

Chapter 918 Department of Consumer and Business Services, Building Codes Division

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918-309-0030	Permits for Residential Wiring	918-400-0458	Amendments to the Oregon Elevator Specialty Code
918-309-0040	Permit for the Installation, Alteration or Relocation of an Electrical Service or Feeder	918-400-0465	Elevator Maintenance Requirements
918-309-0050	Permits for the Temporary Service or Temporary Feeder	918-400-0475	Interpretation — Accessibility
918-309-0060	Branch Circuits	Plan Preview	
918-309-0070	Miscellaneous	918-400-0525	Plan Review Requirements
918-309-0080	Temporary Electrical Permit Rule	918-400-0535	Installation and Alteration Permits — Interpretation
918-309-0090	Rules for Electrical Contractors Desiring to Make Electrical Installations Under Working Permits	918-400-0545	Permits for Installation or Alteration
Master Permit Program		Inspections	
918-309-0100	Master Permit Program Under ORS 479.560(3)	918-400-0600	Initial Inspections
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918-309-0210	Use of Minor Installation Labels	918-400-0630	Provisional Permits for Elevators Under Construction
918-309-0220	Scope of Electrical Work Allowed With Minor Installation Label	918-400-0640	Provisional Permits for New Installations
918-309-0260	Misuse of Minor Installation Labels		
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918-400-0770	Withdrawal of Exceptions

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DIVISION 440

MECHANICAL SPECIALTY CODE

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918-440-0010	Adopted Oregon Mechanical Specialty Code
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918-440-0040	Amendments to the Oregon Mechanical Specialty Code
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DIVISION 450

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DIVISION 460

STRUCTURAL SPECIALTY CODE

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918-460-0015	Amendments to the Structural Specialty Code
918-460-0016	Townhouse and Rowhouse Construction
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918-460-0040	Fire and Life Safety Plan Review Fee
918-460-0050	Structural Permit Fees
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DIVISION 470

ABATEMENT OF BUILDINGS DAMAGED BY EARTHQUAKE

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918-470-0040	Identifying Unsafe Buildings and Structures
918-470-0050	Enforcement and Notice
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DIVISION 480

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918-480-0005	Minimum Safety Standards for the Design and Construction of Residential Dwellings
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918-480-0020	One- and Two-Family Dwelling Permit Fees
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DIVISION 500

MANUFACTURED DWELLINGS

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918-500-0010	Objective
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918-500-0021	Amendments to the Manufactured Dwelling and Park Specialty Code
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918-500-0040	Manufactured Home Disclosures
918-500-0055	Division Position on Delegation and Revocations of Authority to Local Government

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918-500-0100	General Manufacturer, Dealer and License Fees
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Registration and Certification

918-500-0300	Manufacturer Registration
918-500-0310	Manufacturer Certification
918-500-0320	Change of Ownership
918-500-0330	Change of Name, Address or Location
918-500-0340	Production Discontinuance
918-500-0400	Required Inspection
918-500-0410	Inspection Request
918-500-0420	Notice of Violations
918-500-0430	Field Technical Service
918-500-0450	Insignia and Label Requirements
918-500-0470	Denial of Insignia

DIVISION 515

INSTALLER LICENSING AND EDUCATIONAL PROVIDER APPROVAL

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Educational Provider

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918-515-0040	Continuing Approval of Education Providers

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918-515-0060 Scope of Work
918-515-0080 Revocation or Suspension of Provider Approval

Manufactured Dwelling Installer License

918-515-0110 Requirements for Installer License
918-515-0150 Installer Responsibilities and Limits

Certification Tags

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918-515-0310 Certification Tag Installation
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918-515-0340 Monthly Certification Tag Report

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918-515-0415 Temporary Limited Installer License
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Limited Skirting Installer License

918-515-0480 Requirements for Limited Skirting Installer License
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DIVISION 520

HEAT PRODUCING APPLIANCES

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918-520-0090 Pellet-Fired Appliance Fuels
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DIVISION 525

SAFETY AND CONSTRUCTION STANDARDS FOR RECREATIONAL VEHICLES

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918-525-0015 Objective
918-525-0020 Equipment and Equipment Installations
918-525-0035 Allowable Floor Areas
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918-525-0045 Park Trailer Disclosures
918-525-0055 Park Trailer License Requirements
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918-525-0065 Compliance Monitoring of Manufacturers
918-525-0070 Manufacturer Registration
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918-525-0110 Vehicle Identification

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918-525-0160 Compliance Monitoring of Repair Operations
918-525-0170 Repair Operation Compliance Procedures

Plans and Specifications

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918-525-0320 Inspection and Approval
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918-525-0360 Field Technical Service
918-525-0370 Permit Requirements

Insignia of Compliance

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Fees

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DIVISION 530

PARK TRAILER AND CABANA INSTALLATION STANDARDS

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918-530-0040 Anchoring Systems
918-530-0050 Skirting
918-530-0060 Ventilation
918-530-0070 Electrical Connections
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918-530-0090 Mechanical
918-530-0100 Fuel Supply
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918-530-0120 Rodent Proofing
918-530-0310 Recreational Vehicle Accessory Building and Structure Size, Construction and Placement
918-530-0320 Cabanas
918-530-0330 Awnings and Carports
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DIVISION 550

OWNERSHIP DOCUMENT REQUIREMENTS

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918-550-0010 Definitions
918-550-0100 Ownership Document Requirements

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918-550-0140	Notice of Transfer of Interest in Manufactured Structure
918-550-0160	Recording of Manufactured Structure in County Deed Records
918-550-0180	Demonstration of Ownership for Lost or Misplaced Ownership Documents
918-550-0200	Abandoned Manufactured Structures

Trip Permits

918-550-0600	Trip Permit Requirements
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DIVISION 600

MANUFACTURED DWELLING PARKS AND MOBILE HOME PARKS

918-600-0005	Definitions
918-600-0010	Scope
918-600-0020	Permit Required
918-600-0030	Fees — Expiration — Validity

DIVISION 650

RECREATION PARKS AND ORGANIZATIONAL CAMPS

918-650-0000	Reasonable Notice to Interested Parties
918-650-0005	Definitions
918-650-0010	Scope
918-650-0015	Purpose
918-650-0020	Permit Required
918-650-0025	Coordinating Regulation
918-650-0030	Fees — Expiration — Validation
918-650-0035	Plans and Specifications
918-650-0040	Inspections
918-650-0045	General Construction Requirements
918-650-0050	Toilets
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918-650-0065	Temporary Recreation Parks
918-650-0070	Alternate, Materials and Interpretations; Appeals
918-650-0075	Existing Parks
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DIVISION 674

PREFABRICATED CONSTRUCTION

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918-674-0005	Definitions
918-674-0013	Manufacturer Registration
918-674-0015	Responsibility for Services
918-674-0023	Codes and Standards
918-674-0025	Plumbing Exception
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918-674-0038	Installations
918-674-0043	Reciprocity

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918-674-0055	Inspections
918-674-0060	Compliance Control Programs
918-674-0065	Plan Requirements
918-674-0075	Out-of-State Applicant
918-674-0085	Plan Approval Expiration
918-674-0090	Changes to Approved Plans
918-674-0095	Transfer of Approvals
918-674-0100	Change of Name or Address
918-674-0105	Production Discontinued by Manufacturer
918-674-0115	Compliance and Right of Entry
918-674-0125	Proprietary Material
918-674-0130	Insignia(s) of Compliance Required
918-674-0135	Lost or Damaged Insignia of Compliance
918-674-0145	Unit Identification
918-674-0150	Components

918-674-0155	State Fees
918-674-0200	Third-Party Inspection and Plan Review
918-674-0210	Third-Party Certification Application
918-674-0220	Inspector Certification Requirements
918-674-0230	Insurance Requirements
918-674-0240	Conflict of Interest and Collusion
918-674-0250	Contractual Agreements
918-674-0260	Third-Party Certification Renewal
918-674-0270	Revocation of Third-Party Certification and Appeal Process
918-674-0280	Record Keeping Requirements
918-674-0290	Reporting Requirements
918-674-0300	Monitoring of Third Parties

DIVISION 690

ADMINISTRATION AND DEFINITIONS

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918-690-0300	Reasonable Notice to Interested Parties
918-690-0310	Description of the Division Organization
918-690-0320	Purpose
918-690-0325	Requirement to Display License

Part B — Hearings and Adjudicatory Procedures

918-690-0330	Attorney General Model Rules of Procedure
918-690-0340	Requests for Code Interpretation
918-690-0350	Plumbing Specialty Code Appeals, ORS 455.690
918-690-0360	Plumbing Specialty Code Change Procedures

Part D — Definitions

918-690-0410	Cross Reference to Statutes
918-690-0420	Definitions
918-690-0430	Filing of Proof of Insurance by Installers of Low-Flow Showerheads or Faucet Aerators

DIVISION 695

LICENSING AND CONTINUING EDUCATION

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918-695-0000	Authority, Scope and References
918-695-0020	License Exemptions
918-695-0030	Journeyman Plumber Qualifications
918-695-0035	Medical Gas Installer License
918-695-0038	Special Business Registration and Installer Certification for Medical Gas Systems
918-695-0040	Journeyman Examination
918-695-0100	Procedures for Submitting Training Proposals for Limited Specialty Plumbers
918-695-0110	Reciprocal Agreements
918-695-0120	Limited Specialty Plumber Classification for Limited Maintenance Electrical Contractors
918-695-0125	Limited Specialty Plumber Certificate of Competency for Solar Heating and Cooling System Installers
918-695-0130	Limited Specialty Plumber Classification for Water Treatment Installers
918-695-0140	Apprentice Plumbers — Interpretations

Part D — Certification of Plumbing Inspectors

918-695-0400	Rules Establishing Certification for Plumbing Inspectors
918-695-0410	Certification for Medical Gas Plumbing Inspectors

DIVISION 750

CODES

General

918-750-0100	Scope of the Plumbing Specialty Code
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918-750-0110	Plumbing Specialty Code
918-750-0120	Application to Existing Buildings
918-750-0130	Moved Buildings
918-750-0140	Alternate Materials and Methods of Construction
918-750-0150	Validity
918-750-0160	Emergency Disconnect Authority
918-750-0170	Conflict of Interest
918-750-0180	Water Conservation Plumbing Fixture and Fitting Exemptions
918-750-0190	Engineered Plumbing Systems

DIVISION 770

PRODUCT APPROVALS

918-770-0050	Purpose
918-770-0060	Notice
918-770-0070	Definitions

Composting Toilet Rules

918-770-0080	Construction and Installation of Composting Toilets
918-770-0100	Approval of Testing Laboratories
918-770-0110	Standards of Approval for Bodies Operating Product Certification Systems
918-770-0120	Application Procedures
918-770-0130	Revocation of Approval
918-770-0140	Change in Status
918-770-0200	Product Certification by Special Deputies
918-770-0210	Submission of Plumbing Products for Approval by Special Deputy
918-770-0220	Fees and Procedures
918-770-0230	Special Deputy Certification Procedures
918-770-0300	Certification Marks and Product Standards Identification
918-770-0320	Approved Plumbing Product Standards and Specifications
918-770-0330	Exempt Plumbing Products

DIVISION 780

FEES, PERMITS, INSPECTIONS

918-780-0030	Examination Fees
918-780-0035	Exempt Ordinary Minor Plumbing Repairs
918-780-0040	Plumbing Plan Reviews
918-780-0045	Medical Gas System Plan Reviews
918-780-0050	Qualifications for Persons Performing Plumbing and Medical Gas Systems Plan Reviews
918-780-0060	Permit Application
918-780-0070	Permit Expiration
918-780-0080	Plumbing Permit Fees

Plumbing Inspections

Minor Plumbing Installations Subject to Random Inspections

918-780-0130	Use of Minor Installation Labels
918-780-0140	Scope of Plumbing Work Allowed with Minor Installation Label

DIVISION 785

ENFORCEMENT

918-785-0100	Plumbing Section
918-785-0110	Powers and Duties of the Chief Plumbing Inspector
918-785-0200	Inspection and Enforcement
918-785-0210	Calls for Inspection
918-785-0220	Requests for Inspection and Notice of Results
918-785-0230	Correction of Defects

DIVISION 1

PROCEDURAL RULES

918-001-0000

Notice of Proposed Rules

Before the adoption, amendment or repeal of any rule in OAR chapter 918, except temporary rules adopted under ORS 183.335, the Building Codes Division shall give notice of the intended action:

(1) In the Secretary of State's Bulletin referred to in ORS 183.360 at least 21 days before the effective date of the rule;

(2) By mailing a copy of the notice to persons and organizations on the division's mailing lists established pursuant to ORS 183.335(8) at least 28 days before the effective date of the rule;

(3) By mailing or furnishing a copy of the notice to:

(a) The Associated Press; and

(b) The Capitol Press Room.

Stat. Auth.: ORS 455.110

Stats. Implemented: ORS 183.335

Hist.: BCA 20-1989, f. & cert. ef. 8-1-89; BCD 26-1996, f. & cert. ef. 12-4-96; BCD 18-2004, f. 9-30-04, cert. ef. 10-1-04

918-001-0005

Definitions

As used in OAR chapter 918, unless the context requires otherwise:

(1) "Administrator" means the Administrator of the Building Codes Division.

(2) "Department" means the Department of Consumer and Business Services.

(3) "Division" means the Building Codes Division.

(4) "Model Rules" means the Attorney General's Model Rules of Procedure as adopted in OAR 918-001-0010.

Stat. Auth.: ORS 455.110

Stats. Implemented: ORS 192.440

Hist.: BCA 20-1989, f. & cert. ef. 8-1-89; BCD 1-1998, f. 1-28-98, cert. ef. 4-1-98

918-001-0006

Specialty Code Name Change

Effective April 1, 2005, all references in OAR 918, except those found in OAR 918 division 098, are changed from the Oregon One-and-Two-Family Dwelling Specialty Code to the Oregon Residential Specialty Code. Nothing in this rule is intended to change the required criteria or scope of work allowed for permits, licensees, certificates, inspectors or plans examiners.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 455.144

Stats. Implemented: ORS 455.144

Hist.: BCD 6-2005, f. & cert. ef. 4-1-05

918-001-0010

Model Rules of Procedure

The Director adopts by reference the Attorney General's Model Rules for rulemaking, OAR 137-001-0005 through 137-001-0100, effective January 1, 2006.

[ED. NOTE: The full text of the Attorney General's Model Rules of Procedure is available from the office of the Attorney General or Building Codes Division.]

