



# VERMONT

## ELECTRICAL SAFETY RULES

# 2017

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*The Vermont Electricians' Licensing Board  
and the Vermont Department of Public Safety  
Division of Fire Safety*

*Effective Date: October 1, 2017*

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## I. PURPOSE OF THE RULES

The purpose of these rules is to protect the people of the State of Vermont from the risk of fire or electrocution from unsafe electrical installation, by the adoption and enforcement of nationally recognized safety codes and by the licensure, education and training, of people doing electrical installation work. The State of Vermont's law regarding electricians and electrical installations (Chapter 15 of Title 26, Vermont Statutes Annotated) is referenced in Annex I. Further information about these rules and their application may be obtained from the;

Division of Fire Safety  
1311 U.S. Route 302, Suite 600  
Barre, VT 05641-2354  
Telephone: 802-479-7561  
Website: [www.firesafety.vermont.gov](http://www.firesafety.vermont.gov)

## 2. ADOPTION OF THE RULES

(a) These rules are adopted by the Commissioner of Public Safety and the Electricians' Licensing Board pursuant to 26 V.S.A. Chapter 15, to license people doing electrical work and to adopt and enforce nationally recognized safety codes.

(b) Existing electrical installations that do not comply with the provisions of these rules shall be permitted to be continued in use unless the authority having jurisdiction determines that the lack of conformity with these rules presents an imminent danger. Where changes are required for correction of hazards, a reasonable amount of time shall be given for compliance, depending on the degree of the hazards.

(c) These rules do not apply to:

(1) The construction, installation, operation, repair or maintenance of electrical installations which are used by a public utility in rendering its authorized service, including communications, metering, generation, control, transformation,

transmission or distribution of electric energy; nor to the installation, operation, repair and wiring associated with telecommunication services and equipment used for the transmission of information by electricity regardless of the location of such electrical installations, equipment or facilities.

(2) Electrical installations in ships, aircraft, pipeline systems, railway rolling stock, automotive equipment, or portable sound equipment.

(3) The manufacture, testing or repair of electrical equipment in the plant of the manufacturer of the equipment.

(4) The construction repairs or maintenance of buildings used exclusively for agricultural purposes on owner occupied farms.

(5) Manufactured or mobile homes owned by the occupant and located on leased land or in a mobile home park. The rules do apply to the electrical service and feeder for such units.

(6) A single-family owner occupied dwelling.

## 3. ELECTRICAL LICENSING

With limited exceptions, anyone performing electrical work in the State of Vermont, other than in a residential building containing two or fewer dwelling units or electrical work regulated under the National Electrical Code, article 800, Communications Circuits, is required to be licensed as an electrician. The exceptions to the licensing requirement are contained in 26 V.S.A. § 910, which is reference in Annex I.

An elevator or lift mechanic licensed in accordance with 21 V.S.A. § 145 is permitted to install, alter or maintain electrical wiring required for an elevator or lift beginning after the main electrical disconnect for the elevator or lift. The main disconnect for the

elevator or lift and building wiring and devices associated with an elevator or lift, such as electrical lights, receptacles and fire alarm devices are required to be installed by an electrician licensed under this section.

To become licensed to do electrical work in the State of Vermont an applicant must meet the requirements established by the following sections:

### 3.1 MASTER ELECTRICIAN

(a) To be eligible for licensure as a master electrician, an applicant shall:

- (1) have been licensed as, and working as, a journeyman electrician under this chapter for at least two years; or
- (2) have had comparable experience and training, within or without this state, acceptable to the board; and
- (3) pass an examination to the satisfaction of the board.

(b) Upon successful completion of the examination and payment of the required fee, the applicant shall receive a master electrician's license in the form of a wallet-size card. This license shall be carried by the master electrician at all times while performing his or her trade and shall be displayed upon request. Upon the request by the licensee and upon payment of the required fee, the board shall issue a license certificate suitable for framing.

(c) A person licensed under this chapter as a master electrician is entitled to design, install, repair, maintain and replace electrical installations including work in the specialty fields designated in Section 3.3 of these rules, as his or her principal business or in the course of another business conducted by him or her, and may employ other persons licensed under this chapter or electrician's helpers to perform work in connection with electrical installations under his or her direction.

In the case of an apprentice or helper, "under his or her direction" means either that the master is physically present on the work site and is immediately available to direct and supervise that apprentice or helper, or that a journeyman under the master's direction is immediately available to direct and supervise that apprentice or helper.

### 3.2 JOURNEYMAN ELECTRICIAN

(a) To be eligible for licensure as a journeyman electrician an applicant shall:

- (1) provide verification by the Vermont apprenticeship council of completion of an apprenticeship in electrical wiring which included both instruction and practice in work processes; or
- (2) have had equivalent training acceptable to the board; and
- (3) pass an examination to the satisfaction of the board.

