

State of Oregon  
**ELECTRICAL AND ELEVATOR BOARD**  
Regular Meeting Minutes

**May 22, 1997**

**MEMBERS PRESENT:** Walt Conner, Chairman  
Donald Bass  
Brian Christopher  
Bill Coulter  
Jack Donaldson  
Stephen Dyrnes  
Keith Edwards  
Dean Erickson  
Robert Kelly  
Timothy McAchran  
Eugene Morgan  
Nathan Philips  
Michael Schweizer

**MEMBERS ABSENT:** Wolfgang Grube (Excused)

**STAFF PRESENT:** Joe Brewer, Administrator  
Junior Owings, Chief Electrical Inspector and Board Secretary  
Jim Runyan, Chief Elevator Inspector  
Rick Lloyd, Assistant Manager, Statewide Services  
Louann Goffin, Rules Coordinator  
Brad Morris, Compliance Officer  
Marilyn Benton, Boards Coordinator/Recorder

**GUESTS PRESENT:** Bill Coburn, Linco Electric  
Dave Hamblin, Boise Cascade  
Chuck Mello, Electro-Test, Inc.  
Mike Murphy, Metro Training Center  
Nolan Shefstad, James River Corp.  
Jack Jones, Crater Lake Electrical JATC  
John Gervais, National Electrical Contractors Association (NECA)  
Will Barnett, City of Gresham  
Basil Shamsid-Dean, Underwriters Laboratories, Inc. (UL)  
Jim Pierce, Intertek Testing Services/ETL  
R. E. Woods, City of Portland  
Ron Hernandez, Commercial Furnishings, Inc.  
Dave Keim, Rose City Moving & Storage  
Donald Faulkner, City of Portland  
Jeff Neubert, Smith Brothers Office Environments, Inc.

Garrett Lang, Oregon Department of Transportation  
Cliff Warde, Department of Consumer and Business Services  
Ron MacAskill, Willamette Industries, Inc.  
Tony Spencer, Bureau of Labor & Industries, Apprenticeship &  
Training Division (BOLI/ATD)

## **I BOARD BUSINESS**

### **I.A Call to Order**

Chairman Conner called the Electrical and Elevator Board to order at 9:30 a.m. The meeting was held at the Building Codes Division, 1535 Edgewater NW, Salem, Oregon.

### **I.B Roll Call**

Wolfgang Grube was absent (excused.)

### **I.C Approval of Agenda and Order of Business**

Chairman Conner **RULED** the agenda approved as mailed.

### **I.D Approval of the April 24, 1997, Minutes**

Chairman Conner **RULED** the minutes approved as submitted.

### **I.E Date of the Next Regularly Scheduled Meeting**

June 26, 1997

## **II PUBLIC COMMENT**

**Bill Coburn, Signing Supervisor and Traffic Signal Department Manager, Linco Electric**, brought to the board's attention an instance in which an inspector refused to approve a service because the branch circuit was connected to an unlisted traffic signal cabinet. Mr. Coburn understands these cabinets have never been listed, although the issue has been raised previously. The cabinet and all equipment installed in it must be considered. To further complicate the issue, traffic signal cabinets and equipment are generic, but each intersection is different and no two cabinets are identical. He asked that the industry be allowed time to come into compliance if current rules and regulations are now going to be enforced.

**Basil Shamsid-Deen, Underwriters Laboratories, Inc. (UL)**, said UL has been working with the State of Washington to assist its Department of Transportation (DOT) in listing traffic signal cabinets. Approval of these devices will remain with the Washington DOT. He will forward a report to Chairman Conner.

Board members questioned whether or not contractors can be allowed to complete projects while this matter is being decided. Mr. Owings advised that a third-party inspection would be appropriate, and that the board may grant partial or complete exemptions.

**MOTION** by Nathan Philips that the board request the division to instruct its field inspectors and the local jurisdictions to continue enforcement of statute provisions with respect to traffic signals as they have in the past, and not to make changes in enforcement practices until the issue is resolved.

**MOTION CARRIED UNANIMOUSLY.**

Mr. Owings said this matter will be included on the earliest possible meeting agenda.

### **III REPORTS**

#### **III. A Compliance Cases - Brad Morris**

##### **Default Orders**

- 1. James Turner, assessment of \$250 civil penalty for arranging for installations without a permit.**

Division recommends a \$250 civil penalty for violation of ORS 479.550(1) for arranging for the making of electrical installations without first obtaining a valid electrical permit.

**MOTION** by Don Bass to adopt division recommendation.

**MOTION CARRIED UNANIMOUSLY.**

- 2. John Turner, assessment of \$250 civil penalty for making installations without a license.**

Division recommends a \$250 civil penalty for violation of ORS 479.620(3) for making electrical installations without a valid Oregon Supervising or Journeyman's License.