Stat. Auth.: ORS 183.341

Stats. Implemented: ORS 183.341

Hist.: BCA 20-1989, f. & cert. ef. 8-1-89; BCA 32-1993, f. 12-14-93, cert. ef. 1-1-94; BCD 12-1994, f. & cert. ef. 4-29-94; BCD 5-1996, f. & cert. ef. 3-29-96; BCD 8-1998, f. & cert. ef. 6-2-98; BCD 21-2000, f. & cert. ef. 9-19-00; BCD 32-2002, f. 12-20-02, cert. ef. 1-1-03; BCD 18-2004, f. 9-30-04, cert. ef. 10-1-04; BCD 2-2006, f. & cert. ef. 2-13-06

918-001-0025

Division Representation by Authorized Officer or Employee at Contested Case Hearings

(1) The administrator, deputy administrator or compliance officer of the Building Codes Division is authorized to appear on behalf of the division, pursuant to ORS 183.450, at the following types of contested case hearings:

(a) Civil penalty hearings; and

(b) Hearings held on appeals made to the division under ORS 479.853 by persons aggrieved by a decision made upon inspection authority under ORS 455.150 or 479.510 to 479.860 of an electrical product or electrical installation.

(2) In all other contested case hearings officers or employees of the division may appear on behalf of the division only if prior written

consent is obtained from the Attorney General or Deputy Attorney General.

Stat. Auth.: ORS 183.450
Stats. Implemented: ORS 183.450
Hist.: BCA 12-1989(Temp), f. & cert. ef. 5-5-89; BCA 21-1989, f. 7-19-89, cert. ef. 8-1-89; BCD 26-1996, f. & cert. ef. 12-4-96

918-001-0030

Authorized Non-Attorney Representation

The following are adopted as rules of procedure for the Building Codes Division, except a board with independent rulemaking authority adopts other procedural rules for itself.

(1) A party or limited party participating in a contested case hearing in which a corporation appears may be represented by an authorized representative of the party or limited party.

(2) On or before the first appearance in a contested case hearing by an authorized representative, the authorized representative must provide the presiding officer a letter from the party or limited party that authorizes the representative to appear on behalf of the party or limited party.

(3) The presiding officer may limit an authorized representative's presentation of evidence, examination and cross-examination of witnesses or presentation of factual arguments to ensure the orderly and timely development of the hearing record. The presiding officer shall not allow an authorized representative to present any legal argument.

(4) As used in this rule:

(a) "Authorized representative" means:

(A) A member of a partnership that is a party;

(B) A limited party in the contested case;

(C) An authorized officer or regular employee of a corporation, association or organized group that is a party or limited party in the contested case; or

(D) An authorized officer or employee of a governmental authority other than a state agency, that is a party or limited party in the contested case.

(b) "Legal argument" includes any argument on:

(A) The jurisdiction of the department or board to hear the contested case;

(B) The constitutionality of a statute or rule or the application of a constitutional requirement; or

(C) The application of court precedent to the facts of the contested case.

(c) Legal argument does not include presentation of evidence, examination and cross-examination of witnesses, presentation of factual arguments, or any argument on:

(A) The application of the facts to the statutes or rules that directly apply to the issues in the contested case;

(B) Comparison of prior actions of the Department;

(C) The literal meaning of the statutes or rules that directly apply to the issues in the contested case; or

(D) The admissibility of evidence or the correctness of procedures being followed.

(5) When an authorized representative represents a party or limited party in a hearing, the presiding officer shall advise the representative of the manner in which objections may be made and the manner in which matters may be preserved for appeal. The advice is of a procedural nature and does not change applicable law on waiver or applicable law on the duty to make timely objection. When an objection may involve a legal argument, the presiding officer shall provide a reasonable opportunity for the authorized representative to consult legal counsel and shall permit the legal counsel to file written legal argument within a reasonable time after conclusion of the hearing.

Stat. Auth.: 1999 OL, Ch. 599
Stats. Implemented: ORS 183.457
Hist.: BCD 16-1999(Temp), f. 10-15-99, cert. ef. 10-23-99 thru 4-19-00; BCD 4-2000, f. 3-9-99, cert. ef. 4-1-00

918-001-0031

Extension of Time Limits Created in Administrative Rules

(1) The Building Codes Division may extend specified time requirements stated in ORS Chapter 183 if the person seeking the extension shows good cause for failing to meet the time requirement stated by the applicable rule. A request for an extension of any time requirement must be submitted in writing within a reasonable time.

(2) Definitions. For the purposes of subsection (1) of this rule:

(a) "Good cause" exists when the person seeking the extension establishes by satisfactory evidence that the cause of the failure to meet the time requirement stated by the applicable rule was beyond his or her reasonable control.

(b) "Reasonable time" means that the person acted promptly in filing the request for extension after the cessation of the circumstances that prevented him or her from meeting the time requirement stated by the applicable rule.

Stat. Auth.: ORS 183.415
Stats. Implemented: ORS 183.415
Hist.: BCD 8-2004, f. 6-21-04, cert. ef. 7-1-04

918-001-0036

Guidelines for Civil Penalties

(1) Scope and Authority. This rule sets guidelines for assessing a civil penalty under ORS 446.995 & 455.895.

(2) Definitions. For the purposes of this rule:

(a) "Continuing offense" or "continuing violation" means violation of a code, rule or law on one or more additional days after having been notified that the act in question, or failure to act, is a violation. An additional day is any day, other than the first day, an offense takes place.

(b) "Pattern of violation" means two or more prior violations during any three-year period of any provision of ORS Chapter 446, 447, 455, 460, 479, 480 or 693, or the state building code as defined in ORS 455.010, whether or not a penalty was assessed.

(c) "Egregious Act," for purposes other than plumbing violations found by the State Plumbing Board, means:

(A) An act resulting in an unsafe installation and/or imminent health and safety hazard, structural or financial damage;

(B) A violation of a previous order;

(C) Directly employing, allowing or permitting an unlicensed individual to perform work; or

(D) Performing or engaging in work that requires a license.

(d) "Egregious Act," for the purposes of plumbing violations found by the State Plumbing Board, means:

(A) An act resulting in an unsafe installation and/or imminent health and safety hazard, structural or financial damage;

(B) A violation of a previous order;

(C) Allowing or permitting an unlicensed individual to perform work; or

(D) Performing or engaging in work that requires a license.

(e) A licensed person or contractor who has committed an egregious act may have their license, registration or certificate suspended or revoked. For the purposes of civil penalty assessments, there is no time limit on egregious acts.

(3) A board or the administrator may take into account any appropriate factors in determining the penalty amount or conditions within an order.

(4) Civil penalties may be assessed in addition to, or in lieu of, the suspension or revocation of a license, certificate of competency or similar authority issued by the division.

(5) Procedures:

(a) Civil penalties shall be assessed by a board, the administrator or a board's designee acting as agent for a board.

(b) The division shall, subject to approval of a board, adopt a penalty matrix to promote equity and uniformity in proposing the amount and terms of civil penalties and conditions under which the penalties may be modified based on the circumstances in individual cases.

(c) If a dispute concerning the application of the state building code as defined in ORS 455.010 is appealed to a local appeals board, to a board under ORS 455.690 or to the program chief under ORS 455.475:

(A) No civil penalty shall be sought or assessed for violation of the code provision that was appealed, until after the appeal or interpretation is resolved, and if corrections are necessary, they are made within 30 calendar days or the time frame established in the appeal or in the interpretation process.

(B) Notwithstanding an administrative appeal, civil penalties can be brought or assessed for failure to obtain a permit if the issues on appeal do not involve the question of whether a permit was necessary.

(C) The obligation is on the person charged, or about to be charged, with a violation to advise of an appeal under this subsection.

(D) The division shall adopt and review the division's operating procedures with a board to promote equity and uniformity in proposing the amount and terms of civil penalties and conditions under which the penalties may be modified based on the circumstances in individual cases.

(6) Violations of ORS Chapters 446, 447 and 479 and ORS 455.020(2) and 455.610, wherein defects are noted by an inspector in an element of assembly or construction, shall not be considered a violation of this section if the violation is corrected and an inspection request made in 20 calendar days unless extended in writing by the building official.

(7) The Building Codes Division shall forward a copy of final orders to the Construction Contractors Board.

Stat. Auth.: ORS 446.995 & 455.895

Stats. Implemented: ORS 446.995 & 455.895

Hist.: BCD 35-2002, f. 12-31-02, cert. ef. 1-1-03; BCD 10-2005, f. 4-29-05, cert. ef. 5-1-05

918-001-0040

Cheating on Examinations

(1) Scope. This rule applies to:

(a) Persons seeking Building Codes Division licensing or certification under the boiler and pressure vessel, plumbing, electrical, or manufactured structures laws and rules;

(b) Any tradesperson or inspector required to pass an examination to be licensed or certified by the division or its boards, except those applying under the provisions of ORS 455.735; and

(c) Persons who are required to be licensed pursuant to ORS 455.457 to perform specialty code inspections or plan reviews.

(2) In addition to any passing grade requirement, a person fails an examination provided, authorized or required by the division or one of its boards if the person cheats in connection with an examination. A person "cheats in connection with the examination" if the person applies for or takes an examination and directly or indirectly:

(a) Provides untrue information regarding qualifications to take the examination;

(b) Uses unauthorized notes, devices or information during an examination;

(c) Copies from another or allows another to copy during an examination;

(d) Provides answers or assistance to another;

(e) Otherwise uses unauthorized methods to gain an advantage or give another person an advantage in the examination; or

(f) Without authority takes or copies examination questions or answers from the examination or storage site.

(3) Nothing in this rule prevents the division from seeking revocation of a license issued by mistake if there was cheating in connection with the examination and the license should have been denied.

(4) A person failing an examination as provided in this rule may ask for a contested case hearing under ORS Chapter 183.

(5) Notwithstanding any rules to the contrary allowing a person to retake an examination, a person who fails an examination as provided in this rule shall not be allowed to take any division or division-related examination for one year following the notice of failure of the examination or final order determining that the person failed the examination.

Stat. Auth.: ORS 446.395, 455.110, 479.630, 479.730, 480.565, 480.630, 670.100 & 693.310

Stats. Implemented: ORS 446.395, 455.110, 479.630, 479.730, 480.565, 480.630, 670.100 & 693.310

Hist.: BCD 14-1994, f. & cert. ef. 5-24-94; BCD 26-1996, f. & cert. ef. 12-4-96; BCD 1-1998, f. 1-28-98, cert. ef. 4-1-98; BCD 16-2000, f. 8-7-00, cert. ef. 10-1-00; BCD 13-2001, f. 9-28-01, cert. ef. 10-1-01; BCD 10-2002(Temp), f. 5-14-02, cert. ef. 5-15-02 thru 11-10-02; BCD 29-2002, f. & cert. ef. 10-1-02

918-001-0045

Land Use Goal Compliance and Comprehensive Plan Compatibility Procedures

(1) Activities Affecting Land Use: The division acting under ORS 197.180 identifies the following activities as having a potential to "affect land use" as defined in OAR 660-030-0005(2):

(a) The issuance of electrical permits under OAR 918, division 309 and structural permits under OAR 918, division 460 for new buildings, additions and changes of building use;

(b) The issuance of sewer and water service permits for new buildings, additions and changes of building use under OAR 918, division 780;

(c) The issuance of manufactured dwelling set-up permits under OAR 918, division 600;

(d) The issuance of a permit for construction or addition to a manufactured dwelling park under OAR 918, division 600, recreational vehicle park or organizational camp under OAR 918, division 650; and

(e) The issuance of permits for plumbing utilities hook-up or electrical hook-up for manufactured dwellings except in a manufactured dwelling park constructed under a OAR 918, division 600 permit.

(2) State Agency Coordination Program. The Division has adopted a State Agency Coordination Program under which it requires verification that the construction activities involved in section (1) of this rule comply with statewide land use planning goals and are compatible with the comprehensive plans and regulations of the municipality having jurisdiction over the project. Sections (3) through (7) of this rule implement the plan.

(3) Condition Precedent For Permits: Before a permit is issued for any activity mentioned in section (1) of this rule, except for an electrical or a plumbing permit, the Division requires:

(a) Acknowledgment by the city or county planning agency on the Building Codes Division permit application that the project has final land use approval; or

(b) A copy of the local land use permit or a letter from the local planning agency that the project has land use approval or is otherwise permitted under the jurisdiction's comprehensive plan and does not require specific land use approval.

(4) Plumbing Permits: A sewer and water service permit for construction involving a new building, an addition or change in the use of a building, will not be issued unless the project already has or is granted at the same time a related structural, park construction or manufactured dwelling permit.

(5) Electrical Permits: When an electrical permit, including a temporary electrical permit is used for construction involving a new building, an addition or change in the use of a building is involved:

(a) The applicant for a permit may provide the type of land use verification required in section (3) of this rule at the time the permit is obtained; or

(b) Verification must be provided to the electrical inspector prior to or not later than ten calendar days after the first inspection. The inspector will require the contractor, owner of the project or primary user of the project to provide verification, with either:

(A) A related structural, park construction or manufactured dwelling permit issued involving the same project;

(B) A written acknowledgment by the city or county planning agency that the project has final land use approval;

(C) A copy of the local land use permit or a letter from the local planning agency that the project has land use approval or is otherwise permitted under the jurisdiction's comprehensive plan and does not require specific land use approval; or

(D) Verification of approval may be communicated from the local planning agency to the inspector by telephone or facsimile so long as a letter or other written verification as required above is received by the inspector within ten calendar days of the first inspection.

(6) Manufactured Dwelling Set-Up Permits. The requirements in section (3) of this rule can be met by a person seeking a manufactured dwelling set-up permit by:

(a) Telephonic confirmation by the city or county planning agency. When this procedure is used the name and telephone number of the person that can provide the confirmation must be provided by the person seeking the permit; or

(b) A facsimile transmission of relevant documents.

(7) Any permit, including an electrical permit, may be denied by the division if the division has knowledge that:

(a) Any other permit under the jurisdiction of the division was denied;

(b) The project has not received final land use approval; or

(c) The project is not otherwise permitted under the jurisdiction's comprehensive plan.

(8) Revocation of Permits: Any permit or inspection approval issued under this rule may be revoked by the division:

(a) If the issuance was based on false, erroneous or misleading information; or

(b) In the case of an electrical inspection, if the required verification is not provided within ten calendar days following the first inspection.

Stat. Auth.: ORS 183.325 - 183.410, 196.180 & 455.110
 Stats. Implemented: ORS 197.180
 Hist.: BCA 10-1990, f. 5-8-90, cert. ef. 8-1-90; BCA 2-1991, f. 1-28-91, cert. ef. 1-31-91; BCD 1-1998, f. 1-28-98, cert. ef. 4-1-98

918-001-0120

Appointment of Chiefs

The division shall appoint individuals as specialty code chief inspectors knowledgeable to carry out the provisions of ORS 455.475.

Stat. Auth.: ORS 455.475
 Stats. Implemented: ORS 455.475
 Hist.: BCD 11-2000, f. 6-23-00, cert. ef. 7-1-00; BCD 10-2002(Temp), f. 5-14-02, cert. ef. 5-15-02 thru 11-10-02; BCD 29-2002, f. & cert. ef. 10-1-02

918-001-0130

Alternative Appeal Procedure

This rule allows persons aggrieved by a decision of a local building official or designee to choose whether to appeal through the local appeals process, or through the division. If the appeal relates to an inspection pursuant to the **Electrical Specialty Code**, the appeal process set forth in OAR 918-251-0040 shall be followed.