(b) The board may approve an applicant who has completed the instruction portion of the apprenticeship program to take the examination prior to completion of the practice in work experience. Where an applicant has successfully completed the examination, but not the practice in work experience, a license shall not be issued until the practice in work experience portion of the apprenticeship program has been completed.

(c) Upon successful completion of the examination and payment of the required fee, the applicant shall receive a journeyman electrician's license in the form of a wallet-size card. This license shall be carried by the journeyman at all times while performing his or her trade and shall be displayed upon request. Upon request by the licensee and payment of the required fee, the board shall issue a license certificate suitable for framing.

(d) A person licensed under this chapter as a journeyman electrician is entitled to perform electrical installations under the direction of a master electrician or a type-s journeyman in connection with that specialty field, and may supervise an apprentice electrician or an electrician's helper employed by a master electrician under the master electrician's direction. In the case of an apprentice or helper, "supervise" means that the journeyman is physically present on the work site and is immediately available to direct and supervise that apprentice or helper.

### 3.3 TYPE-S JOURNEYMAN ELECTRICIAN

(a) To be eligible for licensure as a Type-S Journeyman an applicant shall:

- (1) Complete an accredited training and experience program recognized by the board; or
- (2) Have had training and experience, within or without this state, acceptable to the Board; and
- (3) Pass an examination to the satisfaction of the board in one or more of the following fields:
  - (A1) Automatic gas or oil heating, including geo-thermal;
  - (B2) Outdoor advertising;
  - (C3) Refrigeration or air conditioning;
  - (D4) Appliance and motor repairs;
  - (E5) Well pumps;
  - (F6) Farm Equipment;
  - (G7) Any miscellaneous specified area of specialized competence. This class includes:
    - (G7)c Commercial fire alarm systems
    - (G7)g Gas pump installation, including electrical work involving a canopy over gas pumps, and bulk plant work

- (G7)k Electrical lock installation including delayed egress and access control
- (G7)l Lightning rod installation
- (G7)s Solar installation

(b) Upon successful completion of the examination and payment of the required fee for each field in which a license is to be issued, the applicant shall receive a license in the form of a wallet-size card which shall be carried at all times while performing his or her trade and shall be displayed upon request. Upon request of the licensee and upon payment of the required fee, the board shall issue a license certificate suitable for framing.

(c) A person licensed under this Chapter as a Type-S Journeyman Electrician is entitled to design, install, repair, maintain and replace electrical installations as an employee or an independent contractor only in connection with the specialty field designated on the person's license, and may only install branch circuits from the existing electrical service. A Type-S Journeyman Electrician may employ other persons licensed under this chapter and may supervise an apprentice or an electrician's helper. In the case of an apprentice or helper, "supervise" means that the Type-S journeyman is physically present on the work site and is immediately available to direct and supervise that apprentice or helper.

(d) No person, other than a licensed master electrician, shall engage in the business of installing lightning rods, fire alarms or fire detection equipment or systems for another unless that person holds an appropriate type-s journeyman electricians' license, issued by the Board under this section.

### 3.4 APPLICATION; EXAMINATIONS AND FEES

(a) Each applicant for a license shall submit to the board, on forms furnished by it, a written application containing such relevant information as the board may require, accompanied by the required examination fee. The examination fee shall be established by the board but shall be no greater than the cost associated with administering the examination. The examination fee may be paid directly to a testing agency under contract to provide examinations for the board.

*[Note: The current examination fee is \$65 for the standard test, or \$100 for the computer based test, paid directly to the testing agency.]*

(b) Examinations shall be conducted in writing and shall include a practical skills examination. The examination shall cover theoretical and practical aspects of electrical work, together with pertinent laws and rules. In addition, the master electrician's examination shall contain questions on all specialty fields designated for type-S journeyman electricians.

(c) The board, in determining the qualifications of an applicant for a license, may in its discretion give recognition, in the case of an application for a master's license, to the applicant's experience as a licensed journeyman in another state, or in the case of an application for a journeyman's license, to an apprenticeship served in another state, or may otherwise give recognition to experience or prior qualifications.

(d) The approval to an applicant for a license to take the required examination is valid for three years from the date of the approval by the board.

(e) An applicant who fails the examination may, upon payment of the required fee to the testing agency, retake the examination. The board shall require that an applicant obtain a minimum of 8 hours of education on the National Electrical Code or National Fire Alarm Code before retaking the examination where the applicant has failed the examination on three attempts.

