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May 23, 2023

Ms. Liz Fordahl  
Assistant Code Revisor  
North Dakota Legislative Council  
State Capitol  
600 E Blvd., 2<sup>nd</sup> Floor  
Bismarck, ND 58505-0360

Dear Ms. Fordahl:

Enclosed are the Notice of Intent to Adopt, Amend or Repeal Administrative Rules and a copy of the proposed new rules and amendments as required by N.D.C.C. §28-32-10(1).

If there are any questions, please feel free to contact us.

Sincerely

James Schmidt  
Executive Director

Encl.a/s

\\2023\Proposals\L.Fordahl



**NOTICE OF INTENT TO [ADOPT, AMEND OR REPEAL]**  
**ADMINISTRATIVE RULES**

TAKE NOTICE that the North Dakota State Electrical Board will hold a public hearing to address proposed new rules and amendments to N.D. Admin. Code Title 24.1 at 9:00 a.m. on July 12, 2023, at the North Dakota State Electrical Board, 1929 N Washington Street, Suite A-1, Bismarck, North Dakota. The purpose of the proposed new rules and amendments is to implement statutes and adopt the NFPA 70 2023 edition National Electrical Code. The proposed new rules and amendments address:

- **Entire 24.1**: Adopts NFPA 70 2023 edition National Electrical Code [1<sup>st</sup> version, printed in 2022] and NFPA 101 2021 edition Life Safety Code, except if articles are specifically amended.
- **24.1-02-01-01(4)**: Clarifies “service” definition by revising text from serving utility to serving source.
- **24.1-03-01-01(5)**: Eliminates understood and outdated text regarding “online renewal only” statement.
- **24.1-05-01-01(2)**: Clarifies intent and wording by replacing entrance with service.
- **24.1-05-01-01(2)(b)**: Clarifies appropriate entity defined.
- **24.1-05-01-01(4)**: Deletes old text on availability of paper wiring certificates.
- **24.1-06-01-10(7)**: Adds new section for copper clad aluminum conductors for class II & III circuits only.
- **24.1-06-01-10(8)**: Moves from 24.1-06-03-01(6) to this section as its better defined under requirements for electrical installations.
- **24.1-06-01-10(9)**: Adds section to clarify occupancy consistent with IEBC under requirements for electrical installations.
- **24.1-06-01-10(10)**: Renumbers section from paragraph 7 to paragraph 10.
- **24.1-06-01-40(3)**: Clarifies locations of carbon monoxide installations and when interconnected. Consistency with ND State Building Code.
- **24.1-06-01-40(4)**: Adds a section to include smoke alarms in locations of an energy storage system being installed.
- **24.1-06-01-40 (Last Paragraph)**: Deletes reference to table - only condensed guide.

- **24.1-06-02-10(10)**: Corrects applicable article section of the NEC.
- **24.1-06-02-10(11)**: Adds exception to the NEC on GFCI protection for refrigeration appliances.
- **24.1-06-02-10(12)**: Adds exception to the NEC on receptacle outlets installed below countertop or work surface.
- **24.1-06-02-15**: Adds new section on feeders. Surge protection for feeders not required in certain occupancies.
- **24.1-06-02-30(2)**: Deletes redundant language to NEC on outside switch location.
- **24.1-06-02-30(6)**: Deletes section as it is required due to being a safety issue.
- **24.1-06-02-40(2)**: Deletes redundant language in NEC as to locations of switchboards and panelboards.
- **24.1-06-03-01(7)**: Renumbers, updates appropriate NEC article and deletes dormitory requirement from installation of metal raceways or metal clad cable.
- **24.1-06-04-22**. Adds “if manufacturer instructions allow” for cord connections for furnaces.

The proposed new rules and amendments are not expected to have an impact on the regulated community in excess of \$50,000.00.

The proposed new rules and amendments may be reviewed at the office of the N.D. State Electrical Board, 1929 N. Washington Street, Suite A-1, Bismarck, North Dakota 58507. A copy of the proposed new rules and amendments and/or a regulatory analysis may be requested by writing the above address or calling (701) 328-9522. Written or oral comments on the proposed new rules and amendments sent to the above address or telephone number and received by July 26, 2023, will be fully considered.

If you plan to attend the public hearing and will need special facilities or assistance relating to a disability, please contact the N.D. State Electrical Board at the above telephone number or address at least ten (10) days prior to the public hearing.

Dated this 23<sup>rd</sup> day of May, 2023.



James Schmidt, Executive Director  
N.D. State Electrical Board