(1) A person aggrieved by the decision of a local building official or designee may, in lieu of using the local appeals process, appeal to the appropriate specialty code chief. The aggrieved person may not change from one process to the other on the same issue. Such appeal shall:

(a) Be made within 30 days of the municipality decision; and
 (b) Include the name of the person making the appeal, a written description of the appeal, the name of the authority having jurisdiction, the specific code or codes involved, and whether a "stop work" order has been issued; and

(c) Be accompanied by \$20 appeal fee.

(2) Upon receipt of an appeal, the specialty code chief shall seek information from the local building official or designee and any other information necessary to make a decision.

(3) Upon final determination by the chief, the chief shall notify appropriate affected parties in writing.

(4) If the aggrieved person, or the person whose decision generated the appeal, chooses to further appeal the decision of the specialty code chief to the appropriate state advisory board, the person shall:

(a) Request further appeal within 15 days after written notification of the decision of the specialty code chief; and

(b) Provide additional information as needed by the division to process the appeal.

[Publications: Publications referenced are available from the agency.]
 Stat. Auth.: ORS 455.475
 Stats. Implemented: ORS 455.475
 Hist.: BCD 11-2000, f. 6-23-00, cert. ef. 7-1-00; BCD 10-2002(Temp), f. 5-14-02, cert. ef. 5-15-02 thru 11-10-02; BCD 29-2002, f. & cert. ef. 10-1-02

918-001-0200

Public Records Requests

(1) Scope and Applicability. This rule governs requests for inspection of division documents under the Public Records Law, ORS Chapter 192.

(2) Request for Examination of Public Records. Requests for examination of public records shall be made according to department administrative rule OAR 440, division 005.

(3) Miscellaneous Items Concerning Fees:

(a) The fees charged shall be those found in department Policy and Procedure COM-07 and the division fee schedule.

(b) A waiver or reduction of fees requested under ORS 192.440 must be submitted in writing, show how a waiver or reduction is in the public interest and that availability will benefit the general public;

(c) No fees are charged:

(A) To board members when conducting official division business;

(B) To state officials;

(C) For first copies of division publications, except codes published by others;

(D) To public libraries, public educational institutions, or federal, state, county or city agencies participating in a cooperative program with the division; or

(E) To examine records readily available which do not require supervision during the inspection.

Stat. Auth.: ORS 455.110
 Stats. Implemented: ORS 192.440
 Hist.: BCA 23-1992, f. 12-24-92, cert. ef. 1-1-93; BCD 26-1996, f. & cert. ef. 12-4-96

918-001-0210

Division Mailing Lists

(1) Scope, Authority and Applicability:

(a) This rule governs procedures for placement on and remaining on the various mailing lists maintained by the division and boards;

(b) The procedures in this rule are created under ORS 183.335(8) and the general rulemaking authority of the administrator in ORS 455.030 and 455.100.

(2) Creation of Interested Persons Mailing Lists for Board Activities. Mailing lists are created for interested persons who want to receive notices and agendas of board meetings for the following:

(a) Electrical and Elevator Board;

(b) Building Codes Structures Board;

(c) Manufactured Structures and Parks Advisory Board;

(d) Plumbing Board;

(e) Board of Boiler Rules.

(3) Creation of Interested Persons Mailing Lists for Rulemaking. Mailing lists are created for interested persons wanting notices of rulemaking:

(a) Electrical List. This list covers rulemaking activities of the Electrical and Elevator Board relating to electrical matters:

(A) Persons referenced in OAR 918, division 251, building officials and members of the board are automatically on this list;

(B) All municipalities with authority to administer building codes are additionally served notice when the rulemaking involves adoption or amendment of codes.

(b) Structural and Mechanical List. This list covers rulemaking activities of the Building Codes Structures Board relating to the Structural Specialty Code, One and Two Family Dwelling Specialty Code, Mechanical Specialty Code, and prefabricated structures rules:

(A) Persons referenced in OAR 918, divisions 440 and 460, building officials, and members of the board are automatically on this list;

(B) All municipalities with authority to administer building codes are additionally served notice when the rulemaking involves adoption or amendment of codes;

(C) All persons entitled to notice on the electrical and plumbing lists are also served when One and Two Family Dwelling Specialty Code rules are involved.

(c) Manufactured Structures and Parks List. This list covers the rulemaking activities of the Manufactured Structures and Parks Advisory Board relating to manufactured dwellings, recreational vehicles, manufactured dwelling parks, recreation parks, organizational camps and picnic parks:

(A) Building officials and members of the board are automatically on this list;

(B) All municipalities with authority to administer building codes are additionally served notice when the rulemaking involves adoption or amendment of the codes.

(d) Amusement Ride and Device List. This list includes amusement device and amusement ride owners and amusement parks. All municipalities with authority to administer building codes are additionally served notice when the rulemaking involves adoption or amendment of the code;

(e) Plumbing List. This list covers rulemaking activities of the Plumbing Board relating to plumbing activities:

(A) Persons referenced in OAR 918, division 750, building officials and members of the board are automatically on this list;

(B) All municipalities with authority to administer building codes are additionally served notice when the rulemaking involves adoption or amendment of codes.

(f) Elevator List. This list covers rulemaking activities of the Electrical and Elevator Board relating to elevator matters:

(A) Persons referenced in OAR 918, division 400, building officials and members of the board are automatically on this list;

(B) All municipalities with authority to administer building codes are additionally served notice when the rulemaking involves adoption or amendment of codes.

(g) Boiler List. This list covers rulemaking activities of the Board of Boiler Rules relating to boiler and pressure vessel activities:

(A) Persons referenced in OAR 918, division 225, building officials and members of the board are automatically on this list;

(B) All municipalities with authority to administer building codes are additionally served notice when the rulemaking involves adoption or amendment of codes.

(h) Illegal Drug Manufacturing Site List. Persons referenced in OAR 918, division 010 are automatically on this list.

(4) Mailing List Subscription. Individuals not automatically served according to these rules may apply on a division form and pay a non-prorated annual fee for each list. Mailing lists will be revised March 1 each year. A person may subscribe at any time.

(5) Mailing List Subscription Renewal. One annual billing will be sent. Those not requesting renewal will be removed at the end of February.

(6) Nonprofit Organizations. Nonprofit organizations may be placed on any mailing list without charge, if the organization agrees to distribute notices it receives to ten or more of its members.

(7) Charges. The annual charge to be placed on the mailing list is \$35, except a person requesting complete board packets shall be charged an additional \$35 per board, all payable in advance of March 1.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 455.110

Stats. Implemented: ORS 183.335

Hist.: BCA 23-1992, f. 12-24-92, cert. ef. 1-1-93; BCD 1-1998, f. 1-28-98, cert. ef. 4-1-98; BCD 18-2004, f. 9-30-04, cert. ef. 10-1-04

918-001-0230

Method of Payment

(1) Fees and charges for items obtained at the division must be paid on receipt.

(2) Remote requests for copies, FAX transmission or other mailing and documents must be paid within 15 days of billing.

(3) Credit and payment by check will be denied when there is an outstanding dishonored check or delinquent payment; or when there are two or more episodes of payment by dishonored checks or payment delinquencies by the same person.

Stat. Auth.: ORS 455.110

Stats. Implemented: ORS 455.100

Hist.: BCA 23-1992, f. 12-24-92, cert. ef. 1-1-93; BCD 1-1998, f. 1-28-98, cert. ef. 4-1-98

918-001-0240

Refunds

(1) As authorized by ORS 293.445, moneys received in excess of the amount legally due and payable to the division, or in which the division determines it has no legal interest, shall be refunded.

(2) A written request is required for all refunds of \$50 or less.

(3) Persons requesting a refund must provide a written request within three years of the date the person became entitled to the refund.

(4) All refunds shall be made to the person who made the payment or to that person's legal representative.

Stat. Auth.: ORS 455.110

Stats. Implemented: ORS 293.445

Hist.: BCA 23-1992, f. 12-24-92, cert. ef. 1-1-93; BCD 1-1998, f. 1-28-98, cert. ef. 4-1-98; BCD 7-2001, f. 6-15-01, cert. ef. 7-1-01

DIVISION 5

AGENCY ORGANIZATION

918-005-0010

Division Organization

(1) The Building Codes Division coordinates the activities of and has general supervision over five advisory, licensing and regulatory boards, as follows:

(a) Board of Boiler Rules, established pursuant to ORS 480.535;

(b) Electrical and Elevator Board, established pursuant to ORS 455.138;

(c) Manufactured Structures and Parks Advisory Board, established pursuant to ORS 446.280;

(d) Plumbing Board, established pursuant to ORS 693.115; and

(e) Building Codes Structures Board, established pursuant to ORS 455.132.

(2) Appointing authority for four boards rests with the Governor, and requires Senate confirmation. Appointing authority for the other one rests with the Director of the Department of Consumer and Business Services.

(3) The division is located at 1535 Edgewater N.W., Salem, OR 97310.

Stat. Auth.: ORS 455.110

Stats. Implemented: ORS 455.110

Hist.: BCA 22-1989, f. 7-19-89, cert. ef. 8-1-89; BCD 1-1998, f. 1-28-98, cert. ef. 4-1-98

DIVISION 8

DIVISION CODE DEVELOPMENT RULES, IN GENERAL

918-008-0000

Purpose and Scope

(1) OAR 918-008-0000 to 918-008-0070 provides the process for adopting and amending the state building code that is consistent across all program areas.

(2) The state building code is derived from the most appropriate version of base model codes, which are adopted approximately every three years from the last Oregon specialty code effective date.

(3) The Oregon specialty code amendment process begins approximately midway into a code cycle.

(4) An appropriate advisory board approves the adoption of the Oregon specialty code and amendments.

(5) Notwithstanding sections (1) through (4) of this rule, the division may adopt supplemental code amendments as authorized by OAR 918-008-0028.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 447.020, 455.030 & 479.730

Stats. Implemented: ORS 447.020, 455.030 & 479.730

Hist.: BCD 26-1994, f. & cert. ef. 11-15-94; BCD 6-1997, f. & cert. ef. 4-1-97; BCD 3-2006(Temp), f. & cert. ef. 3-1-06 thru 8-27-06; BCD 9-2006, f. 6-30-06, cert. ef. 7-1-06

918-008-0010

Definitions

The following definitions apply to OAR 918-008-0000 to 918-008-0070:

(1) "Base model code" means a published collection of standards governing a particular field of construction, which is generally accepted and used in the United States.

(2) "Code cycle" means an approximate three-year period starting from the Oregon specialty code effective date.

(3) "Oregon specialty code" means a base model code, together with Oregon-specific amendments, which is adopted by the State of Oregon.

(4) "Proposed code amendment" means an application from a person to add an amendment to a proposed base model code or amend an Oregon specialty code.

(5) "Supplemental code amendment" means a division-initiated amendment to an Oregon specialty code.

Stat. Auth.: ORS 447.020, 455.030 & 479.730

Stats. Implemented: ORS 447.020, 455.030 & 479.730

Hist.: BCD 26-1994, f. & cert. ef. 11-15-94; BCD 6-1997, f. & cert. ef. 4-1-97; BCD 3-2006(Temp), f. & cert. ef. 3-1-06 thru 8-27-06; BCD 9-2006, f. 6-30-06, cert. ef. 7-1-06

918-008-0020

General Code Adoption Process

(1) The division, in consultation with the appropriate advisory board, establishes a timetable to collect proposed code amendments. The timetable depends on the publication date and general availability of the proposed base model code.

(2) The division will notify interested persons of the timetable at least 45 days before the ending period for collecting proposed code amendments.

(3) During the timeframe for proposing code amendments, an interested person may also recommend that the division incorporate, statewide code interpretations and alternate method rulings into the Oregon specialty code.

(4) The division, in consultation with an appropriate advisory board, reviews prior code amendments, statewide code interpretations, and alternate method rulings during the code adoption and amendment process. The division recommends whether to carry prior code amend-

ments, statewide code interpretations, and alternate method rulings forward to a newly adopted Oregon specialty code or to archive prior code amendments, statewide code interpretations, and alternate method rulings for informational purposes.

Stat. Auth.: ORS 447.020, 455.030 & 479.730
 Stats. Implemented: ORS 447.020, 455.030 & 479.730
 Hist.: BCD 26-1994, f. & cert. ef. 11-15-94; BCD 6-1997, f. & cert. ef. 4-1-97; BCD 3-2006(Temp), f. & cert. ef. 3-1-06 thru 8-27-06; BCD 9-2006, f. 6-30-06, cert. ef. 7-1-06

918-008-0028

Supplemental Code Amendments

The division, with the approval of the appropriate advisory board as defined in ORS 455.010, may propose and adopt supplemental code amendments to the state building code at any time within a three-year code cycle, as circumstances merit.

Stat. Auth.: ORS 455.030 & 455.110
 Stats. Implemented: ORS 455.030 & 455.110
 Hist. BCD 9-2006, f. 6-30-06, cert. ef. 7-1-06

918-008-0030

Proposed Code Amendment Requirements

(1) All proposed code amendments are submitted to the division in writing or on a division-approved form.

(2) Under ORS 455.030(4), all proposed code amendments must provide justification and the particular circumstances requiring the amendments. Additionally, proposed code amendments must conform to the policies contained in ORS 455.020.

(3) The division screens proposed code amendments to determine whether they substantially meet the requirements of 918-008-0060. Proposed code amendments not substantially meeting the requirements of 918-008-0060 may be returned to the applicant with specific reasons included in the returned application.

[Publications: Publications referenced are available from the agency.]
 Stat. Auth.: ORS 447.020, 455.030 & 479.730
 Stats. Implemented: ORS 447.020, 455.030 & 479.730
 Hist.: BCD 26-1994, f. & cert. ef. 11-15-94; BCD 6-1997, f. & cert. ef. 4-1-97; BCD 1-2004(Temp), f. & cert. ef. 1-29-04 thru 7-26-04; Administrative correction 8-19-04; Suspended by BCD 17-2004(Temp), f. & cert. ef. 9-30-04 thru 3-28-05; BCD 7-2005, f. & cert. ef. 4-1-05; BCD 3-2006(Temp), f. & cert. ef. 3-1-06 thru 8-27-06; BCD 9-2006, f. 6-30-06, cert. ef. 7-1-06

918-008-0060

Proposed Code Amendments Criteria

(1) As required by OAR 918-008-0030, a proposed code amendment must address, where applicable, whether or not the proposed code amendment:

- (a) Is necessary to correct any unforeseen or probable outcomes resulting from the application of a code section, and if so why;
- (b) Is needed to protect the health, safety, welfare, comfort and security of occupants and the public, and if so, why;
- (c) Corrects inadequate application by a code section to a method, material or design, and if so, how;
- (d) Is necessary to address unique geographic or climatic conditions within Oregon, and if so, why;
- (e) Is needed to eliminate conflicting, obsolete, or duplicative code provisions or standards between Oregon-adopted codes, statutes or regulations, and if so, why;
- (f) Conserves scarce resources, and if so, how;
- (g) Provides for the use of unique or emerging technologies, or promote advances in construction methods, devices, materials and techniques, and if so, how;
- (h) Meets any energy conservation or indoor air quality requirements, and if so how;
- (i) Involves the adoption of an electrical or plumbing building product. If an electrical or plumbing building product is involved, note if the appropriate advisory board approved the product; and
- (j) Any adverse fiscal impact or cost savings passed on to the general public, the construction industry, local and state governments, and small businesses. If applicable, an interested person must describe the added or reduced cost of a proposed code amendment, describe the adverse fiscal impact or cost savings in relation to the current Oregon specialty code and include any standards of measure used to arrive at the result given.