(f) A person to whom a master electrician's license or a journeyman electrician's license has been previously issued by another state, whose standards are equivalent to those of this state, if under the laws or regulations of the state issuing the license a similar privilege is granted to electricians licensed under the laws of this state, shall be issued a reciprocal license without examination on payment of the required fee.

*[Note: Current reciprocal agreements include the States of New Hampshire, and Maine.]*

Electrical license fees are established by the Vermont Legislature. Refer to §905 located at site below for fees;

<http://legislature.vermont.gov/statutes/chapter/26/015>

### 3.5 RENEWAL OF LICENSE

(a) All licenses expire on the last day of a month designated by the board. A license shall be valid for three years. A notice of renewal and application for renewal is sent to each licensee prior to the expiration of the license. The signed application for renewal, the certification of continuing education and the appropriate fee must be returned prior to the date that the license expires. The board shall renew the license of a person holding a valid license issued under this chapter on receipt of an application for renewal, certification of continuing education, child support certification, tax certification and the required fee, on or before the expiration date of his license.

(b) All journeyman and master electricians shall, as a condition of license renewal, complete **15 hours** of instruction, approved by the board, on the national electrical code during the preceding 36-month period. All holders of a type-S journeyman license shall, as a condition of renewal, complete eight hours of instruction, approved by the board, on the subject of the license holder's specialty during the preceding 36 months. A person who is licensed in more than two fields of specialized competence shall not be required to complete more than a total of **15 hours** of instruction.

(c) If a license is allowed to lapse it may be renewed within one year of its expiration date by the payment of \$25.00 in addition to the renewal fee. A licensed electrician whose license has lapsed shall not accomplish any unsupervised electrical installation work covered by these rules until the license has been renewed.

(d) If a license is not renewed within one year of its expiration date the inactive licensee shall make application for a new license and shall follow the appropriate licensing procedure. The Board may waive the requirement for reexamination where there is an undue hardship or other unusual circumstance.

### **3.6 REVOCATION, SUSPENSION AND REFUSAL OF RENEWAL OF LICENSE**

(a) The board, after notice to the licensee and opportunity for hearing, may revoke or suspend a license issued under this chapter, or refuse to renew the license of a person who has made application for renewal:

- (1) If the license was wrongfully or fraudulently obtained;
- (2) If the licensee has violated or failed to comply with any provision of 26 V.S.A. Chapter 15 or any provision of these rules;
- (3) If the licensee is found by the board to be unqualified to hold the license.

(b) The board, after notice and opportunity for hearing, may take alternative actions against a license holder which is less severe than revocation, suspension or refusal to renew a license, including but not limited to formal reprimand, additional required education, conditions on electrical installation, etc. The Board may act:

- (1) If the license was wrongfully or fraudulently obtained;

(2) If the licensee has violated or failed to comply with any provision of 26 V.S.A. Chapter 15 or any provision of these rules;

(3) If the licensee is found by the board to be unqualified to hold the license.

(c) The Board will proceed with initiating a complaint against a licensee, investigation of the complaint, action and hearings as described in Section 9.

(d) A person may file a complaint with the Board by doing so in writing, setting forth a full statement of the facts concerning the alleged infraction of the electrician's licensing law or rules. In the event a complaint is filed with the Board, the Board's investigation shall not be limited to the matter set forth in the request for investigation but may extend to any act coming to the attention of the board which appears to violate the law or these rules.

### **4. DUTIES OF THE LICENSEE**

(a) Any person who has obtained an electrical license under these rules shall:

- (1) Not install, repair or maintain electrical conductors and equipment in a manner which is likely to be unsafe to people and property.
- (2) Observe these rules regarding all electrical installation, repair or maintenance work, and supervision of unlicensed employees.
- (3) Not begin electrical work until a work notice for the work has been validated.
- (4) Notify the Division of Fire Safety of a change of address.

(b) Any licensed electrician who has filed a work notice shall;

- (1) Keep records which outline who has accomplished the work covered under the work notice.
- (2) Provide at least 5 working days notice to the electrical inspector for any required inspection.
- (3) Provide access for the electrical inspector to all electrical work and records subject to inspection.

## 5. ADOPTION OF NATIONALLY RECOGNIZED SAFETY STANDARDS

(a) The Electricians' Licensing Board, for the purpose of making rules regarding the safeguarding of persons and property from hazards arising from the use of electricity adopts the following standards per the specific edition.

**NFPA 70**, National Electrical Code, (2017 edition) To meet the needs of Vermont, NFPA 70 is amended as follows:

~~-delete & replace-~~ 210.8(A)(10) Laundry areas and rooms: GFCI protection shall be required for receptacles installed within 6 feet (1.8 m) of a washing machine or sink.

