



Exemption from engineering requirements

Agenda Item IV.D.

Purpose of the rule:

This temporary rule creates an exemption for a General Journeyman Electrician or a Class A Limited Energy Technician, who is employed by an electrical contractor and acting as the contractor's signing supervisor, to design, plan and layout the electrical portions of a fire protection system.

This temporary rule is effective July 25, 2008.

Citation:

Adopt: OAR 918-261-0015.

History:

Concerns regarding who can design, plan and layout of electrical portions of fire protection systems began to surface approximately five years ago. Prior to that time it was common practice for licensed electrical contractors to design and install noncomplex electrical systems, including the electrical portions of fire protection systems, without additional requirements for design or review by a registered professional engineer. These concerns were addressed by the Legislature in 2005 with the passage of House Bill 2596, which created an exemption in ORS 479.860 for certain electrical licensees from engineering requirements when designing noncomplex installations.

In May of 2008, the Oregon State Board of Examiners for Engineering and Land Surveying (OSBEELS) issued a statement that attempted to clarify that "unless an exception to the engineering laws apply, the design of fire protection systems must be performed under the supervision and control of a registered professional engineer or licensed architect."

After OSBEELS issued its statement, the division was contacted by representatives of both industry and local government, who requested that the division clarify and address this issue.

At the July 24, 2008 meeting of the Electrical and Elevator Board, the board provided input to the division regarding adopting a temporary rule that would allow licensed employees of electrical contractors to design, plan and lay out the electrical portions of fire protection systems.

Contact:

If you have questions or need further information, please contact Policy Analyst Matt Barber at (503) 373-1227, or Matthew.E.Barber@state.or.us .



**Engineer Exemption
Temp Rule Effective 7-25-08**

OAR 918-261-0015

Exemption from engineering requirements for design of fire protection systems

(1) As used in this rule, “fire protection system” has the meaning given that term in OAR 918-305-0110.

(2)(a) A general journeyman or class “A” limited energy technician licensee may design, plan, and lay out the electrical portion of a fire protection system for the contractor’s customer, if the licensee is employed by a licensed electrical contractor and acting both within the scope of the licensee’s license and as a signing supervisor.

(b) The electrical design documents for a fire protection system that are prepared by a general journeyman or class “A” limited energy technician licensee under paragraph (a) of this subsection are exempt from ORS 671.025 and do not require the stamp of an Oregon registered architect or professional engineer.

(3) General journeyman and class “A” limited energy technician licensees are not subject to any requirements for an additional license, permit, certificate, or registration when engaging in the design, planning or laying out of the electrical portions of a fire protection system as authorized by this rule.

(4) For the purposes of ORS 479.860(2), and the exemption created in subsection (2) of this rule, the electrical portion of a fire protection system is a noncomplex electrical installation.

Statutory Authority: ORS 479.860

Statute Implemented: ORS 479.860

History: BCD 14-2008 (Temp), f. & cert. ef. 7-25-08 thru 1-21-09