(2) ORS 183.534 and OAR 813-025-0015 requires the Building Codes Division to prepare a Housing Cost Impact Statement based on the cost of development of a 6,000 square foot parcel and the construction of a 1,200 square feet detached single family dwelling on that par-

cel. If a proposed code amendment relates to this type of parcel, provide information to assist the division in preparing a housing cost impact statement.

Stat. Auth.: ORS 447.020, 455.030 & 479.730
 Stats. Implemented: ORS 447.020, 455.030 & 479.730
 Hist.: BCD 26-1994, f. & cert. ef. 11-15-94; BCD 6-1997, f. & cert. ef. 4-1-97; BCD 3-2006(Temp), f. & cert. ef. 3-1-06 thru 8-27-06; BCD 9-2006, f. 6-30-06, cert. ef. 7-1-06

918-008-0070

Transition Provisions

Nothing in these rules shall prevent the creation of a new code adoption cycle or varying the adoption cycle to more or less than three years when:

- (1) Adopting a new model code;
- (2) There is a changed model code or publication date; or
- (3) It is necessary to adjust the Oregon adoption year to make it compatible with the model code adoption.

Stat. Auth.: ORS 447.020, 455.030 & 479.730
 Stats. Implemented: ORS 447.020, 455.030 & 479.730
 Hist.: BCD 26-1994, f. & cert. ef. 11-15-94; BCD 6-1997, f. & cert. ef. 4-1-97

918-008-0075

Scope and Purpose

(1) OAR 918-008-0075 to 918-008-0115 applies to the state building code adopted by the division as defined in ORS 455.010. The purpose of these rules is to create a standard process for statewide code interpretations, site-specific interpretations, and alternate method rulings for all specialty code program areas except the boiler program.

(2) Statewide code interpretations and site-specific interpretations clarify existing provisions of the state building code and are not intended to create new provisions.

(3) Alternate method rulings on products not covered in the current state building code apply only to new products, materials or methods and do not create new sections of code.

Stat. Auth.: ORS 455.060, 455.100, 455.110 & 455.144
 Stats. Implemented: ORS 455.060, 455.100 & 455.110
 Hist.: BCD 16-2005(Temp), f. & cert. ef. 7-7-05 thru 12-31-05; BCD 30-2005, f. 12-30-05, cert. ef. 1-1-06

918-008-0080

Definitions

(1) "Alternate Method Ruling" is a request to rule on the acceptability of new materials, designs or innovative methods of construction not covered by the state building code.

(2) "Petitioner" means:

- (a) Any person residing, currently doing business, wishing to do business, or owning property in the State of Oregon; or
- (b) A building official authorized to administer and enforce the state building code under 455.148 or 455.150.

(3) "Site-Specific Interpretation" means a division-issued interpretation of a specialty code provision for use by a municipality that applies only to a single project. Site-specific code interpretations assist a local jurisdiction by providing an explanation of the meaning or intent of specific code provisions or sections as they apply to work permitted by the local jurisdiction. Nothing in this section replaces local processes for site-specific interpretations.

(4) "Statewide Code Interpretation" means a division-issued binding interpretation of a specialty code provision that applies in all jurisdictions. Statewide code interpretations provide an explanation of the meaning or intent of specific code provision or section.

Stat. Auth.: ORS 455.060, 455.100, 455.110 & 455.144
 Stats. Implemented: ORS 455.060, 455.100 & 455.110
 Hist.: BCD 16-2005(Temp), f. & cert. ef. 7-7-05 thru 12-31-05; BCD 30-2005, f. 12-30-05, cert. ef. 1-1-06

918-008-0085

Statewide Code Interpretation Process

(1) A petitioner may request a statewide code interpretation by providing the following information in writing or on division approved forms:

- (a) A brief description of the facts and circumstances giving rise to the need for a statewide code interpretation, and
 - (b) The specialty code section at issue.
- (2) Notwithstanding subsections (a) and (b) of this rule, the division may elect to accept a substantially complete request for a statewide code interpretation if circumstances merit.

(3) After receipt and approval of a petitioner's request for interpretation, the division will process the request, reach a conclusion, and distribute the decision.

(4) Every quarter, the division will communicate its actions occurring in the previous quarter concerning statewide code interpretations to the appropriate advisory board.

Stat. Auth.: ORS 455.060, 455.100, 455.110 & 455.144

Stats. Implemented: ORS 455.060, 455.100 & 455.110

Hist.: BCD 16-2005(Temp), f. & cert. ef. 7-7-05 thru 12-31-05; BCD 30-2005, f. 12-30-05, cert. ef. 1-1-06

918-008-0090

Site-Specific Interpretation Process

(1) A building official may request a site-specific interpretation by providing the following information in writing or on division approved forms:

(a) A brief description of the facts and circumstances giving rise to the need for a site-specific interpretation;

(b) The specialty code section at issue;

(c) The physical address of the building site.

(2) Notwithstanding subsection (a) through (c) of this rule, the division may elect to accept a substantially complete request for a site-specific interpretation if circumstances merit.

(3) After receipt and approval of a building official's request for interpretation, the division will process the request, reach a conclusion, and distribute the decision.

Stat. Auth.: ORS 455.100, 455.110 & 455.144

Stats. Implemented: ORS 455.100 & 455.110

Hist.: BCD 16-2005(Temp), f. & cert. ef. 7-7-05 thru 12-31-05; BCD 30-2005, f. 12-30-05, cert. ef. 1-1-06

918-008-0095

Alternate Method Ruling Process

(1) A petitioner may request an alternate method ruling by providing the following information in writing or on division approved forms:

(a) Information on the material, design or method the person wishes to utilize;

(b) The specialty code section at issue;

(c) A brief description of the scientific and technical facts and circumstances giving rise to the need for an alternate method ruling.

(2) Notwithstanding subsections (a) through (c) of this rule, the division may elect to accept a substantially complete request for an alternate method ruling if circumstances merit.

(3) After receipt of a petitioner's complete request for interpretation the appropriate advisory board makes a recommendation on the scientific and technical merits of the proposed alternate method ruling, consistent with ORS 455.060.

(4) After considering the recommendation of the appropriate advisory board, the division makes the final decision on the alternate method ruling and distributes the decision consistent with ORS 455.060.

Stat. Auth.: 455.060 & 455.144

Stats. Implemented: 455.060

Hist.: BCD 16-2005(Temp), f. & cert. ef. 7-7-05 thru 12-31-05; BCD 30-2005, f. 12-30-05, cert. ef. 1-1-06

918-008-0110

Enforcement

All jurisdictions administering and enforcing the state building code must enforce statewide code interpretations and allow the use of alternate method rulings consistent with the original scope of the ruling. Failure to enforce statewide code interpretations or allow statewide alternate method rulings may subject building officials, plans examiners and inspectors to revocation or suspension of certifications.

Stat. Auth.: ORS 455.144, 455.148, 455.150 & 455.740

Stats. Implemented: ORS 455.148, 455.150 & 455.740

Hist.: BCD 16-2005(Temp), f. & cert. ef. 7-7-05 thru 12-31-05; BCD 30-2005, f. 12-30-05, cert. ef. 1-1-06

918-008-0115

Reconsideration of Division Determination

In accordance with OAR 137-003-0090, 137-004-0080 and ORS 183.484(2):

(1) A petitioner whose request for a site-specific interpretation or a statewide code interpretation was denied may request reconsideration of the agency decision.

(2) Any person, including a member of an advisory board as defined under 455.010, adversely affected or aggrieved by an interpretation may request the division reconsider its determination.

(3) Interpretations or rulings remain in effect despite a reconsideration request unless a petitioner specifically requests and is granted a stay of enforcement of the interpretation.

Stat. Auth.: ORS 455.100, 455.110 & 455.144

Stats. Implemented: ORS 455.100, 455.110

Hist.: BCD 16-2005(Temp), f. & cert. ef. 7-7-05 thru 12-31-05; BCD 30-2005, f. 12-30-05, cert. ef. 1-1-06

918-008-0120

State Building Code Appeal Process

(1) A person aggrieved by the building official's decision on the application of the state building code adopted under ORS 447.020, 455.020, 455.610, 460.085, 460.360, 479.730 or 480.545 may appeal to either the local jurisdiction's appeals board or the state specialty code chief. The appeals process selected may not change once initiated.

(2) A filing fee of \$20 is required for appeals to the state specialty code chief.

(3) An appeal must be filed within 30 calendar days of the building official's decision.

(4) An appeal must include the following information and other information requested by the chief:

(a) The person filing the appeal, the jurisdiction where the act occurred, and any parties involved, including contact information;

(b) The specific code or codes involved, with proper citation;

(c) A written description of appeal, which may include diagrams or drawings with distances shown to scale;

(d) A copy of any written interpretation or decision, if issued by the jurisdiction;

(e) An explanation why the ruling should be reversed;

(f) The status and date of stop work order if issued; and

(g) Other information as requested by the chief.

(h) Notwithstanding subsection (a) through (g) of this rule, the division may elect to accept a substantially complete request for an appeal when it appears that doing so furthers the interests of the state.

(5) The building official and person appealing must respond within 7 calendar days to a request from the chief for additional information. The chief has 14 days to render a decision and inform both the jurisdiction and the person appealing a decision of a local jurisdiction. The maximum time for rendering a decision may not exceed 30 calendar days. The Building Codes Division Administrator may suspend these procedural time frames when the complexity of the issue merits additional decision time.

(6) A decision by a local jurisdiction's appeals board or chief may be appealed to the appropriate advisory board within 30 calendar days of the decision. A filing fee of \$20 is charged for an appeal of a local jurisdiction's appeals board decision.

Stat. Auth.: ORS 455.030, 455.144, 460.085 & 480.545

Stats. Implemented: ORS 455.475 & 479.853

Hist.: BCD 16-2005(Temp), f. & cert. ef. 7-7-05 thru 12-31-05; BCD 30-2005, f. 12-30-05, cert. ef. 1-1-06

DIVISION 10

REGULATION OF DRUG MANUFACTURING SITES

918-010-0000

Purpose and Scope of Rule

This rule carries out the division's responsibilities under ORS 453.879 and 453.906. It is intended for use in connection with OAR 333, division 040, rules of the Health Division relating to cleanup of toxic contamination from illegal drug manufacturing.

Stat. Auth.: ORS 453.864

Stats. Implemented: ORS 453.864

Hist.: BCA 15-1990(Temp), f. 6-27-90, cert. ef. 7-1-90; BCA 29-1990, f. 12-21-90, cert. ef. 12-30-90; BCD 1-1998, f. 1-28-98, cert. ef. 4-1-98, Renumbered from 918-010-0010

918-010-0005

Reasonable Notice to Interested Parties

(1) There is created an interested parties mailing list, maintained by the division, to receive notices of properties placed on the "Unfit for Use" list.

(2) Before the adoption, amendment or repeal of this rule, notice will be given to the persons on the interested parties list established according to OAR 918-001-0210.

Stat. Auth.: ORS 453.855 - 453.992
 Stats. Implemented: ORS 453.855 - 453.992
 Hist.: BCA 15-1990(Temp), f. 6-27-90, cert. ef. 7-1-90; BCA 29-1990, f. 12-21-90, cert. ef. 12-30-90; BCD 1-1998, f. 1-28-98, cert. ef. 4-1-98

918-010-0015

Registry of Property “Unfit for Use”

(1) As required by ORS 453.879, there is created within the Building Codes Division, a registry of property “Unfit for Use.”

(2) The registry shall list property determined as “unfit for use” under ORS 453.876 and under the rules of the Health Division.

(3) Property declared “unfit for use” shall be listed in the registry only when the Health Division advises the division that action has been taken to declare the property as not fit for use. The listing will show the information provided by the Health Division.

(4) Property listed in the registry will be removed from the registry when:

(a) The division receives a certificate of fitness from the Health Division;

(b) The division is formally advised by a certified copy of a final court judgment that the initial “unfit for use determination” was reversed on appeal under ORS 453.876, or if the reversal was by administrative action, a certified copy of the final division order; or

(c) The division is provided with confirmed evidence, including proof or an affirmation that all lawful requirements were followed, that the contaminated property has been destroyed.

Stat. Auth.: ORS 453.879
 Stats. Implemented: ORS 453.879
 Hist.: BCA 29-1990, f. 12-21-90, cert. ef. 12-30-90; BCD 1-1998, f. 1-28-98, cert. ef. 4-1-98

918-010-0020

Notice of Listing in the Registry

(1) The registry is a public record open to inspection by the public during normal business hours.

(2) Copies of documents adding to or removing property from the list will be provided to any person upon request. Persons requesting copies must designate whether the request covers all transactions within the state, only transactions within a particular jurisdiction or a particular transaction.

(3) Notification of addition to or removal from the list will be provided to the building official with jurisdiction or the local city or county government involved, if there is no building official and the local health department.

Stat. Auth.: ORS 453.855 - 453.992
 Stats. Implemented: ORS 453.855 - 453.992
 Hist.: BCA 29-1990, f. 12-21-90, cert. ef. 12-30-90; BCD 1-1998, f. 1-28-98, cert. ef. 4-1-98

918-010-0025

Condemnation, Demolition and Vacation of Property and Removal of Contents

(1) Once property is designated as “unfit for use,” procedures for requiring removal of contents or vacation of the premises may be started.

(2) The standards in the 1988 Edition of the **Uniform Code for the Abatement of Dangerous Buildings** published by the International Conference of Building Officials are adopted under ORS 453.906 as the uniform standards whereby local building code enforcement agencies may act to condemn, demolish, and require the vacation of the property or removal of contents. The “Dangerous Building Section,” Section 302 of the Uniform Code, may only be used when the conditions or defect results from, or is made more dangerous to, the life, health, property or safety of the public or its occupants because of the use of the property or its status as an illegal drug manufacturing site.

(3) Nothing in this rule prohibits any local jurisdiction from adopting the procedures provided in The Uniform Code for the Abatement of Dangerous Buildings.

[Publications referenced are available from the agency.]
 Stat. Auth.: ORS 453.906
 Stats. Implemented: ORS 453.906
 Hist.: BCA 29-1990, f. 12-21-90, cert. ef. 12-30-90; BCD 1-1998, f. 1-28-98, cert. ef. 4-1-98

DIVISION 20

DELEGATION OF PROGRAMS TO LOCAL JURISDICTIONS

918-020-0010

Relationship of Delegation Rules to Statute

These rules establish standards for:

(1) A procedure for cooperation between local municipalities and the Oregon State Fire Marshal; and

(2) The notice of assumption of any portion of the plan review program, required by ORS 455.148 and 455.150, and shall include a procedure for cooperation with the State Fire Marshal or the State Fire Marshal’s designee, to consider a uniform fire code in the plan review process.