~~-add-~~ 210.12(D)(2): add number to first exception, now Exception No. 1, Branch Circuit Extensions or Modifications — Dwelling Units and Dormitory Units.

~~-add-~~ 210.12(D)(2) Exception No. 2: AFCI protection shall not be required where the extension of the existing conductors is used solely to hardwire single station smoke and or CO alarms in an existing dwelling or dormitory unit.

~~-delete and replace as follows - article 230.70 (A)(1)~~

(1) Location. The service disconnecting means shall be installed at a readily accessible location either outside of a building or structure, or inside a building or structure nearest the point of entrance of the service conductors, not to exceed 10 feet of conductor length from the point of entrance.

~~-add-~~ *article 334.10(3)* Exception: The 15-minute finish rating shall not be required in buildings or portions of buildings that are not required to be of fire resistance construction.

~~-delete article 334.12(A)(2)~~

~~-add-~~ *article 518.3 (D)(D)* Illumination of Means of Egress. Lighting circuits and illumination of means of egress shall be provided in accordance with Section 7.8 of the Life Safety Code (NFPA 101) as adopted under the Vermont Fire & Building Safety Code. [Note: see Annex II for a copy of this section as adopted.]

~~-delete-~~ *article 520.5(C), Wiring Methods for Theaters and similar locations*

~~-delete-~~ article 620.51(B) Disconnecting means: (elevator shunt-trip not required)

~~-delete & replace-~~ *article 690.12(C)* Initiation Device: The initiation device(s) shall initiate the rapid shutdown function of the PV (photovoltaic) system. The device "off" position shall indicate that the rapid shutdown function has been initiated for all PV systems connected to that device. Initiation device(s) shall be located at a readily accessible location outside the building.

**NFPA 73**, Residential Electrical Safety Code (2016 edition), to meet the needs of Vermont NFPA 73 is amended as follows:

~~-delete and replace as follows - Section 5.1~~

Ground Fault Circuit Interrupter: Ground Fault Circuit Interrupters shall be installed in accordance with NFPA 70 Section 210.8(A) and operate properly.

**NFPA 780**, Lightning Protection Code (2014 edition)

(b) If there are conflicting sections between an adopted code and a referenced code or standard, the adopted code shall apply. If there are conflicting sections between a general requirement and a specific requirement, the specific requirement shall apply. [**Note:** see Annex III for information on how to obtain standards and reference documents.]

## 6. REFERENCE DOCUMENTS

(a) The following documents, while not part of the electrical safety rules, have been adopted by the State of Vermont as part of the Vermont Fire & Building Safety Code. Electricians should be aware of these documents and consult them as needed.

NFPA 1 - Fire Prevention Code, as adopted under the Vermont Fire & Building Safety Code.

NFPA 20 - Standard for the Installation of Centrifugal Fire Pumps, as adopted under the Vermont Fire & Building Safety Code.

NFPA 30 - Flammable and Combustible Liquids Code, as adopted under the Vermont Fire & Building Safety Code.

NFPA 30A - Automotive and Marine Service Station Code, as adopted under the Vermont Fire & Building Safety Code.

NFPA 32 - Standard for Dry Cleaning Plants, as adopted under the Vermont Fire & Building Safety Code.

NFPA 33 - Standard for Spray Application Using Flammable or Combustible Materials, as adopted under the Vermont Fire & Building Safety Code.

NFPA 34 - Standard for Dipping and Coating Process Using Flammable or Combustible

Liquids, as adopted under the Vermont Fire & Building Safety Code.

NFPA 45 - Standard on Fire Protection of Laboratories Using Chemicals, as adopted under the Vermont Fire & Building Safety Code.

NFPA 50A - Standard for Gaseous Hydrogen Systems at consumer sites as adopted under the Vermont Fire & Building Safety Code.

NFPA 50B - Standard for Liquefied Hydrogen Systems at consumer sites as adopted under the Vermont Fire & Building Safety Code.

NFPA 54 - National Fuel Gas Code, as adopted under the Vermont Fire & Building Safety Code.

NFPA 58 - Standard for the Storage and Handling of Liquefied Petroleum Gases, as adopted under the Vermont Fire & Building Safety Code.

NFPA 59 - Standard for the Storage and Handling of Liquefied Petroleum Gases at Utility Gas Plants as adopted under the Vermont Fire & Building Safety Code.

NFPA 72 - National Fire Alarm Code, as adopted under the Vermont Fire & Building Safety Code.

NFPA 90A - Air Conditioning and Ventilating System as adopted under the Vermont Fire & Building Safety Code.

