the Committee represent the many stakeholders involved in the electrical industry including utility representatives, inspectors, and building contractors.

Standards incorporated by reference in the proposed rule will be submitted to the Attorney General for approval pursuant to s. 227.21 (2), Stats.

Analysis and supporting documents used to determine effect on small business or in preparation of economic impact analysis:

The proposed rules will be posted for a period of 30 days to solicit public comment on economic impact, including how the proposed rules may affect businesses, local government units, and individuals.

Effect on small business:

These proposed rules may have a minimal economic impact on small businesses, as defined in s. 227.114 (1), Stats. The Department's Regulatory Review Coordinator may be contacted by email at Jennifer.garrett@wisconsin.gov, or by calling (608) 266-2112.

Agency contact person:

Jake Pelegrin, Administrative Rules Coordinator, Department of Safety and Professional Services, Office of Chief Legal Counsel, email at DSPSAdminRules@wisconsin.gov.

Place where comments are to be submitted and deadline for submission:

Comments may be submitted to Jake Pelegrin, Administrative Rules Coordinator, Department of Safety and Professional Services, Office of Chief Legal Counsel, 4822

Madison Yards Way, P.O. Box 14497, Madison, Wisconsin 53708-0497, or by email to DSPSAdminRules@wisconsin.gov. Comments must be received on or before the public hearing to be included in the record of rule-making proceedings.

TEXT OF RULE

SECTION 1. SPS 316.002 (2) (b) and (c) are amended to read:

SPS 316.002 (2) (b) Installations for generation, transformation, or distribution of power used exclusively by railways for signaling and communication purposes, other than conductors and equipment connecting the serving utility to the wiring system of the premises served.

(c) Installations of communication equipment under exclusive control of communication utilities, located outdoors or in building spaces used exclusively for such installations, other than conductors and equipment connecting the serving utility to the wiring system of the premises served.

SECTION 2. SPS 316.002 (2) (g) and (h) and (i) and (j) are created to read:

SPS 316.002 (2) (g) Installations in properties that are exempted by federal statutes or treaties.

(h) Installations in portions of buildings leased to the federal government provided all of the following conditions are met:

1. A statement is recorded with the register of deeds that describes the steps necessary for compliance with this chapter if the space is converted to a nonexempt use.

2. The statement recorded with the register of deeds is recorded in a manner that will permit the existence of the statement to be determined by reference to the property where the building is located.

3. The owner of the building submits a copy of the recorded document to the department or its authorized representative.

(i) Installations in buildings or structures located on Indian reservation land that are held either in trust by the United States, or in fee by the tribe or a tribal member.

(j) Installations in buildings or structures which are located on off-reservation Indian land that is held in trust by the United States and which are held either in trust by the United States, or in fee by the tribe or a tribal member.

SECTION 3. SPS 316.003 (2) is repealed.

SECTION 4. SPS 316.003 (3) is amended to read:

SPS 316.003 (3) EXISTING INSTALLATIONS. Existing electrical installations shall conform to the electrical code that applied when the installations were installed. ~~An existing electrical installation may be required to be brought into compliance with the current code's requirements by the department and within the time period determined by the department when a hazard to life, health or property exists or is created by the installation.~~ When a hazard to life, health, or property exists or is created by an existing installation the authority having jurisdiction may, in the authority's sole discretion, require that the installation be brought into compliance with the current code's requirements within a time period determined by the authority.

SECTION 5. SPS 316.003 (3) (Note) is created to read:

SPS 316.003 (3) Note: Changes in use or occupancy of a space may require alterations to electrical installations to remain compliant with the provisions of the NEC and this chapter.

SECTION 6. SPS 316.003 (4) is amended to read:

SPS 316.003 (4) REPAIRS. Repairs to electrical installations shall conform to the electrical code that applied when the installations were installed. ~~A repair may be required to be brought into compliance with the current code's requirements by the department and within the time period determined by the department when a hazard to life, health or property exists or is created by the repair.~~ When a hazard to life, health, or property exists or is created by an existing installation the authority having jurisdiction may, in the authority's sole discretion, require that the installation be brought into compliance with the current code's requirements within a time period determined by the authority.