Stat. Auth.: ORS 455.150
 Stats. Implemented: ORS 455.150
 Hist.: BCD 4-1994, f. 2-25-94 cert. ef. 3-1-94; BCD 14-1998, f. 9-30-98, cert. ef. 10-1-98; BCD 16-2002, f. & cert. ef. 7-1-02

918-020-0015

Definitions

For the purpose of these rules, “Full-service program” means a building inspection program that assumes administration and enforcement of all of the specialty code programs listed in ORS 455.148(1).

Stat. Auth.: ORS 455.148 & 455.150
 Stats. Implemented: ORS 455.148 & 455.150
 Hist.: BCD 16-2002, f. & cert. ef. 7-1-02

918-020-0020

Cooperation with Other Agencies

(1) Each municipality assuming any portion of the plan review program shall, with the notice of program assumption, include a procedure for communication and cooperation with the State Fire Marshal or the Fire Marshal’s certified designee. The procedure shall provide the Fire Marshal an opportunity to examine construction plans for those buildings that the Fire Marshal inspects for occupancy standards under ORS 476.030. If a procedure is not adopted and signed by both the building official and the State Fire Marshal or the Fire Marshal’s certified designee, the request for program assumption shall include the following minimum provisions for notice to the Fire Marshal:

(a) The time and place where construction plans and specifications will be available;

(b) The proposed type of building construction and occupancy;

(c) Any changes from the fire and life safety standards of the applicable code proposed as alternate methods of construction; and

(d) Any procedure or agreement which may shorten or eliminate the time the construction plans and specifications may be available for examination.

(2) The procedure shall establish a reasonable time limit for comment by the Fire Marshal.

Stat. Auth.: ORS 455.150
 Stats. Implemented: ORS 455.150
 Hist.: BCD 4-1994, f. 2-25-94, cert. ef. 3-1-94; BCD 14-1998, f. 9-30-98, cert. ef. 10-1-98

918-020-0070

Purpose and Scope

(1) OAR 918, division 020 interprets and applies ORS 455.148 to 455.210. ORS 455.148 and 455.150 provide that municipalities that administer and enforce building inspection programs may do so for a period of four years. A building inspection program is limited to the administration and enforcement of those specialty code programs assumed by a municipality under ORS 455.148, 455.150 and 479.855. ORS 455.148 and 455.150 authorize the department to adopt rules to adjust time periods for administration of building inspection programs to allow for variations in the needs of the department and participants. ORS 455.148 and 455.150 authorize the department to adopt rules regulating municipal administration and enforcement of building inspection programs including, but not limited to:

(a) Creating building inspection program application and amendment requirements and procedures;

(b) Granting or denying applications for building inspection program authority and amendments;

(c) Reviewing procedures and program operations of municipalities;

(d) Creating standards for efficient, effective, timely and acceptable building inspection programs;

(e) Creating standards for justifying building inspection program fees adopted by a municipality; and

(f) Creating standards to determine whether a county or department building inspection program is economically impaired in its ability to reasonably continue providing the program or part of the program throughout the county, if another municipality is allowed to provide a building inspection program or part of a building inspection program within the same county.

(2) The purpose of these rules is to encourage municipalities to assume responsibility for the administration and enforcement of building inspection programs to the fullest possible extent. Each municipality is responsible for developing an independent operating plan that describes the manner in which the municipality will administer and enforce its building inspection program. Municipalities are encouraged to develop operating plans that meet the identified needs of their individual communities. The intent of the division is to cooperate with municipalities to obtain and maintain authority to administer and enforce efficient, effective, timely and acceptable building inspection programs.

(3) For the purpose of these rules, "reporting period" means a four-year period during which a municipality administers and enforces a building inspection program pursuant to an approved operating plan.

Stat. Auth.: ORS 455.030

Stats. Implemented: ORS 455.148, 455.150 & 455.210

Hist.: BCD 9-1996, f. 7-1-96, cert. ef. 10-1-96; BCD 14-1998, f. 9-30-98, cert. ef. 10-1-98; BCD 11-2000, f. 6-23-00, cert. ef. 7-1-00; BCD 10-2002(Temp), f. 5-14-02, cert. ef. 5-15-02 thru 11-10-02; BCD 16-2002, f. & cert. ef. 7-1-02; BCD 29-2002, f. & cert. ef. 10-1-02

918-020-0080

Delegation of Building Inspection Programs

The division and every municipality that administers and enforces a building inspection program or desires to assume responsibility to administer and enforce a building inspection program shall prepare an operating plan describing the manner in which the municipality or the division will do so. The operating plan shall establish specific processes and goals, consistent with the program standards described in ORS 455.153 and OAR 918-020-0090.

Stat. Auth.: ORS 455.030

Stats. Implemented: ORS 455.150

Hist.: BCD 9-1996, f. 7-1-96, cert. ef. 10-1-96; BCD 14-1998, f. 9-30-98, cert. ef. 10-1-98; BCD 16-2002, f. & cert. ef. 7-1-02

918-020-0090

Program Standards

The division and every municipality that administers and enforces a building inspection program shall establish and maintain the minimum standards, policies and procedures set forth in this section.

(1) Administrative Standards. A building inspection program shall:

(a) Provide adequate funds, equipment and other resources necessary to administer and enforce the building inspection program in conformance with an approved operating plan;

(b) Document in writing the authority and responsibilities of the building official, plan reviewers and inspectors based on an ordinance or resolution that authorizes the building official on behalf of the municipality to administer and enforce a building inspection program;

(c) Establish a local process to review appeals of technical and scientific determinations made by the building official regarding any provision of the specialty codes the municipality administers and enforces, to include a method to identify the local building official or designee and notify the aggrieved persons of the provisions of ORS 455.475;

(d) Account for all revenues collected and expenditures made relating to administration and enforcement of the building inspection program, and account for the electrical program revenues and expenditures separately when administered by the municipality.

(A) Prepare income and expense projections for each code program it will administer and enforce during the reporting period; and

(B) Describe how general administrative overhead costs and losses or surpluses, if any, will be allocated.

(e) Establish policies and procedures for the retention and retrieval of records relating to the administration and enforcement of the specialty codes it administers and enforces;

(f) Make its operating plan available to the public;

(g) Establish a process to receive public inquiries, comments and complaints;

(h) Adopt a process to receive and respond to customers' questions regarding permitting, plan review and inspections;

(i) Set reasonable time periods between 7 a.m. and 6 p.m. on days its permit office is open, weekends and holidays excluded, when it will receive and respond to customers' questions;

(j) Post its jurisdictional boundary, types of permits sold and hours of operation at each permit office it operates; and

(k) Identify all persons in addition to the building official to whom notices issued pursuant to these rules should be sent.

(2) Permitting Standards. A building inspection program shall:

(a) Provide at least one office within its jurisdictional boundary where permits may be purchased;

(b) Set reasonable time periods between 7 a.m. and 6 p.m. on days its permit office is open, weekends and holidays excluded, when it will make permits available for purchase;

(c) Establish policies and procedures for receiving permit applications, determining whether permit applications are complete and notifying applicants what information, if any, is required to complete an application;

(d) Set reasonable time periods within which the municipality will:

(A) Advise permit applicants whether an application is complete or requires additional information; and

(B) Generally issue a permit after an application has been submitted and approved.

(e) Establish policies and procedure for issuing permits not requiring plan review, emergency permits, temporary permits, master permits and minor labels;

(f) Provide a means to receive permit applications via facsimile; and

(g) Require proof of licensing, registration and certification of any person who proposes to engage in any activity regulated by ORS Chapters 446, 447, 455, 479, 693 and 701 prior to issuing any permit.

(3) Plan Review Standards. A building inspection program shall:

(a) Establish policies and procedures for its plan review process to:

(A) Assure compliance with the specialty codes it is responsible for administering and enforcing, including any current interpretive rulings adopted pursuant to ORS 455.060 or 455.475;

(B) Make available checklists or other materials at each permitting office it operates that reasonably appraises persons of the information required to constitute a complete permit application or set of plans;

(C) Inform applicants within three working days of receiving an application, whether or not the application is complete and if it is for a simple residential plan. For the purposes of this rule and ORS 455.467, a "complete application" shall be defined by the division taking into consideration the regional procedures in OAR 918, division 50. If deemed a simple residential plan, the jurisdiction shall also inform the applicant of the time period in which the plan review will generally be completed;

(D) Establish a process that includes phased permitting and deferred submittals for plan review of commercial projects for all assumed specialty codes, taking into consideration the regional procedures in OAR 918, division 50. The process shall not allow a project to proceed beyond the level of approval authorized by the building official. The process shall:

(i) Require the building official to issue permits in accordance with the state building code as defined in ORS 455.010 provided that adequate information and detailed statements have been submitted and approved with pertinent requirements of the appropriate code. Permits may include, but not be limited to: excavation, shoring, grading and site utilities, construction of foundations, structural frame, shell or any other part of a building or structure.

(ii) Allow deferred submittals to be permitted within each phase with the approval of the building official; and

(iii) Require the applicant to be notified of the estimated timelines for phased plan reviews and that the applicant is proceeding without assurance that a permit for the entire structure will be granted when a phased permit is issued.

(E) Verify that all plans have been stamped by a registered design professional and licensed plan reviewer where required;

(F) Verify for those architects and engineers requesting the use of alternative one and two family dwelling plan review program that all plans have been stamped by a registered professional who is also a residential plans examiner certified under OAR 918-098-0240. This process shall require the building official to:

(i) Establish policies and procedures in their operating plan for this process;

(ii) Waive building inspection program plan review requirements for conventional light frame construction for detached one and two family dwellings; and

(iii) Establish an appropriate fee for processing plans submitted under this rule.

(b) Employ or contract with a person licensed, registered or certified to provide consultation and advice on plan reviews as deemed necessary by the building official based on the complexity and scope of its customers' needs;

(c) Maintain a list of all persons it employs or contracts with to provide plan review services including licenses, registrations and certifications held by each plan reviewer and evidence of compliance with all applicable statutory or professional continuing education requirements;

(d) Designate at least three licensed plan reviewers from whom the municipality will accept plan reviews when the time periods in subsection (e) of this section cannot be met; and

(e) Allow an applicant to use a plan reviewer licensed under OAR 918-090-0210 and approved by the building official when the time period for review of "simple one- or two-family dwelling plans" exceeds 10 days where the population served is less than 300,000, or 15 days where the population served is 300,000 or greater.

(4) For the purposes of these rules, "simple one- or two-family dwelling plans" shall:

(a) Comply with the requirements for prescriptive construction under the One-and Two-Family Dwelling Specialty Code; or

(b) Comply with the Oregon Manufactured Dwelling and Park Specialty Code; and

(c) Be a structure of three stories or less with an enclosed total floor space of 4,500 square feet or less, inclusive of multiple stories and garage(s).

(5) "Simple one- or two-family dwelling plans" may:

(a) Include pre-engineered systems listed and approved by nationally accredited agencies in accordance with the appropriate specialty code, or by state interpretive rulings approved by the appropriate specialty board, that require no additional analysis; and

(b) Be designed by an architect or engineer and be considered a simple one- and two-family dwelling if all other criteria in this rule are met.

(6) The following shall be considered "simple one- or two-family dwelling plans":

(a) Master plans approved by the authority having jurisdiction or under ORS 455.685, which require no additional analysis; and

(b) Plans that include an engineering soil report if the report allows prescriptive building construction and requires no special systems or additional analysis.

(7) A plan that does not meet the definition of "simple" in this rule shall be deemed "complex." In order to provide timely customer service, a building official may accept a plan review performed by a licensed plan reviewer for a complex one- or two-family dwelling.

(8) Inspection Standards. A building inspection program shall:

(a) Set reasonable time periods between 7 a.m. and 6 p.m. on days its permit office is open, weekends and holidays excluded, when it will provide inspection services or alternative inspection schedules agreed to by the municipality and permittee;

(b) Unless otherwise specified by statute or specialty code, establish reasonable time periods when inspection services will be provided following requests for inspections;

(c) Establish policies and procedures for inspection services;

(d) Leave a written copy of the inspection report on site;

(e) Make available any inspection checklists;

(f) Maintain a list of all persons it employs or contracts with to provide inspection services including licenses, registrations and certifications held by persons performing inspection services and evidence of compliance with all applicable statutory or professional continuing education requirements;

(g) Vest the building official with authority to issue stop work orders for failure to comply with the specialty codes the municipality is responsible for administering and enforcing; and

(h) Require inspectors to perform license enforcement inspections as part of routine installation inspections.

(i) Where a municipality investigates and enforces violations under ORS 455.156 or in accordance with the municipality's local compliance program, the municipality's inspectors shall require proof of compliance with the licensing, permitting, registration and certification requirements of persons engaged in any activity regulated by ORS Chapters 446, 447, 455, 479, 693 and 701. Inspectors shall report any violation of a licensing, permitting, registration or certification requirement to the appropriate enforcement agency.

(9) Compliance Programs. A municipality administering a building inspection program may enact local regulations to create its own enforcement program with local procedures and penalties; utilize the division's compliance program by submitting compliance reports to the division; elect to act as an agent of a division board pursuant to ORS 455.156; or develop a program that may include, but not be limited to, a combination thereof. A building inspection program shall establish in its operating plan:

(a) Procedures to respond to public complaints regarding work performed without a license or permit or in violation of the specialty codes the municipality is responsible for administering and enforcing;

(b) Procedures requiring proof of licensure for work being performed under the state building code utilizing the approved citation process and procedures in OAR 918-020-0091.

(c) Policies and procedures to implement their compliance program;

(d) Policies and procedures regarding investigation of complaints, where the municipality chooses to investigate and enforce violations pursuant to ORS 455.156; and

(e) Policies and procedures regarding issuance of notices of proposed assessments of civil penalties, where the municipality chooses to act as an agent of a board pursuant to ORS 455.156. Penalties under such a program are subject to the limitations set in ORS 455.156 and 455.895.

(10) Electrical Programs. Municipalities that administer and enforce an electrical program shall demonstrate compliance with all applicable electrical rules adopted pursuant to ORS 479.855.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 455.030, 455.467, 455.469 & 455.156

Stats. Implemented: ORS 455.150, 455.467, 455.469 & 455.156

Hist.: BCD 9-1996, f. 7-1-96, cert. ef. 10-1-96; BCD 14-1998, f. 9-30-98, cert. ef. 10-1-98; BCD 11-2000, f. 6-23-00, cert. ef. 7-1-00; BCD 10-2002(Temp), f. 5-14-02, cert. ef. 5-15-02 thru 11-10-02; BCD 16-2002, f. & cert. ef. 7-1-02; BCD 27-2002, f. & cert. ef. 10-1-02; BCD 6-2004, f. 5-21-04, cert. ef. 7-1-04; BCD 11-2004, f. 8-13-04, cert. ef. 10-1-04; BCD 16-2005(Temp), f. & cert. ef. 7-7-05 thru 12-31-05; BCD 24-2005, f. 9-30-05, cert. ef. 10-1-05; BCD 31-2005, f. 12-30-05, cert. ef. 1-1-06

918-020-0091

Citation Process for Licensing Violations

Municipalities must use the forms and procedures approved by the division.