NFPA 96 - Standard for Ventilation Control and Fire Protection of Commercial Cooking Operations, as adopted under the Vermont Fire & Building Safety Code.

NFPA 99 - Standard for Health Care Facilities, as adopted under the Vermont Fire & Building Safety Code.

NFPA 101 - Life Safety Code as adopted under the Vermont Fire & Building Safety Code.

NFPA 110 - Standard for Emergency and Standby Power Systems, as adopted under the Vermont

Fire & Building Safety Code.

NFPA 232 - Standard for the Protection of Records, as adopted under the Vermont Fire & Building Safety Code.

NFPA 720 - Standard for the Installation of Carbon Monoxide (CO) Warning Equipment in Dwelling Units, as adopted under the Vermont Fire & Building Safety Code.

(b) If there are differences between the requirements adopted under Section 5 and the requirements in this section, the requirements in Section 5 shall apply.

## **7. WORK NOTICE, FEES, INSPECTION, ENERGIZING, INSTALLATIONS, CERTIFICATE OF COMPLETION**

### **7.1 WORK NOTICE**

(a) Electrical work in a complex structure shall not commence until a work notice accompanied by the required fee is submitted to the department by a Master or Type-S Journeyman Electrician and the work notice is validated by the department. Where electrical work is proposed in a complex structure used for residential purposes, containing no more than two dwelling units, the work notice may be submitted by any person. Demolition work of energized electrical wiring or equipment is considered electrical work and requires a work notice. The validated work notice is the electrical permit for the electrical work to be done.

(b) The electrical inspector may accept an annual electrical work notice where electrical installation work is ongoing at an existing building. An electrical work notice filed under this section shall include the name and location of the building, the licensed electrician responsible for the work and payment of the base fee. The acceptance of an annual electrical work notice does not modify the

requirements for licensure or direct supervision as established under these rules.

(c) Installation or replacement of equipment such as lamps and electric utilization equipment approved for connection to suitable permanently installed receptacles, replacement of fuses, and other minor maintenance and repair work, such as replacing worn cords and tightening connections on a wiring device, do not require a work notice.

(d) Electrical work regulated under the National electrical Code, Article 800, Communications Circuits, does not require a work notice.

(e) A validated work notice shall expire if the work authorized under the validated work notice is not commenced, or is suspended or abandoned, for a time period of **12 months**.

(f) The fee for a work notice, other than the base fee, may be refunded upon written request, when the electrical work is abandoned or discontinued, prorated on the electrical work, services, reviews and inspections conducted prior to such abandonment or discontinued electrical work.

Electrical Work Notice may be down loaded at [www.firesafety.vermont.gov](http://www.firesafety.vermont.gov)

### **7.2 WORK NOTICE FEES**

Electrical work notice fees are established by the Vermont Legislature. Refer to §893 located at site below for fees;

<http://legislature.vermont.gov/statutes/chapter/26/015>

All fees are required to be paid to the Commissioner or designated representative prior to the validation of a work notice.

### **7.3 INSPECTION**

(a) An electrical installation in any part of a complex structure shall not be covered unless it is inspected by an electrical inspector. The provisions of this subsection may be specifically waived by an electrical inspector in writing. Upon completion of a new electrical installation, the

applicant shall request a final inspection by an electrical inspector. Within five working days of receipt of the application, the commissioner, or inspector, shall conduct an inspection, establish a reasonable date for inspection or issue a waiver of inspection.

(b) The electrical inspector may also waive the presence of the licensee who filed the work notice for rough and final inspections.

(c) A certificate of completion shall be issued if the electrical inspector determines after inspection that the installation is in compliance with the standards and requirements adopted by the board and that all required fees for the electrical installation have been paid.

(d) No part of a complex structure, in which part a new electrical installation has been made, shall be sold or conveyed for use or occupancy without first securing a certificate of completion for the new electrical installation.

(e) Violation of these rules shall be prima facie evidence of negligence in any civil action for damage or injury, which is the result of the violation.

## **7.4 ENERGIZING INSTALLATIONS**

(a) A new electrical installation in or on a complex structure or an electrical installation used for the testing or construction of a complex structure shall not be connected or caused to be connected, to a source of electrical energy unless prior to such connection, either a temporary or a permanent energizing permit is issued for that installation by the electrical inspector.

(b) This section shall not be construed to limit or interfere with a contractor's right to receive payment for electrical work for which a certificate of completion has been granted.

## **8. POWERS OF ENFORCEMENT**

The Commissioner of Public Safety or Designated Representative may:

(a) Refuse to validate a work notice if the license holder has other on-going electrical work for which a work notice has not been filed, or if the Department is owed fees or penalties.