SECTION 7. SPS 316.005 (Note 1) is amended to read:

SPS 316.005 Note: Chapter SPS 303 requires the submittal of a petition for variance ~~form (SBD-9890)~~ and a fee, and that an equivalency is established in the petition for variance that meets the intent of the rule being petitioned. Chapter SPS 303 also requires the department to process regular petitions within 30 business days and priority petitions within 10 business days.

SECTION 8. SPS 316.005 (Note 2) is repealed and recreated to read:

SPS 316.005 Note: The submittal of position statements and municipal recommendations is dependent on the rule being petitioned and is specified in the code under which the variance is requested.

SECTION 9. SPS 316.005 (Note 3) is created to read:

SPS 316.005 Note: The department form required in this section is available on the department's website at <https://dsps.wi.gov>.

SECTION 10. SPS 316.006 (1) is renumbered to 316.006 (1s).

SECTION 11. SPS 316.006 (1e) and (1m) are created to read:

SPS 316.006 (1e) "Authority having jurisdiction" means an organization, office, or individual responsible for enforcing the requirements of a code or standard, or for approving equipment, materials, an installation, or a procedure.

Note: An authority having jurisdiction may be a municipality operating under s. SPS 316.011 (1) or the department operating under s. SPS 316.011 (2), however s. SPS 316.004 provides that "Under s. 101.02 (1), Stats., the department reserves the right to interpret the requirements in this chapter and in all adopted codes and standards. Any interpretation under this section shall supersede any differing interpretation by either a lower-level jurisdiction or an issuer of the adopted code or standard."

(1m) "Campground" means a parcel or tract of land that requires a license to operate under s. ATCP 79.05 (1).

SECTION 12. SPS 316.007 (1) (intro.), (1) (a), and (1) (a) (Note) are amended to read:

SPS 316.007 (1) PRIMARY STANDARDS. The following ~~standards are~~ standard is incorporated by reference into this chapter, subject to the modifications specified in this chapter:

(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~~ 2023, including all Temporary Interim Amendments and Errata prior to January 1, 2025.

Note: Copies of the standards are on file in the ~~offices~~ office of the ~~Department and the~~ Legislative Reference Bureau. A copy of the code may be purchased from the organization listed or may be reviewed on the organization's website at no cost if the person is a registered user for the site.

SECTION 13. SPS 316.007 (1) (am) is repealed.

SECTION 14. SPS 316.007 (1) (b) and (2) are amended to read:

SPS 316.007 (1) (b) If a requirement in the ~~standards~~ standard adopted in ~~par. (a) and (am)~~ par. (a) ~~contain~~ contains a cross-reference to another requirement modified by this chapter, the modification shall apply to the cross-reference unless specified otherwise in this chapter.

(2) SECONDARY REFERENCES. Any codes or standards referenced in the ~~standards~~ standard adopted in sub. (1) (a) ~~and (am)~~ shall apply to the prescribed extent of each such reference, except as modified by this chapter.

SECTION 15. SPS 316.007 (3) (Note) is created to read:

SPS 316.007 (3) Note: See s. SPS 316.005 for petition for variance.

SECTION 16. SPS 316.012 (1) (a) 8. and 9. are created to read:

SPS 316.012 (1) (a) 8. Except as specifically exempted by rule or statute, vacant land for which a permit under this chapter or ch. SPS 320 has not already been issued.

9. Except as specifically exempted by rule or statute, any structure for which a permit under this chapter or ch. SPS 320 has not already been issued.

SECTION 17. SPS 316.013 (4) is created to read:

SPS 316.013 (4) Records of inspections shall comply with one of the following:

(a) *Municipal enforcement.* Municipalities that have adopted an ordinance to enforce this code shall maintain records in accordance with all of the following:

1. A record shall be made of each visit to a site, each inspection type performed and the pass or fail results of each inspection.

2. Applications, plans, forms, correction orders, correspondence, permits, and inspection records shall be maintained for 7 years after completion.

(b) *State enforcement.* Inspectors working under a state contract shall maintain records in accordance with the provisions of the contract that were in effect at the time the inspections were completed.

SECTION 18. SPS 316.020 (1) (Note 2) is created to read:

SPS 316.020 (1) Note: Changes in use or occupancy of a space may require alterations to electrical installations to remain compliant with the provisions of the NEC and this chapter.