Stat. Auth.: ORS 455.030 & 455.156

Stats. Implemented: ORS 455.156

Hist.: BCD 6-2004, f. 5-21-04, cert. ef. 7-1-04

918-020-0094

Program Assumption by Division-Administered Jurisdictions

A municipality that requests responsibility for the administration and enforcement of a building inspection program administered by the division must meet the requirements for assumption in ORS 455.148(7) and (11)(c).

Stat. Auth.: ORS 455.148

Stats. Implemented: ORS 455.148

Hist.: BCD 11-2007(Temp), f. & cert. ef. 11-15-07 thru 4-1-08

918-020-0095

Program Assumption Procedures

(1) Assumption of building inspection programs shall be approved only under ORS Chapters 455 and 479 and these rules, for municipalities meeting the following minimum standards. Municipalities requesting to assume new programs or additional parts of a program must provide a full-service program as described in ORS Chapter 455. The municipality shall prepare an assumption plan demonstrating its ability to:

(a) Administer the program for at least four years;
(b) Maintain or improve upon service levels presently provided to the area, including identifying proposed staffing, service contracts and intergovernmental agreements for at least the first two years;

(c) Operate a program that is financially feasible for at least two years without unduly increasing short-term and long-term costs of services to the public, in the areas administered by the municipality. Information showing how the program will be financially feasible shall include an estimate of anticipated revenues and expenditures, the assumptions on which the estimates are based, and an explanation of how losses, if any, will be funded; and

(d) Transition the program from the previous service provider including developing a method for:

(A) Transferring responsibility for existing buildings, open plan reviews, permits and inspections and corresponding revenues for completion of outstanding work;

(B) Transferring any pending enforcement actions;

(C) Informing contractors and others of the change of inspecting jurisdictions, jurisdictional boundaries and requirements for plan review, permits and inspections; and

(D) Transferring any affected employees consistent with ORS 236.605.

(2) A municipality requesting to administer and enforce a new full-service building inspection program under ORS 455.148, or part of a building inspection program to become full-service under ORS 455.148 and 455.150 shall, by October 1:

(a) Submit a completed division program request form describing the specialty codes the municipality intends to administer effective July 1 of the following year, and provide the following:

(A) An assumption plan as required in ORS 455.148 and Section

(1) of this rule;

(B) An operating plan as described in OAR 918-020-0090;

(C) A schedule, including the date, time, place and subject matter, of any proposed meetings of public or advisory bodies, where public comments will be received concerning their proposal to assume a full-service program or part of a program;

(D) Evidence of compliance with the notice and consultation requirements of this section; and

(E) When a municipality reapplies to assume administration of a program that was previously revoked, the application shall include an explanation of how past deficiencies were corrected and how they will be prevented in the future, and it shall meet the requirements of ORS 455.148 and 455.150 including timelines and full-service coverage.

(b) Consult with the jurisdiction from whom the program will be assumed, to:

(A) Notify them of the intent to assume the program;

(B) Discuss with them any impacts on their existing program;

(C) Attempt to resolve any negative impacts; and

(D) Attempt to reach agreement on the method of providing services in the area.

(3) Upon receipt of an application for program assumption from a municipality, the division shall, by October 15, notify in writing all persons on the division maintained interested party mailing list.

(4) Objections to proposed program assumptions, including or related to, claims of economic impairment by the division or the municipality potentially losing the program, shall be received within 30 days of notice and shall include:

(a) An explanation of the objection to the proposed program assumption;

(b) Identification of the required program standard that is believed not to be met; and

(c) When related to economic impairment, the information provided shall include projected impact on the existing building inspection program revenues, expenses, and staffing levels and the ability to continue carrying out remaining portions of the affected program.

(5) When reviewing the objections, the division shall consider the criteria established in ORS 455.152 and whether the objections relate to the ability of the municipality to effectively carry out the program and meet the required standards of applicable statutes and rules.

(6) The municipality requesting administration of a program shall confirm its intent to proceed with its application and submit final information to the division by January 1.

(7) By April 1 the division shall approve or deny the request. A request may be denied when the municipality failed to meet any of the standards and timelines for assumption set forth in ORS Chapters 455 and 479 and the rules adopted thereunder, or when a claim of economic impairment is not resolved to the satisfaction of the director.

(8) Municipalities approved to assume programs may do so effective July 1.

(9) By September 1, the municipality shall submit a final approved copy of all applicable ordinances and fee schedules.

Stat. Auth.: ORS 455.148, 455.150, 455.152 & 479.855

Stats. Implemented: ORS 455.148, 455.150, 455.152 & 479.855

Hist.: BCD 16-2002, f. & cert. ef. 7-1-02

918-020-0105

Renewal of Existing Programs

(1) Existing programs may continue to administer full-service or partial programs as permitted by ORS Chapter 455. Any municipality requesting to assume an additional program shall do so in accordance with ORS Chapter 455 and these rules.

(2) Depending on the respective reporting period outlined in OAR 918-020-0180 municipalities administering existing programs upon notification shall submit the following to the division by January 1:

(a) A completed division form describing the specialty codes the municipality will continue to administer and enforce beginning July 1 of the next reporting period;

(b) A list of current staff, including contract providers, and their applicable certifications;

(c) An updated copy of the municipality's operating plan as described in OAR 918-020-0090; and

(d) A narrative describing any changes to the plan.

(3) Requests to extend the January 1 date as authorized in ORS 455.148(4) and 455.150(4) shall be filed with the division no later than December 21.

Stat. Auth.: ORS 455.148 & 455.150

Stats. Implemented: ORS 455.148 & 455.150

Hist.: BCD 16-2002, f. & cert. ef. 7-1-02

918-020-0180

Reporting Periods

(1) All municipalities administering and enforcing a building inspection program on July 1, 1997, shall have four-year reporting periods. The division shall divide the municipalities administering and enforcing building inspection programs into four separate reporting groups identified as Group One, Group Two, Group Three and Group Four. Each reporting group shall contain approximately one quarter (25 percent) of the municipalities administering and enforcing building inspection programs on July 1, 1997. Reporting periods for each group shall begin on July 1 of the first year and shall end on June 30 of the fourth year, except as provided by Sections (2) to (5) of this rule.

(2) The first reporting period for municipalities in Group One shall start on July 1, 1997, and end on June 30, 1998. All subsequent reporting periods shall be four years. Municipalities in Group One shall submit a program administration request form but not be required to submit a second operating plan until after the division has completed a general review of the municipal building inspection program following the conclusion of the first reporting period.

(3) The first reporting period for municipalities in Group Two shall start on July 1, 1997, and end on June 30, 1999. All subsequent reporting periods shall be for four years.

(4) The first reporting period for municipalities in Group Three shall start on July 1, 1997, and end on June 30, 2000. All subsequent reporting periods shall be for four years.

(5) The first reporting period for municipalities in Group Four shall start on July 1, 1997, and end on June 30, 2001. All subsequent reporting periods shall be for four years.

(6) The first reporting period for municipalities authorized to administer and enforce new building inspection programs shall start July 1 of the first year the municipality is authorized to administer and enforce a new building inspection program and shall end on June 30 of the fourth year. All subsequent reporting periods shall be for four years.

(7) A municipality that amends an existing building inspection program through the assumption of a new code program shall not alter its reporting period.

(8) All municipalities enforcing building inspection programs shall amend their operating plan within 30 days when changes occur and submit a copy of the amended operating plan to the division.

Stat. Auth.: ORS 455.030

Stats. Implemented: ORS 455.150

Hist.: BCD 9-1996, f. 7-1-96, cert. ef. 10-1-96; BCD 14-1998, f. 9-30-98, cert. ef. 10-1-98

918-020-0190

Program Review

(1) General Review. The division may conduct a general review of a municipal building inspection program during a municipality's reporting period to verify that the municipality is operating in conformity with the specific goals contained in the municipality's operating plan. The division may also review building inspection programs to verify compliance with any correction plans submitted by a municipality where a municipality is not operating in conformity with the specific standards contained in its operating plan. The division shall notify a municipality at least 21 days prior to beginning a general review.

(2) Interim Review. The division may perform an interim review of a municipal building inspection program any time the division receives a complaint or other information that reasonably suggests a municipality is not operating in conformity with its operating plan or has failed to comply with the minimum standards for the administration and enforcement of building inspection programs described in these rules. Prior to beginning an interim review the division shall notify the building official in writing by certified or registered mail of the standards to which the municipality is alleged to have failed to comply. The building official shall have 30 days to respond to the notice. If the building official fails to respond or does not adequately address the issues raised by the division in the notice, the division may conduct an interim review.

(3) Building inspection programs administered and enforced by the division shall be subject to a general review in the same manner prescribed for municipal building inspection programs. The administrator shall prepare and deliver a final report to the director and interested persons for review.

Stat. Auth.: ORS 455.030

Stats. Implemented: ORS 455.150

Hist.: BCD 9-1996, f. 7-1-96, cert. ef. 10-1-96; BCD 14-1998, f. 9-30-98, cert. ef. 10-1-98

918-020-0200

Review Procedures

(1) The administrator may appoint one active building official from a municipality similar in size to the municipality subject to review and one contractor from an area similar in size to the municipality subject to review to assist and advise division staff during a general or interim review. Prior to beginning any general or interim review the division shall conduct an initial interview with the building official.

(2) Review of Records. The division shall request that a municipality provide revenue and expense information prior to the actual site visit, and the opportunity to review documents and records, whether electronic or other media, regarding the administration and enforcement of a building inspection program.

(3) General Administration and Compliance Review. The division shall review and verify compliance with the general administration and compliance program requirements described in OAR 918-020-0090.

(4) Review of Prior Approved Construction Plans. The division may review a random selection of construction plans approved by the municipality during the subject reporting period and verify compliance with the minimum requirements of the applicable specialty codes.

(5) Review of Inspections. The division may review a random selection of inspections completed by the municipality during the subject reporting period and verify compliance with the applicable specialty codes.

(6) Post-Review Interview. At the completion of a general or interim review the division shall conduct a post-review interview with the building official or person designated by the building official. The reviewer shall describe the general results of the review, issue written notice regarding any failure to conform with an approved operating plan that requires immediate attention and generally respond to any questions.

(7) Final Report. The division shall prepare and deliver a final written report describing the results of the review to a municipality within 60 days of completing a review.

(8) The municipality being reviewed shall respond to the division's final report conclusions within 30 days after receipt of the report, or request an extension.

Stat. Auth.: ORS 455.030

Stats. Implemented: ORS 455.150

Hist.: BCD 9-1996, f. 7-1-96, cert. ef. 10-1-96; BCD 14-1998, f. 9-30-98, cert. ef. 10-1-98

918-020-0210

Nonconformance Notice and Program Revocation

(1) Nonconformance Notice:

(a) Where required, the division shall issue a nonconformance notice to the building official and chief executive officer concurrently with the written report. A nonconformance notice shall be served on the building official and chief executive officer by certified or registered mail. A nonconformance notice shall only be issued following a review where a municipality fails to comply with any of the general standards for the administration and enforcement of a building inspection program contained in these rules;

(b) Within 30 days of receiving a nonconformance notice a municipality shall file a proposed written correction plan with the division containing a detailed description of the actions and timeline the municipality proposes to correct each nonconformance noted in the final report;

(c) The division shall:

(A) Accept or deny a proposed correction plan within 30 days of receiving any plan;

(B) Advise a municipality in writing of the portions of the plan which do not adequately address any nonconformance noted. A municipality must submit a final correction plan within 30 days of receiving the division's response to a proposed correction plan; and

(C) Advise a municipality of any matters that require immediate attention where a review reveals an imminent risk of personal injury or threat to health and safety.

(2) Program Revocation. The division may revoke a municipality's authority to administer and enforce a building inspection program or part of a program following a review if the municipality fails to:

(a) Submit a proposed correction plan after receiving a nonconformance notice;

(b) Submit an acceptable final correction plan after receiving comments from the division regarding a proposed correction plan; or

(c) Comply with the specific correction requirements contained in an approved final correction plan.

(3) Review of Proposed Revocation.

(a) The administrator may appoint a five-person panel to review a recommendation to revoke a municipal building inspection program. The panel shall consist of two building officials from jurisdictions similar in size to the municipality subject to the proposed revocation, two contractors from areas similar in size and character to the municipality subject to the proposed revocation and one person to be determined by the administrator;

(b) The panel shall:

(A) Review the final report delivered to the building official together with any correction plans submitted by the municipality subject to the proposed revocation but may allow the municipality subject to the proposed revocation to submit additional materials in response to the proposed revocation; and

(B) Submit final recommendations to the administrator within 45 days of its program review.

(4) Final Decision. The administrator shall issue a written decision revoking a municipality's authority to administer and enforce a building inspection program. The decision shall be based on the final report delivered to the building official, any correction plans submitted by the municipality and recommendations, if any, submitted by a review panel appointed by the administrator. Judicial review of the decision will be available as provided for in statute.

Stat. Auth.: ORS 455.030

Stats. Implemented: ORS 455.150

Hist.: BCD 9-1996, f. 7-1-96, cert. ef. 10-1-96; BCD 14-1998, f. 9-30-98, cert. ef. 10-1-98

918-020-0220

Fee Adoption Standards

(1) In addition to the standards set forth in ORS 455.210 and 479.845, a municipality intending to adopt building inspection program fees for any specialty code administered and enforced by the municipality shall comply with all of the following standards:

(a) The municipality shall notify the division of such adoptions 45 days prior to the adoptive date. The notification shall include a summary of the following:

- (A) The affected specialty code or program areas;
- (B) A description of the proposed building inspection program fees including the approximate percentage increase when applicable;
- (C) The proposed effective date;
- (D) The date of the last fee increase in the specialty code or program area if applicable;
- (E) The anticipated date, time and location of the local municipal hearing scheduled pursuant to ORS 294.160;
- (F) The name, phone number and title of a contact person; and
- (G) A narrative explaining the purpose of the proposed fee adoption.

(b) Upon notification from the division that an appeal request has been received under ORS 455.210 or 479.845, the municipality shall submit further documentation to be received by the division within 15 days following notification. This documentation shall include, but not be limited to:

- (A) A narrative explaining why the building inspection program fees are necessary at the level proposed;
- (B) The municipality's newly adopted fee schedule and, if applicable, the prior fee schedule;
- (C) Revenue and expense information for the building inspection program including the current fiscal year, including a minimum of 12 months actual and 12 months projected revenues and expenses;
- (D) An explanation of the municipality's cost allocation method(s) for expenses;
- (E) An explanation of all reserve and ending fund balances;
- (F) A determination of whether the fee is reasonable, including an analysis of whether the fee is:
 - (i) Comparable to fees charged by other municipalities of similar size and geographic location for the same level of service;
 - (ii) Established through the same or similar calculation methods used by other municipalities; and
 - (iii) The same type as those charged by other municipalities for similar services; and
- (G) The identification of any potential building inspection program changes that are anticipated as a result of the proposed fee.