(b) Assess an administrative penalty of not more than \$1,000 for each violation of these rules. The "Rules for Administrative Citations and Penalties" adopted by the Vermont Department of Public Safety, Division of Fire Safety establishes the procedure for issuing administrative citations, assessing penalties and appealing citations pursuant to 26 V.S.A. § 897 and are included in Annex I.

(c) Assign the responsibility for inspection and enforcement of all or part of these rules to municipalities as established in 26 V.S.A. 898 and included in Annex I.

(d) Assign the responsibility for inspections and enforcement of all or part of these rules to a private corporation, partnership or sole proprietorship for electrical work on their own premises as established in 26 V.S.A. 899 and included in Annex I.

## **9. LICENSING DISCIPLINARY PROCEDURE**

### **9.1 INITIATING A COMPLAINT AGAINST A LICENSE**

(l) Form of complaint(Filing): A person may register a complaint against an electrician licensed by the electricians' licensing board by filing a written complaint with the Department of Public Safety, Division of Fire Safety, 1311 U.S. Route 302, Suite 600 Barre, VT 05641-2351. The written complaint must set forth, at a minimum, the nature, date and place of the alleged violations. The board may also initiate a license review procedure on its own motion by filing a complaint with the department.

(2) Verification: Upon receipt of a complaint, the department will verify the Vermont license number of the person against whom the complaint is lodged. If the person is unlicensed and the complaint alleges criminal conduct, the department will refer the complaint to the office of the attorney general. If the person is a licensee of the board, the department will docket the complaint and open an investigation file under the name and license number of the person.

(3) Investigating Panel: An investigating panel consisting of an investigator designated by the department and assistant attorney general will be formed upon the docketing of a complaint. The Assistant Attorney General assigned to the case will head the panel and supervise the investigation of the complaint.

## **9.2 INITIATING THE INVESTIGATION**

(1) Notice to the Assistant Attorney General and to the investigator: Upon docketing the complaint, the department will send a copy of all materials contained in the newly opened file, including a copy of the complaint, to the Assistant Attorney General and to the investigator.

(2) Notice to the Licensee: The department will send written notice of the initiation of an investigation to the licensee against whom the complaint has been filed. The notice shall include a copy of the complaint and a copy of the statute and these rules. The notice will inform the licensee that inquiries or materials regarding the investigation should be addressed to the investigating panel at the address of the department.

(3) Notice to the Board: The department will send written notice to the board indicating that an investigation has been instituted regarding a licensing complaint.

(4) The inspector assigned to investigate the complaint shall inspect the work which is the

subject of the complaint and interview the complainant. The inspector may also meet and interview the licensee at the direction of the Assistant Attorney General assigned to the matter.

## **9.3 RECOMMENDED ACTION**

(1) At the conclusion of the investigation the Assistant Attorney General assigned to the matter shall make a recommendation as to whether formal proceedings should commence against the licensee.

(2) If formal disciplinary proceedings are recommended, the Assistant Attorney General shall submit a complaint describing the alleged violations, and the rules or statutes violated, with the recommendation.

(3) If the licensee is willing to admit to the charges the Assistant Attorney General may develop a stipulated settlement for approval of the Board.

(4) If no disciplinary action is recommended the case will be closed and the complainant and the licensee will be notified that no further action will be taken at this time. The matter may be reopened if new evidence is presented.

## **9.4 FORMAL HEARING BY THE BOARD**

(1) Notice and Place of Hearing: Upon the filing of a notice of charges by the investigating panel, the board will commence the hearing process by serving the notice of charges and a notice of the hearing upon the licensee. Notice will be served personally or by certified mail, return receipt requested. Copies will be sent to the members of the investigating panel and the complainant. The hearing will be scheduled at least 20 days after service.

(2) Failure to Appear: If the licensee fails to appear after proper notice has been given, the board shall hold the hearing and make a decision on the charges.

(3) A quorum of the board shall be a majority of its members.

(4) Conduct of Hearing; Receipt of Evidence; Argument: The board may admit any evidence it deems of a type commonly relied upon by reasonably prudent persons in the conduct of their affairs. All persons shall testify under oath or affirmation. The licensee or his/her attorney may examine or cross-examine witnesses, inspect documents, and explain or rebut any evidence presented to the board. The assistant attorney general, investigator, and licensee may present oral and written argument in addition to evidence, which also shall be made part of the record.

Where a licensee is not represented by counsel the board shall advise the licensee and aid in the examining and cross examining of witnesses as effectively as possible compatible with the impartial discharge of its duties as a body of impartial review.

(5) Authority of the Chair: The chair shall administer oaths to witnesses, rule on questions of evidence and upon the service of subpoenas and other notices, and do whatever is necessary and proper to conduct the hearing in a judicious, fair and expeditious manner.