**MOTION** by Don Bass to adopt division recommendation.

**MOTION CARRIED UNANIMOUSLY.**

**3. Woodstylers Manufacturing Company, assessment of \$250 civil penalty for making installations without a contractor's license.**

Division recommends a \$250 civil penalty for violation of ORS 479.620(1) for engaging in the business of making electrical installations without a valid Oregon Electrical Contractor's License.

**MOTION** by Stephen Dyrnes to adopt division recommendation in Case 3.  
**MOTION CARRIED UNANIMOUSLY.**

**4. Steve Hoppe, assessment of \$250 civil penalty for making installations without a license.**

Division recommends a \$250 civil penalty for violation of ORS 479.620(3) for making electrical installations without a valid Oregon Supervising or Journeyman's License.

**MOTION** by Eugene Morgan to adopt division recommendation.  
**MOTION CARRIED UNANIMOUSLY.**

**Unanimous Consent Calendars**

**a. Default Orders**

Division recommends adoption of balance of calendar.

**MOTION** by Eugene Morgan to adopt division recommendation.  
**MOTION CARRIED UNANIMOUSLY.**

**5. AGRA Earth & Environmental Inc., assessment of \$500 civil penalties for making an installation without a contractor's license or permit.**

**6. Blachly-Lane Electric Co-op, dismiss proposed civil penalty assessment and close case.**

**7. Jerry Sutton, dismiss 1/97 default order and approve 5/97 order correcting errors in original order.**

**8. Tube-Art Displays, Inc., assessment of \$250 civil penalty for failing to call for an inspection.**

**b. Citations**

9. **Anthony Arnett dba Best Friends Construction, \$250 civil penalty for making an installation without a contractor's license.**
10. **Brian Busacker, assessment of \$500 civil penalty for making an installation without a license or permit.**

**c. Reconsideration**

11. **Robert Cole dba Candy Cole Advertising, dismissal of default order.**

*(This matter was heard in executive session.)*

**III. B Staff Report - Junior Owings**

At the last meeting, the board approved a motion to establish a pilot program to develop criteria for approving A-level electrical inspectors which would give the Chief Electrical Inspector authority to approve applicants to sit for the examination, that applicants be required to pass the supervising electrician examination and to have five years experience as an A-level electrical inspector in another state, and that the motion be accomplished in addition to the current licensing process in place.

**John Gervais** commented that Senate Bill 822 does not require the board to pass on each individual applicant. It was decided that Mr. Owings will continue presenting individual applications to the board until this issue is finally determined.

**III. C Staff Report - Jim Runyan**

Mr. Runyan distributed copies of the April 1997 Elevator Safety Program Report (Exhibit "B") and Elevator Accident History (Exhibit "C"). New construction and alteration inspections are averaging 42 per month.

Referring to the accident report, Mr. Runyan explained that staff looks at the environment when problems are concentrated in a particular area. These incidents are **reported** as injury accidents, although in some cases there is no substantiation of injury. In some instances, there may be human error and no equipment fault. The report is being refined to indicate whether an inspector visited the site or the report was resolved by telephone, and to indicate final disposition.

**IV COMMUNICATIONS - None.**

**V APPEALS - None.**

## **VI UNFINISHED BUSINESS**

### **VI.A Board Approval of Interpretive Ruling 96-17 Relating to Licensing Requirements for Installing Prefabricated Electrical Wiring in Portable Office Partitions**

A task force recommendation was presented at the April 24, 1997, board meeting and was referred back. The proposed ruling language incorporates the task force's latest revisions.

Mr. Owings distributed copies of a May 12, 1997, memo from Dave Keim, Rose City Moving & Storage (Exhibit "D"), suggesting language referring to the fourth question of who may perform electrical interconnection and assembly of these systems. Mr. Owings recommended Interpretive Ruling 96-17 be adopted, amended to incorporate Mr. Keim's proposal.

**MOTION** by Brian Christopher to adopt Interpretive Ruling 96-17, as amended.  
**MOTION CARRIED UNANIMOUSLY.**

### **VI.B Board Input on Staff Advisory on Scope of Work Allowed by Limited Manufacturing Plant Supervisors and Limited Manufacturing Plant Journeyman**

For discussion purposes, Mr. Owings distributed copies of staff's proposed Technical Advisory defining "operable facility" (Exhibit "A"). Questions arose about the meaning of the word "operable" when a plant is shut down for maintenance or repair, and whether or not in-plant electrical staff can install wiring when an addition is made to an existing building. Staff made every effort to be consistent with master permit requirements allowing an addition attached to an existing building, not to exceed 25 percent of the existing building's square footage area. Mr. Owings noted the advisory states "...addition which is **attached** to an existing building....."