(c) The municipality shall update its operating plan on file with the division within 30 days of the adoption of a new building inspection program fee schedule including sufficient information for the division to determine the fee revenue will be used within the building inspection program.

(2) The division shall establish and maintain a list of all interested persons who wish to receive notice of all planned fee adoptions for building inspection programs. The division shall notify in writing all interested persons on the division's mailing list within 15 days of receiving a municipal notice of intent to adopt building inspection program fees.

(3) Upon a determination that the municipality failed to meet any of the fee adoption standards, the director may deny a fee adoption or require a municipality to rescind that portion of a local ordinance or regulation and readopt building inspection program fees. A municipality shall refund all building inspection program fees collected under the rescinded ordinance that exceed the prior building inspection program fee schedule, unless a waiver is approved by the director upon written request from the municipality. Copies of the waiver request shall be forwarded by the division to the interested parties list.

Stat. Auth.: ORS 455.030, 455.148 & 455.150
 Stats. Implemented: ORS 455.148, 455.150, 455.210 & 479.845
 Hist.: BCD 9-1996, f. 7-1-96, cert. ef. 10-1-96; BCD 14-1998, f. 9-30-98, cert. ef. 10-1-98; BCD 15-2002, f. & cert. ef. 7-1-02

Statewide Master Builder Program

918-020-0400

Application, Scope and Purpose

The purpose of OAR 918-020-0400 to 918-020-0490 is to allow building officials to delegate plan review and verification authority to

qualified builders. The division shall set statewide criteria to approve applications and administer testing for a master builder certification.

Stat. Auth.: ORS 455.805 & 455.810
 Stats. Implemented: ORS 455.805 & 455.810
 Hist.: BCD 6-2002, f. 3-25-02, cert. ef. 4-1-02

918-020-0410

Definitions

For the purpose of these rules, the following definitions apply:

(1) "Building trade committee" means a group, including, but not limited to, two local general contractors, one local building official and any other persons having substantial expertise in various aspects of one and two family dwelling construction.

(2) "General contractor" has the meaning given in ORS 701.005.

(3) "Master builder" means a person certified under the provisions of OAR 918-020-0420.

(4) "Qualified Construction Company" means a company that has been continuously licensed by the Construction Contractors Board during:

- (a) The preceding five years as a general contractor; or
- (b) At least the preceding two years as a general contractor and by one or more other states during the balance of the preceding five years in an occupation equivalent to that of a general contractor.

(5) "Regular employee" is someone who:

(a) Is continuously employed by, and on the regular payroll of, a qualified construction company;

(b) Has filed a withholding exemption certificate pursuant to ORS 316.182 for work performed for the qualified construction company; and

(c) Is available during working hours to supervise on-site dwelling construction including, but not limited to, supervising the installation through completion of:

- (A) Drywall;
- (B) Electrical systems;
- (C) Footings;
- (D) Foundations;
- (E) Framing;
- (F) Insulation;
- (G) Mechanical systems;
- (H) Plumbing systems; and
- (I) Stairs.

(6) "Whole dwelling remodel" means a project that includes the installation in an existing dwelling of all the following:

- (a) Footings;
- (b) Foundations;
- (c) Framing;
- (d) Work that includes the installation of plumbing, electrical and mechanical systems;
- (e) Insulation; and
- (f) Drywall.

Stat. Auth.: ORS 455.805 & 455.810
 Stats. Implemented: ORS 455.805 & 455.810
 Hist.: BCD 6-2002, f. 3-25-02, cert. ef. 4-1-02

918-020-0420

Training and Experience Required of an Individual

(1) An individual desiring to obtain or renew a master builder certificate shall have the following prerequisites prior to applying to the division:

(a) Be an owner or regular employee of a qualified construction company and be authorized by the company to provide assurance to the division that all state and local code requirements are met;

(b) In each of the five preceding calendar years, have either performed or supervised dwelling construction or whole dwelling remodel. In at least two of the five years, the construction or remodel shall have occurred in a geographic area that has or implements a master builder program; and

(c) Provide verification of completion of an approved training program on the current adopted **One- and Two-Family Dwelling Specialty Code**.

(2) An approved program shall include, but need not be limited to, 36 hours of instruction in:

- (a) Administration;
- (b) Chimneys and fireplaces;
- (c) Decay and termite protections;

- (d) Energy conservation;
- (e) Footings and foundations;
- (f) Roof-ceiling construction;
- (g) Roof coverings;
- (h) Site inspections or conditions;
- (i) Wall construction, assemblies and coverings; and
- (j) Wood and metal framing.

(3) Individuals desiring to be a master builder shall apply to the division using division supplied forms and pay an application fee of \$150. Examinations are approved and administered by the division and cover the provisions of the **One- and Two-Family Dwelling Specialty Code**, excluding electrical, plumbing and mechanical. Individuals must score a minimum of 75 percent to successfully pass the exam.

(4) Individual applications shall be denied if:

(a) The applicant is the subject of an adverse final order issued by the Construction Contractors Board or the division based upon acts committed within the 36 months preceding the application date that:

- (A) Violated a specialty code, licensing or permit requirement; or
- (B) Resulted in a claim being filed with the board or the division against the individual.

(b) If the individual is an owner of a qualified construction company, an adverse final order issued against the company is an adverse order issued against the individual;

(A) Completion of an approved training program cannot be verified; or

(B) The applicant fails to pass the division-approved examination.

(5) Upon determining that the applicant has successfully met all requirements for certification as a master builder, the division shall issue a certificate to the individual applicant.

(6) The division shall maintain a list of master builders.

(7) The division may deny, refuse to renew, suspend or revoke certification as a master builder if the individual fails or ceases to meet the criteria for certification set forth in OAR 918-020-0420 or engages in actions resulting in a waiver revocation under OAR 918-020-0480. Pursuant to ORS Chapter 183, an applicant may request a contested case hearing upon a denial or refusal to renew or prior to a suspension or revocation of certification.

(8) Certification as a master builder expires on April 1 no later than three years after the date of issuance unless suspended or revoked. An individual may renew a certificate that is in good standing by:

(a) Providing evidence that the person continues to meet the requirements of subsections (1)(a) and (b) of this rule;

(b) Providing evidence of continuing education as required by attending a division-approved class covering recent code changes in the **One- and Two-Family Dwelling Specialty Code**, excluding electrical, plumbing and mechanical, no later than 12 months after the code effective date; and

(c) Paying a \$50 renewal fee.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 455.805 & 455.810

Stats. Implemented: ORS 455.805 & 455.810

Hist.: BCD 6-2002, f. 3-25-02, cert. ef. 4-1-02

918-020-0430

Voluntary Establishment of a Master Builder Program

(1) Local jurisdiction establishment of a master builder program is voluntary. A local jurisdiction electing to establish a program shall notify the division through their operating plan. If terminating a program, the local jurisdiction shall give notice to the division 180 days prior to terminating the program.

(2) The division may implement a master builder program in one or more geographic areas for which the division provides plan review or inspection services.

(3) A jurisdiction may not allow an individual to perform the duties of a master builder unless the jurisdiction has a master builder program.

(4) The division shall maintain a list of jurisdictions that are participating in the statewide master builder program.

Stat. Auth.: ORS 455.805 & 455.810

Stats. Implemented: ORS 455.805 & 455.810

Hist.: BCD 6-2002, f. 3-25-02, cert. ef. 4-1-02

918-020-0440

Inspection Requirements that May Be Waived

(1) Subject to OAR 918-020-0430 and 918-020-0450, a building official may waive certain jurisdictional responsibilities to a master builder on a project by project basis for the following inspections:

- (a) Drywall;
- (b) Footings and setbacks;
- (c) Foundation walls, concrete encased electrode;
- (d) Insulation;
- (e) Masonry fireplace pre-cover;
- (f) Masonry rebar;
- (g) Gutters, downspouts and foundation drains;
- (h) Roof sheathing nailing;
- (i) Suspended ceiling;
- (j) Underfloor structural; and
- (k) Wall sheathing nailing.

(2) A building official for a jurisdiction that has a master builder program shall conduct inspections of at least 10 percent of projects built under a master builder program.

Stat. Auth.: ORS 455.805 & 455.810

Stats. Implemented: ORS 455.805 & 455.810

Hist.: BCD 6-2002, f. 3-25-02, cert. ef. 4-1-02

918-020-0450

Criteria to Waive Inspections or Plan Review

(1) Under a master builder program, a building official may waive on a project-by-project basis some plan review elements and one or more of the required inspections identified in OAR 918-020-0330, if:

(a) A master builder submits construction plans regulated by the **One- and Two-Family Dwelling Specialty Code**; and

(b) The building official determines that:

(A) The work is not of a highly technical nature; and

(B) There is no unreasonable potential risk to safety of the structure.

(2) A building official may not waive jurisdictional performance of plan review or required inspections for:

(a) Special design applications that are complex and highly technical engineered systems; or

(b) Unique building sites including, but not limited to, sites containing geologic hazards such as landslide hazard areas, floodplains and wetlands.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 455.805 & 455.810

Stats. Implemented: ORS 455.805 & 455.810

Hist.: BCD 6-2002, f. 3-25-02, cert. ef. 4-1-02

918-020-0460

Verification Requirements

A master builder shall:

(1) Perform all plan review and required verifications that the building official has waived; and

(2) Maintain copies of all documents and reports required by the local jurisdiction granting the waiver and provide those copies to the building official upon request.

Stat. Auth.: ORS 455.805 & 455.810

Stats. Implemented: ORS 455.805 & 455.810

Hist.: BCD 6-2002, f. 3-25-02, cert. ef. 4-1-02

918-020-0470

Assumption of Responsibility

(1) When waiving government performance of plan review or required inspections, a building official shall require the master builder to sign a form that specifically identifies each waiver and that states that the master builder accepts the duty of performing the review and verifications.

(2) A master builder who accepts the duty of performing a review or verification remains responsible for that duty unless released by written and signed permission of the building official. A building official may release a master builder from a review or verification by a written and signed assumption of the review or inspection duty by the building official or written and signed assumption of the review and verification duty by another master builder.

Stat. Auth.: ORS 455.805 & 455.810

Stats. Implemented: ORS 455.805 & 455.810

Hist.: BCD 6-2002, f. 3-25-02, cert. ef. 4-1-02

918-020-0480**Revocation of Waiver**

A building official who has a master builder program:

(1) May revoke a waiver for a plan review or required inspection if the master builder fails to properly perform, or document performance of, plan review or verification duties as required by these rules; and

(2) Shall, within 90 days, notify the division when the building official revokes a waiver.

Stat. Auth.: ORS 455.805 & 455.810

Stats. Implemented: ORS 455.805 & 455.810

Hist.: BCD 6-2002, f. 3-25-02, cert. ef. 4-1-02

918-020-0490**Effective Dates**

(1) If an individual applies on or before January 1, 2006, to be a master builder, and the individual has performed or supervised a dwelling construction or whole dwelling remodel in each of the five preceding calendar years, the division may waive the geographical requirement of OAR 918-020-0420(b);

(2) Section (1) of this rule is repealed July 1, 2007. The repeal does not invalidate any certification granted prior to July 1, 2007.

(3) If an individual was certified under a master builder pilot program, the division may waive any requirement of OAR 918-020-0420(1)(b) and (c), in granting master builder certification to that individual. If an individual was certified under a pilot program and is in good standing under that pilot program, the division may grant the individual temporary certification that allows the individual to act as a master builder in accordance with these rules for the purpose of completing a project commenced under the pilot program. The temporary certification shall expire 90 days following December 31, 2001. Notwithstanding OAR 918-020-0450, a waiver under a pilot program granted by a building official to a master builder on or before December 31, 2001, shall continue to be valid for an individual with a temporary certification under this section.

Stat. Auth.: ORS 455.805 & 455.810

Stats. Implemented: ORS 455.805 & 455.810

Hist.: BCD 6-2002, f. 3-25-02, cert. ef. 4-1-02

DIVISION 30**GENERAL LICENSING REQUIREMENTS****918-030-0000****Purpose and Scope**

OAR 918, division 30 establishes the general licensing requirements and procedures for individuals and businesses licensed by the appropriate board or by Building Codes Division. These rules apply to individuals and businesses required to be licensed under provisions of ORS chapters 447, 460, 479.510 to 479.945, 480.510 to 480.990 and 693.

Stat. Auth.: ORS 183.335

Stat. Implemented: ORS 183.335

Hist.: BCD 16-2006(Temp), f. 6-30-06, cert. ef. 7-1-06 thru 12-28-06; BCD 13-2006, f. 9-29-06, cert. ef. 10-1-06

918-030-0010**Definitions**

As used in OAR 918, division 30 and division 35, terms are defined as follows unless context requires otherwise:

(1) "Applicant" means a person that applies for a license in the manner established by these rules.

(2) "Appropriate Board" means the advisory board that has authority over a particular license or licensee.

(3) "Appropriate rules" refers to the administrative rules containing specific licensing criteria that are located in OAR 918 division 225, division 282, division 400, division 695 and division 780.

(4) "Code cycle" means the period from adoption of the current Oregon Specialty Code to the adoption of a new Oregon Specialty Code. Adoption refers to the base model code and does not mean amendment of the Oregon Specialty Code.

(5) "Director" means the Director of the Department of Consumer and Business Services.

(6) "Lawful work experience" means work experience in a jurisdiction that was gained in compliance with that jurisdiction's regulations. Lawful experience may include:

(a) Work experience gained while licensed for the scope and type of work performed; and

(b) Work experience gained while in the employ of a licensed employer when the employee is not required to have a license.

(7) "Person" means individuals, corporations, associations, firms, partnerships, limited liability companies, joint stock companies, and public agencies. "Person" also means the owner or holder of a direct or indirect interest in a corporation, association, firm, partnership, limited liability company or joint stock company if:

(a) The interest allows the owner or holder to participate in the management of the business; and

(b) The owner or holder of the interest has either had a division issued license revoked or been the recipient of a notice of proposed civil penalty from the director or the appropriate board.

(8) For purposes of ORS 447.040, 479.620, 480.630 and any other license regulated by ORS chapter 455, "engaging in the business" means to advertise or solicit, contract or agree to perform, or to perform, work for which a license or permit is required under Oregon law, including but not limited to a single instance.

(9) "Reciprocal Jurisdiction" means a state with a current reciprocal licensing agreement with the state of Oregon.

(10) "Registered" when referring to an apprenticeship program or a training committee means that the program or committee has been registered under the standards adopted by the Oregon Bureau of Labor and Industries or approved by the appropriate advisory board.

(11) "Valid" license means a license issued by either the appropriate board or division that has not expired and has not been suspended or revoked.