(6) Disqualification of a Board Member: A member of the board shall voluntarily disqualify him or herself and withdraw from any hearing in which the member cannot act in a fair and impartial manner, or where the member has an interest in the proceedings. Any party to a hearing may request disqualification of a board member by filing an affidavit stating with particularity the grounds for disqualification. If the board member does not disqualify him or herself in response to the motion, the chair of the board shall decide the issue of disqualification. A hearing shall be held if requested by the moving party or if deemed necessary by the chair. All materials pertinent to a matter of disqualification shall be made part of the record.

If a board member is disqualified, thereby negating the quorum, the chair shall appoint a hearing officer to decide the matter in the same manner as if the board were presiding.

(7) Judgment of the Board: The board will issue a decision within a reasonable time following the conclusion of the hearing. The decision must be in writing and be signed by the members of the board. The decision shall set forth findings of fact, conclusions of fact and law, and the judgment. If a decision of the board is not unanimous, the decision of the majority will control. The minority may file a dissenting opinion.

The Board promptly shall mail or deliver a copy of its decision to the licensee, the investigating panel and, if appropriate, to the complainant. An order attached to the judgment will go into effect after the end of the 30-day appeal period, if no appeal is filed.

(8) Appeal from a Decision of the Board: A licensee aggrieved by a judgment of the board may appeal that judgment to the Supreme Court. The board may grant, or the court may order, a stay of the board's order upon application of the licensee.

(9) Transcripts: A contested case hearing shall be recorded but not transcribed unless a transcript is requested by an interested person. Transcripts will be available for cost. The board will provide an estimate of transcription cost before filling an order for transcript.

## **10. SEVERABILITY CLAUSE AND EFFECTIVE DATE**

(a) In the event any part or provision of these rules is held to be illegal, this shall not have the effect of making void or illegal any of the other parts or provisions of these rules.

(b) These rules shall take effect **October 1, 2017** and shall be known as The Vermont Electrical Safety Rules. To achieve an orderly transition for compliance with these rules:

(c) Electrical installation work in the process of construction at the time of adoption of these rules, or where a work notice has been validated and work is commenced within **30 days** of the adoption of these rules, may be completed in accordance with the 2014 Vermont Electrical Safety Rules.

## ANNEX I

### ***Title 26: Chapter 15: ELECTRICIANS AND ELECTRICAL INSTALLATIONS***

#### **Subchapter 1: General Provisions**

§ 881. Definitions

§ 882. Exceptions

#### **Subchapter 2: Regulation Of Electrical Installations By Licensing Board**

§ 891. Rules adopted by board

§ 892. Work in progress

§ 893. Commencement of work; fees; work notice; inspection of work; certificate of completion

§ 894. Energizing installations

§ 895. Issuance of order by commissioner § 896. Request for reconsideration; appeals

§ 897. Administrative penalties; enforcement; liability

§ 898. Municipal inspection

§ 899. Private inspections

#### **Subchapter 3: Licensing Electricians**

§ 901. Electricians' licensing board

§ 902. Master electricians

§ 903. Journeyman electricians

§ 904. Type-S journeyman electrician

§ 905. Application; examinations and fees

§ 906. Examinations not required

§ 907. Recognition of experience in or out of state

§ 908. Expiration and renewal of licenses; continuing education

§ 909. Revocation, suspension and refusing of renewal of license

§ 910. License not required

§ 911. Penalty

§ 913. License fees and licenses

§ 914. Members of board; per diem and expenses

§ 915. Employment of inspectors; appropriation

For full text please refer to; <http://legislature.vermont.gov/statutes/chapter/26/015>

**ANNEX II**  
**SECTION 7.8 ILLUMINATION OF MEANS**  
**OF EGRESS (NFPA 101; LIFE SAFETY**  
**CODE, 2015 EDITION)**

7.8 Illumination of Means of Egress.

7.8.1 General.

7.8.1.1\* Illumination of means of egress shall be provided in accordance with Section 7.8 for every building and structure where required in Chapter 11 through Chapter 43. For the purposes of this requirement, exit access shall include only designated stairs, aisles, corridors, ramps, escalators, and passageways leading to an exit. For the purposes of this requirement, exit discharge shall include only designated stairs, aisles, corridors, ramps, escalators, walkways, and exit passageways leading to a public way.

7.8.1.1 Illumination of means of egress shall be continuous during the time that the conditions of occupancy require that the means of egress be available for use, unless otherwise provided in 7.8.1.2.2.

7.8.1.1.1 Artificial lighting shall be employed at such locations and for such periods of time as are necessary to maintain the illumination to the minimum criteria values herein specified.