Administrator Brewer said it would be beneficial, administratively and from a compliance standpoint, to clarify this issue, which Senate Bill 7 addresses. The advisory refers to "a facility which has been in **production** and use...."

Don Bass said that when a registered professional engineer or a signing supervisor is on site, in-plant personnel should be allowed to do the work. Nathan Philips remarked that the "attached to an existing building" requirement should not be included because the addition could be a small detached 40-square-foot structure, explaining that "25 percent" is arbitrary. Mr. Bass agreed. Mr. Christopher understood this advisory would apply to large facilities such as hospitals and schools occupied by the general public, as well as plants with large work forces. Board members noted that required expertise would be the same whether referring to size of the structure, or to the type of structure; *e.g.*, hospital, school, or factory.

**Chuck Mello, Electro-Test, Inc.**, suggested the interpretation state that a manufacturing facility or industrial plant be one primarily occupied by employees of the manufacturer and not accessible to the general public.

**MOTION** by Nathan Philips that "operable facility" be defined as "those portions of an existing manufacturing or industrial plant not normally accessible to the general public, excluding the service disconnect and equipment upstream thereof. An operable facility may be shut down for up to one year for maintenance, repair, remodel, replacement of equipment, or due to market conditions."

**MOTION CARRIED UNANIMOUSLY.**

The division will communicate this information to the field, jurisdictions, industry, and interested parties

#### **VI.C Discussion of Rule Making for Three-Year Limited Elevator Journeyman License Apprenticeship Program**

At its April 24, 1997, meeting, the board accepted revised rule language. However, there was no motion to send the rule to public hearing or to continue with rule making. Mr. Runyan explained that, as the three licensee cases were resolved at the last board meeting, staff recommends the rule not be adopted because this issue properly should go through legislation, and staff further recommends the board establish criteria by which it will evaluate elevator apprenticeship programs.

**MOTION** by Bill Coulter to dismiss rule making for the three-year Limited Elevator Journeyman License Apprenticeship Program.

**MOTION CARRIED UNANIMOUSLY.**

**MOTION** by Timothy McAchran that the board appoint a committee to look into an apprenticeship program and establish mechanical and electrical criteria for license certification in concert with legislation and rules.

**MOTION CARRIED UNANIMOUSLY.**

Chairman Conner, Stephen Dyrnes, Timothy McAchran, Tony Spencer, Frank Regalado, Brian Christopher, Jack Jones, Dan Campbell, and Jim Runyan will serve on the committee.

## **VII NEW BUSINESS**

### **VII.A Board Approval of Training Program for Limited Building Maintenance Electricians Submitted by Clackamas Community College**

Staff recommends approval of the training program.

**MOTION** by Robert Kelly to approve division recommendation, but delete "or An equivalent combination of experience and credentials determined by Clackamas Community College's Manufacturing Technology Department Chair" from sections 2, 3 and 4.

**MOTION CARRIED UNANIMOUSLY.**

### **VII.B Board Discussion and Consideration for Development of a Temporary Rule to Delay Continuing Education Requirements for Persons Previously Exempt, Due to the Lack of Continuing Education Courses Relating to Limited Licenses**

Under new rules effective October 1, 1996, these licensees are required to have a minimum of four hours and a maximum of eight hours of code change each code cycle. The only courses currently approved by the board and available to fulfill code change requirements are in areas in which limited license holders are not allowed to work or may have no knowledge. On October 1, 1997, the division will send notices to all licensees who have not attended code change classes. The division elected not to offer code change classes in 1998. However, classes may be available through private sources. Bill Coulter said the elevator industry has numerous classes available, which have not been submitted for division approval. No action was taken at this meeting.

## **VIII ANNOUNCEMENTS**

Bob Kelly said Washington County did not move on the intergovernmental signalization agreement with Tri-Met because Tri-Met chose to go to the legislature for approval through a rider attached to Senate Bill 147 submitted by the Oregon Department of Transportation. Inspection authority is delegated to the division, via the Department of Consumer and Business Services. The National Electrical Contractors Association supported this effort.

## **IX ADJOURNMENT**

Chairman Conner adjourned the meeting at 12:00 noon.

Respectfully submitted,

Marilyn Benton  
Boards Coordinator/Recorder

*Exhibits:*

- A. Technical Advisory draft (Agenda VI.B)
- B. April 1997 Elevator Safety Program report (Agenda III.C)
- C. Elevator Accident History (Agenda III.C)
- D. May 12, 1997, FAX from Dave Keim (Agenda VI.A)