SECTION 19. SPS 316.022 (1) (Note) is amended to read:

SPS 316.022 (1) Note: Examples of a qualified independent third party include a nationally recognized testing laboratory and a professional engineer registered in the state of Wisconsin.

SECTION 20. SPS 316.023 is repealed and recreated to read:

SPS 316.023 Electric fences. The following is a department rule in addition to the requirements of the NEC: Electric fence controllers shall be installed and used in the exact manner and for the exact purpose indicated by the manufacturer's instructions, markings, listings or labels.

Note: Under s. 101.18, Stats., the Department is responsible for establishing "...reasonable standards, rules or regulations for the erection, construction, repair and

maintenance of electric fences as shall render them safe."

SECTION 21. SPS 316.090 is amended to read:

SPS 316.090 Introduction. The requirements specified in ~~2011 and 2017~~ NEC 90.1, NEC 90.2, and NEC 90.4 are not included as part of this chapter.

SECTION 22. SPS 316.100 (2) is amended to read:

SPS 316.100 (2) SUBSTITUTIONS. The following department definition is a substitution for the respective definition in ~~2011 and 2017~~ NEC 100: "~~Special permission~~" means permission means a petition for variance in accordance with s. SPS 316.005.

SECTION 23. SPS 316.110 (1) and (2) are amended to read:

SPS 316.110 (1) Substitute the following wording for the requirements in ~~2011~~ NEC 110.3 (B): Listed Equipment that is listed, or labeled equipment shall be installed or used, or both, or identified for a use shall be installed and used in accordance with any instructions included in the listing, ~~or labeling, or identification~~ provided the instructions, listing, or labeling do not conflict with this chapter.

(2) This is a department exception to the requirements of ~~2017~~ NEC 110.3 (C):
Exception: As provided under s. SPS 316.022 (1), product testing and evaluation may be conducted by a qualified independent third party, including a nationally recognized testing laboratory or a professional engineer registered in the state of Wisconsin.

SECTION 24. SPS 316.210 is repealed and recreated to read:

SPS 316.210 Branch circuits.

(1) GROUND-FAULT CIRCUIT-INTERRUPTER PROTECTION FOR PERSONNEL.

(a) Substitute the following wording for 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) Substitute the following wording for NEC 210.8 (A) (5): Unfinished portions or areas of the basement not intended as habitable rooms.

(c) The requirements in NEC 210.8 (A) (7) are not included as part of this chapter.

(d) The requirements in NEC 210.8 (D) (8), (9), (10), and (11) are not included as part of this chapter.

(e) The requirements in NEC 210.8 (F) are not included as part of this chapter.

(2) ARC-FAULT CIRCUIT-INTERRUPTER PROTECTION. The requirements in NEC 210.12 (E)

are not included as part of this chapter.

(3) DWELLING UNIT RECEPTACLE OUTLETS.

(a) Substitute the following wording for NEC 210.52 (C) (2): At least one receptacle shall be

installed at each island and peninsular countertop space with a long dimension of 600 millimeters (24 inches) or greater and a short dimension of 300 millimeters (12 inches) or greater. A peninsular countertop is measured from the connected perpendicular wall.

(b) This is a department exception to the requirements of NEC 210.52 (C) (3): To comply with the following conditions 1. and 2., receptacle outlets shall be permitted to be mounted not more than 300 millimeters (12 inches) below the countertop or work surface.

Receptacles mounted below a countertop or work surface in accordance with this exception shall not be located where the countertop or work surface extends more than 150 millimeters (6 inches.) beyond its support base. Receptacles mounted below a countertop or work surface in accordance with this exception shall not be located where the countertop or work surface extends more than 150 millimeters (6 inches) beyond its support base.

1. Construction for the physically impaired

2. On island and peninsular countertops or work surface where the surface is flat across its entire surface (no backsplashes, dividers, etc.) and there are no means to mount a receptacle within 500 millimeters (20 inches) above the countertop or work surface, such as an overhead cabinet.

SECTION 25. SPS 316.220 is repealed and recreated to read:

SPS 316.220 Branch-circuit, feeder and service calculations. Substitute the following wording for NEC 220.5 (C): 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.

SECTION 26. SPS 316.225 is repealed and recreated to read:

SPS 316.225 Outside branch circuits and feeders.