7.8.1.2.2\* Unless prohibited by Chapters 11 through 43, automatic lighting control devices shall be permitted to temporarily turn off illumination within the means of egress, provided that each lighting control device complies with all of the following:

- (1) In new installations, the lighting control device is listed.
- (2) The lighting control device is equipped to automatically energize the controlled lights upon loss of normal power and is evaluated for this purpose.
- (3) Illumination timers are provided and are set for a minimum 15-minute duration.
- (4) The lighting control device is activated by any occupant movement in the area served by the lighting units.
- (5) In new installations, the lighting control device is activated by activation of the building fire alarm system, if provided.
- (6) The lighting control device does not turn off any lights relied upon for activation of photoluminescent exit signs or path markers.

(7) The lighting control devices does not turn off any battery-equipped emergency luminaries, unit equipment, or exit signs.

7.8.1.2.3\* Energy-saving sensors, switches, timers, or controllers shall be approved and shall not compromise the continuity of illumination of the egress required by 7.8.1.2.

7.8.1.2 The floors and other walking surfaces within an exit and within the portions of the exit access and exit discharge designated in 7.8.1.1 shall be illuminated as follows:

- (1) During conditions of stair use, the minimum illumination for new stairs shall be at least 10 ft-candle (108 lux), measured at the walking surfaces.
- (2) The minimum illumination for floors and walking surfaces, other than new stairs during conditions of the stair use, shall be to values of at least 1 ft-candle (10.8 lux), measured at the floor.
- (3) In assembly occupancies, the illumination of the walking surfaces of exit access shall be at least 0.2 ft-candle (2.2 lux) during periods of performances or projections involving directed light.
- (4)\* The minimum illumination requirements shall not apply where operations or processes require low lighting levels.

7.8.1.4\* Required illumination shall be arranged so that the failure of any single lighting unit does not result in an illumination level of less than 0.2 ft-candle (2.2 lux) in any designated area.

7.8.1.3 The equipment or units installed to meet the requirements of Section 7.10 also shall be permitted to serve the function of illumination of means of egress, provided that all requirements of Section 7.8 for such illumination are met.

7.8.2 Sources of Illumination.

7.8.2.1 Illumination of means of egress shall be from a source considered reliable by the authority having jurisdiction.

7.8.2.2 Battery-operated electric lights and other types of portable lamps or lanterns shall not be used for primary illumination of means of egress. Battery-operated electric lights shall be permitted to be used as an emergency source to the extent permitted under Section 7.9.

## ANNEX III - HOW TO OBTAIN STANDARDS AND REFERENCE DOCUMENTS

American Society for Testing and Materials  
100 Barr Harbor Drive  
PO Box C700  
West Conshohocken PA 19428-2959  
(610) 832-9500  
[www.astm.org/](http://www.astm.org/)

National Fire Protection Association  
Fulfillment Center  
11 Tracy Drive  
Avon, MA 02322-9910  
(800) 344-3555  
[www.nfpa.org/](http://www.nfpa.org/)

Underwriters Laboratories Inc.  
333 Pfingsten Road  
Northbrook IL 60062  
(877-854-3577)  
[www.ul.com](http://www.ul.com)

IEEE Operations Center  
445 Hoes Lane,  
Piscataway, N.J. 08854-4141  
(732) 981-0060

## ANNEX IV – HOW TO CONTACT THE DIVISION OF FIRE SAFETY

The Division of Fire Safety has four regional offices:

**Barre:**

1311 U.S. Route 302  
Suite 500  
Barre, VT 05641  
Main Phone: (802) 479-4434  
Toll Free: (888) 870-7888  
Fax: (802) 479-4446

**Rutland:**

56 Howe St.  
Building A, Suite 200  
Rutland, VT 05701  
Main Phone: (802) 786-5867  
Toll Free: (888) 370-4834  
Fax: (802) 768-5872

**Springfield:**

100 Mineral St.  
Suite 307  
Springfield, VT 05156  
Main Phone: (802) 885-8883  
Toll Free: (866) 404-8883  
Fax: (802) 885-8885

**Williston:**

380 Hurricane Lane  
Suite 101  
Williston, VT 05495  
Main Phone: (802) 879-2300  
Toll Free: (800) 366-8325  
Fax: (802) 879-2312

**The Division of Fire Safety Central Office is:**

1311 U.S. Route 302 - Suite 600 Barre, VT 05641  
Main Phone: (802) 479-4761 Toll Free: (800) 640-2106 Fax: (802) 479-7562

**[www.firesafety.vermont.gov](http://www.firesafety.vermont.gov)**