(1) NUMBER OF SUPPLIES. This is a department rule in addition to the requirements in NEC 225.30: Multi-occupancy buildings or structures may have one set of branch circuit conductors installed from a dwelling unit to the second building or structure's respective occupied space.

(2) LOCATION. The following are department rules in addition to the requirements of NEC 225.31:

(a) This is a department rule in addition to the requirements of NEC 225.31 (B): Raceways

containing feeder or branch circuit conductors, or feeder or branch circuit cables not contained within a raceway, may not extend longer than 8 feet into a building to the disconnect or the first disconnect of a group of disconnects as permitted by NEC 225.33. The raceways, cables, 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.

(b) Where the disconnecting means is installed outside of a building or structure the disconnecting means shall be located not more than 30 feet from and within sight of the building or structure that the disconnect serves.

(3) EMERGENCY DISCONNECTS. The requirements of NEC 225.41 are not included as part of this chapter.

SECTION 27. SPS 316.230 (1) (a) is amended to read:

SPS 316.230 (1) (a) This is a department informational note to be used under ~~2011 and 2017~~ 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.

SECTION 28. SPS 316.230 (1) (c) is repealed.

SECTION 29. SPS 316.230 (3) (a) is repealed.

SECTION 30. SPS 316.230 (3) (b) is amended to read:

SPS 316.230 (3) (b) Location. This is a department rule in addition to the requirements of ~~2011 and 2017~~ 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.

SECTION 31. SPS 316.230 (3) (c) is created to read:

SPS 316.230 (3) (c) Where the service disconnecting means is installed outside of a building or structure, the service disconnecting means shall be no more than 30 feet and within sight from the building or structure it serves.

SECTION 32. SPS 316.230 (4) is repealed and recreated to read:

SPS 316.230 (4) EMERGENCY DISCONNECTS. The requirements of NEC 230.85 are not included as part of this chapter.

SECTION 33. SPS 316.230 (5) is repealed.

SECTION 34. SPS 316.240 is repealed.

SECTION 35. SPS 316.250 (1), (2), and (3) are amended to read:

SPS 316.250 (1) SUPPLEMENTAL ELECTRODE REQUIRED. The exception in ~~2011 and 2017~~ NEC 250.53 (A) (2) is not included as part of this chapter.

(2) SUPPLEMENTAL ELECTRODE. This is a department rule in addition to the requirements in ~~2011 and 2017~~ NEC 250.53 (A) (3): A single electrode consisting of a rod, pipe or plate shall be augmented by one additional electrode of any of the types in NEC 250.52 (A) (4) to (A) (8).

(3) TYPES OF EQUIPMENT GROUNDING CONDUCTORS. This is a department rule in addition to the requirements of ~~2017~~ NEC 250.118: A metallic raceway installed in direct contact with earth, in concrete slabs or floors poured on earth, or in exterior concrete walls below grade shall be augmented with a supplemental equipment grounding conductor identified in NEC 250.118 (A) (1). This supplemental conductor shall be sized in accordance with NEC 250.122. An aluminum equipment grounding conductor used for this purpose shall be insulated.

SECTION 36. SPS 316.300 (1) (intro.) is amended to read:

SPS 316.300 (1) ELECTRICAL REQUIREMENTS FOR PRIVATE ONSITE WASTEWATER TREATMENT SYSTEMS. These department rules apply to private onsite wastewater treatment systems and are in addition to the requirements of ~~2011 and 2017~~ NEC 300:

SECTION 37. SPS 316.300 (1) (b) and (2) (a) are repealed.

SECTION 38. SPS 316.300 (2) (b) is amended to read:

SPS 316.300 (2) (b) This is a department exception in addition to the exceptions under ~~2017~~ NEC 300.4 (D): Exception No. 4: This distance does not need to be maintained within 8 inches of a device, junction box, splice, or termination point.

SECTION 39. SPS 316.310 (1) is repealed.

SECTION 40. SPS 316.310 (2) is amended to read:

SPS 316.310 (2) This is a department rule in addition to the requirements in ~~2017~~ NEC 310.15 ~~(B) (3) (a)~~ (C) (1): The derating factors shown in NEC Table 310.15 ~~(B) (3) (a)~~ (C) (1) do not apply to branch circuits supplying an individual dwelling unit.

SECTION 41. SPS 316.312 (1), (2), and (3) are amended to read:

SPS 316.312 (1) CABLES. Substitute the following wording for ~~2011 and 2017~~ NEC 312.5 (C) Exception No. 1 (intro.): Exception No. 1: Cables with entirely nonmetallic

sheaths may enter an enclosure through one or more nonflexible raceways of not less than 12 inches and not more than 10 feet in length, provided all of the following conditions are met:

(2) OMISSION. The requirements specified in ~~2011 NEC 312.5 (C) Exception paragraph (b) and 2017 NEC 312.5 (C) Exception number 2~~ No. 1 sub. (2) are not included as part of this chapter.

(3) FITTING. Substitute the following wording for ~~2011 NEC 312.5 (C) Exception paragraph (c) and 2017 NEC 312.5 (C) Exception number 3~~ No. 1 sub. (3): A fitting is provided on each end of the raceway to protect the cable from abrasion.

SECTION 42. SPS 316.314 (1) is amended to read:

SPS 316.314 (1) CONDUCTORS ENTERING BOXES, CONDUIT BODIES, OR FITTINGS. This is a department exception to the requirements of ~~2011 and 2017 NEC 314.17 (B) and (C)~~: Exception: Nonmetallic sheathed cable is not required to be secured to the ~~box enclosure~~ or conduit body where it is installed in accordance with ~~the wiring method specified in s.~~ SPS 316.312.

SECTION 43. SPS 316.314 (2) is repealed.

SECTION 44. SPS 316.334 (title), (1), and (2) are amended to read:

SPS 316.334 Nonmetallic-sheathed cable: Types NM, and NMC ~~and NMS~~.

(1) USES PERMITTED. Substitute the following wording for ~~2011 and 2017 NEC 334.10 (3)~~: Other structures permitted to be of Types III, IV, and V construction except as prohibited in NEC 334.12.

(2) TYPES NM, AND NMC, ~~AND NMS~~. The requirements specified in ~~2011 and 2017 NEC 334.12 (A) (2)~~ are not included as part of this chapter.

SECTION 45. SPS 316.358 is repealed.

SECTION 46. SPS 316.400 is repealed and recreated to read:

SPS 316.400 Flexible cords and cables. Substitute the following wording for the exception in NEC 400.12 (4): Exception: Flexible cord and flexible cable may be attached to building surfaces for a use permitted under NEC 400.10 (A) if all of the following apply:

(1) The source is not a busway.

(2) The equipment is adequately supported.

(3) The type of cable and attachment to the building, the equipment, and the support

comply with the provisions of NEC 368.56 (B) and 590.4.

SECTION 47. SPS 316.404 is repealed.

SECTION 48. SPS 316.406 (1) is amended to read:

SPS 316.406 (1) ARC-FAULT CIRCUIT-INTERRUPTER PROTECTION. The requirements in ~~2011~~ and 2017 NEC 406.4 (D) (4) are not included as part of this chapter.

SECTION 49. SPS 316.406 (2) is repealed and recreated to read:

SPS 316.406 (2) BATHTUB AND SHOWER SPACE. Substitute the following wording for NEC 406.9 (C): Receptacles shall not be installed within or directly over a bathtub or shower stall. Exception: Weight supporting ceiling receptacles (WSCR) shall be permitted to be installed for listed luminaires that employ a weight supporting attachment fitting (WSAF) in damp locations complying with NEC 410.10 (D).

Note: See NEC 210.8 (A) (1) for GFCI requirements in a bathroom.

Note: See NEC 210.11 (C) for requirements for bathroom branch circuits.

SECTION 50. SPS 316.450 is repealed and recreated to read:

SPS 316.450 Transformers and transformer vaults (including secondary ties), location. Substitute the following wording for NEC 450.41: Vaults containing oil-insulated transformers shall be located where the vaults can be ventilated to the outside air without using flues or ducts, except where a petition for variance is approved.

SECTION 51. SPS 316.511 to 316.701 are repealed.

SECTION 52. EFFECTIVE DATE. The rules adopted in this order shall take effect on the first day of the month following publication in the Wisconsin Administrative Register, pursuant to s. 227.22 (2) (intro.), Stats.

(END OF TEXT OF RULE)