Stat. Auth.: ORS 183.335

Stat. Implemented: ORS 183.335

Hist.: BCD 16-2006(Temp), f. 6-30-06, cert. ef. 7-1-06 thru 12-28-06; BCD 13-2006, f. 9-29-06, cert. ef. 10-1-06

918-030-0015**Contractor Licenses**

(1) This rule applies to contractors' licenses issued by the division for the following: boiler contractors, electrical contractors, elevator contractors, and plumbing contractors.

(2) These contractors must possess or maintain a Construction Contractors Board license under ORS Chapter 701 or OAR Chapter 812. Possession of a Construction Contractors Board license does not replace any license required by the division or the appropriate board.

(3) Any applicant for a division-issued contractor's license must provide verification of appropriate Construction Contractors Board licensing.

(4) The division or appropriate board may suspend, revoke, or refuse to renew any contractor license if the licensee fails to maintain a required Construction Contractors Board license. Failure to maintain a required Construction Contractors Board license includes, but is not limited to, suspension, termination, or revocation by the Construction Contractors Board, or failure to renew with the Construction Contractors Board.

Stat. Auth.: ORS 447.040, 455.110, 455.117, 480.545, 479.730, & 670.310

Stats. Implemented: ORS 447.040, 455.110, 455.117, 480.545, 479.730, & 670.310

Hist.: BCD 4-2007, f. 3-30-07, cert. ef. 4-1-07

Application and Examination**918-030-0020****Application Process**

(1) An applicant must apply for a license on a division form or by completing an online application available through the division's Web site.

(2) In order to be approved the application must include:

(a) Applicable examination and application fees; and

(b) Verification of training, work experience or other documentation submitted in the manner established by OAR 918-030-0030.

(3) Nothing in chapter 918, division 030 prevents an applicant for a license from faxing or scanning and e-mailing documents.

(4) An applicant may not sit for an examination or receive a license unless the division approves the application.

(5) An applicant required by statute or appropriate rule to pass a written examination must score at least 75 percent correct.

Stat. Auth.: ORS 183.335

Stat. Implemented: ORS 183.335

Hist.: BCD 16-2006(Temp), f. 6-30-06, cert. ef. 7-1-06 thru 12-28-06; BCD 13-2006, f. 9-29-06, cert. ef. 10-1-06

918-030-0030

Qualifying Criteria

All applicants must submit proof of qualifying criteria as required by the appropriate rules and in the manner established by this rule.

(1) Submit training and experience verification as follows:

(a) A certificate of completion from a registered apprenticeship program, or a referral letter from either the registered training committee or a board approved training program stating the applicant is qualified to take the examination. The division will accept completion from an apprenticeship program that is not registered only if it meets the Oregon standard for apprenticeship training.

(b) A copy of a valid license from a reciprocal jurisdiction or a letter from the reciprocal jurisdiction stating that the applicant is currently licensed. Only reciprocal jurisdiction licenses obtained through examination meet this requirement; or

(c) Other verification of equivalent training and experience submitted in the manner established in OAR 918-030-0040 and 918-030-0050.

(2) Electrical license applicants who are required to submit proof of related training classes may alternatively submit verification of twice the amount of equivalent work experience required for the license.

(3) Applicants required to take an examination must submit proof of a high school diploma, GED or international equivalent. A college degree will substitute for the requirements of this section.

(4) For purposes of qualifying for a license, the division will consider no more than 2,000 hours of experience per year.

(5) Only lawful work experience is accepted. The appropriate board or division determines whether an applicant's work experience is lawful. If an applicant disagrees with the determination, the applicant must provide evidence clearly demonstrating that, at the time the disputed work was performed, the work experience was lawful under the laws of the jurisdiction in which work was performed.

Stat. Auth.: ORS 183.335

Stat. Implemented: ORS 183.335

Hist.: BCD 19-2004, f. 9-30-04, cert. ef. 10-1-04; BCD 10-2005, f. 4-29-05, cert. ef. 5-1-05; BCD 16-2006(Temp), f. 6-30-06, cert. ef. 7-1-06 thru 12-28-06; BCD 13-2006, f. 9-29-06, cert. ef. 10-1-06

918-030-0040

Other Verification

(1) Applicants submitting other verification of equivalent training and experience under OAR 918-030-0030(1)(c), must provide verification from the following persons:

(a) Verification from a current or previous employer actively involved with the applicant's work; or

(b) If the current or previous employer is no longer in business, is deceased or otherwise cannot be located, verification from the individual that supervised the work; or

(c) Only if both the employer and the supervisor cannot be located, verification from a co-worker that was directly involved in the work performed. Co-worker verification must be accompanied by supporting documentation, such as employment records, showing that the verifier worked with the applicant and has knowledge of the work performed.

(2) The appropriate board may approve alternate verification of training and experience on a case-by-case basis.

Stat. Auth.: ORS 183.335

Stat. Implemented: ORS 183.335

Hist.: BCD 16-2006(Temp), f. 6-30-06, cert. ef. 7-1-06 thru 12-28-06; BCD 13-2006, f. 9-29-06, cert. ef. 10-1-06

918-030-0050

Verification of Military Training and Experience

(1) Experience and training gained through the military is evaluated on a case-by-case basis. The experience and training must be equivalent to the license criteria established by the appropriate rules.

(2) Military training and experience must be submitted as follows:

(a) Official documentation from supervising officials showing the type and approximate hours of work experience; or

(b) Other reliable documentation verifying training and experience if supervisory officials cannot be located.

Stat. Auth.: ORS 183.335

Stat. Implemented: ORS 183.335

Hist.: BCD 16-2006(Temp), f. 6-30-06, cert. ef. 7-1-06 thru 12-28-06; BCD 13-2006, f. 9-29-06, cert. ef. 10-1-06

918-030-0060

Reapplying After Failed Examination

(1) An applicant who fails an examination may reapply for the license at any time as provided in OAR 918-030-0020. There is no waiting period to reapply after a failed exam.

(2) An applicant who reapplies is not required to re-qualify for examination or provide work history information unless the requirements for the license have changed since the applicant originally applied for the license.

(3) Exam retakes are scheduled no less than 30 days from the date of the failed exam.

Stat. Auth.: ORS 183.335

Stat. Implemented: ORS 183.335

Hist.: BCD 16-2006(Temp), f. 6-30-06, cert. ef. 7-1-06 thru 12-28-06; BCD 13-2006, f. 9-29-06, cert. ef. 10-1-06; BCD 2-2007, f. 3-30-07, cert. ef. 4-1-07

Continuing Education

918-030-0100

Continuing Education Generally

(1) OAR 918-030-0100 to 918-030-0150 establishes continuing education requirements for licensees.

(2) The hourly continuing education requirements can be met by approved class, online or correspondence courses.

(3) When a continuing education course is taught in more than one session, credit is only granted upon completion of the entire course.

Stat. Auth.: ORS 183.335

Stat. Implemented: ORS 183.335

Hist.: BCD 2-2004, f. 2-13-04, cert. ef. 4-1-04; BCD 16-2006(Temp), f. 6-30-06, cert. ef. 7-1-06 thru 12-28-06; BCD 13-2006, f. 9-29-06, cert. ef. 10-1-06

918-030-0120

Licenses Requiring 24 Hours of Continuing Education

(1) During each three-year license cycle, the following license holders are required to complete 24 hours of approved continuing education, including one code-change course:

(a) General Supervising Electrician;

(b) Limited Supervising Electrician;

(c) General Journeyman Electrician;

(d) Journeyman Plumber;

(2) The following licenses transition to a three-year cycle beginning July 2008. Until then holders of the following licenses are required to complete 8 hours of continuing education each year:

(e) Class 2 Boiler — Pressure Vessel Installer;

(f) Class 3 Boiler — Building Service Mechanic;

(g) Class 4 Boiler — Boilermaker;

(h) Class 5 Boiler — Pressure Piping Mechanic;

(i) Class 5A Boiler — Process Piping Mechanic; and

(j) Class 5B Boiler — Refrigeration Piping Mechanic.

Stat. Auth.: ORS 183.335

Stat. Implemented: ORS 183.335

Hist.: BCD 16-2006(Temp), f. 6-30-06, cert. ef. 7-1-06 thru 12-28-06; BCD 13-2006, f. 9-29-06, cert. ef. 10-1-06

918-030-0125

Licenses Requiring 16 Hours of Continuing Education

During each three-year license cycle, the following license holders are required to complete 16 hours of approved continuing education, including one code-change course:

(1) Limited Residential Electrician

(2) Limited Journeyman Manufacturing Plant Electrician

Stat. Auth.: ORS 183.335

Stat. Implemented: ORS 183.335

Hist.: BCD 16-2006(Temp), f. 6-30-06, cert. ef. 7-1-06 thru 12-28-06; BCD 13-2006, f. 9-29-06, cert. ef. 10-1-06

918-030-0130

Licenses Requiring 8 Hours of Continuing Education

During each three-year license cycle, the following license holders are required to complete 8 hours of approved continuing education, including one code-change course if required by the appropriate board:

(1) Limited Maintenance Electrician;

(2) Class A Limited Energy Technician;

(3) Class B Limited Energy Technician; and

(4) Solar Heating and cooling System Plumbing Installer.

Stat. Auth.: ORS 183.335

Stat. Implemented: ORS 183.335

Hist.: BCD 16-2006(Temp), f. 6-30-06, cert. ef. 7-1-06 thru 12-28-06; BCD 13-2006, f. 9-29-06, cert. ef. 10-1-06

918-030-0135

Licenses Requiring 4 Hours of Continuing Education

During each three-year license cycle, the following license holders are required to complete 4 hours of approved continuing education, including one code-change course if required by the appropriate board:

- (1) Limited Renewable Energy Technician; and
- (2) Limited Journeyman Sign Electrician.

Stat. Auth.: ORS 183.335

Stat. Implemented: ORS 183.335

Hist.: BCD 16-2006(Temp), f. 6-30-06, cert. ef. 7-1-06 thru 12-28-06; BCD 13-2006, f. 9-29-06, cert. ef. 10-1-06

918-030-0140

Backflow Tester Approved Training

(1) An Oregon journeyman plumber or an Oregon apprentice plumber must complete an approved training program in order to test backflow prevention device assemblies.

(2) The director recognizes the following state-approved training programs for an Oregon journeyman plumber or an Oregon apprentice plumber who tests backflow prevention device assemblies:

(a) Backflow Tester Training approved by the Department of Human Services; or

(b) Division-approved continuing education course with content related to testing backflow prevention device assemblies.

(3) Backflow tester training approved by the Department of Human Services meets continuing education requirements for Oregon journeyman plumbing license renewal.

Stat. Auth.: ORS 455.110

Stats. Implemented: ORS 455.110

Hist.: BCD 12-2006, f. 9-15-06, cert. ef. 10-1-06

918-030-0150

New Licensee Continuing Education Requirements

(1) New licensees must complete the following continuing education requirements prior to renewal:

(a) No continuing education is required if license is obtained within 6 months of license expiration date; or

(b) The lesser of 8 hours of continuing education or the minimum requirement for the license is required if the license is obtained within 12 months of the license expiration date; or

(c) The lesser of 16 hours of continuing education or the minimum requirement for the license is required if the license is obtained within 24 months of the license expiration date.

(2) New licensees are not required to complete a code-change course.

Stat. Auth.: ORS 183.335

Stat. Implemented: ORS 183.335

Hist.: BCD 16-2006(Temp), f. 6-30-06, cert. ef. 7-1-06 thru 12-28-06; BCD 13-2006, f. 9-29-06, cert. ef. 10-1-06

License Expiration & Renewal

918-030-0200

License Renewal Process

(1) License renewals must be completed on or prior to the license expiration date by:

(a) Submitting a renewal application or completing the online renewal form;

(b) Completing all continuing education requirements; and

(c) Paying the appropriate application fee.

(2) The division mails one renewal notification to the last known address of the licensee at least 30 days prior to license expiration. It is the responsibility of the licensee to notify the division of a change in the licensee's address.

Stat. Auth.: ORS 183.335

Stat. Implemented: ORS 183.335

Hist.: BCD 7-2004, f. 5-21-04, cert. ef. 7-1-04; BCD 16-2006(Temp), f. 6-30-06, cert. ef. 7-1-06 thru 12-28-06; BCD 13-2006, f. 9-29-06, cert. ef. 10-1-06

918-030-0210

License Expiration Dates

(1) All licenses expire on a three-year cycle established in **Table 1-A**, unless renewed.

(2) The license expiration date is printed on all licenses.

[ED. NOTE: Tables referenced are available from the agency.]

Stat. Auth.: ORS 183.335

Stat. Implemented: ORS 183.335

Hist.: BCD 16-2006(Temp), f. 6-30-06, cert. ef. 7-1-06 thru 12-28-06; BCD 13-2006, f. 9-29-06, cert. ef. 10-1-06

918-030-0220

Transitional Rule for License Expiration Dates

Nothing in these rules shall prevent the following licenses from renewing as follows:

(1) All combination licenses expire on July 1, 2006 unless renewed. Combination licenses next expire on July 1, 2008 and every three years thereafter.

(2) All contractor licenses except the electrical elevator contractor licenses expire on July 1, 2006 unless renewed. Contractor licenses described in this section next expire on July 1, 2008 and every three years thereafter.

(3) All boiler licenses, including the boiler business license expire annually on July 1, unless renewed. Boiler licenses shall continue to expire annually until July 1, 2008 and then shall expire every three years thereafter.

(4) The elevator contractor mechanical license expires on July 1, 2006 unless renewed. Licenses described in this section next expire on July 1, 2007 and every three years thereafter.

(5) A holder of a journeyman plumber license that expires on April 1, 2007 shall be issued a license that expires on April 1, 2011, if the license holder renews the license prior to the April 1, 2007 expiration date. A license holder described in this section must complete 24 hours of approved continuing education prior to April 1, 2011 in order to renew the license.

Stat. Auth.: ORS 183.335

Stat. Implemented: ORS 183.335

Hist.: BCD 16-2006(Temp), f. 6-30-06, cert. ef. 7-1-06 thru 12-28-06; BCD 13-2006, f. 9-29-06, cert. ef. 10-1-06

918-030-0230

Failure to Renew

(1) A licensee who fails to renew a license must not perform work requiring the expired license.

(2) A licensee who fails to renew a license may obtain a valid license within one year of the date the license expired if the licensee:

(a) Reapplies for the license;

(b) Pays the application fee; and

(c) Completes all outstanding continuing education requirements that accrued prior to license expiration.

(3) A licensee who fails to renew under OAR 918-030-0200 and fails to obtain a valid license in Section (2), must apply for the license under OAR 918-030-0020, including passing the appropriate examination.

(4) Applicants reapplying under sections (2) or (3) of this rule are not required to re-qualify for examination or provide work history information unless the requirements for the license have changed since the applicant originally applied to the division.

Stat. Auth.: ORS 183.335

Stat. Implemented: ORS 183.335

Hist.: BCD 16-2006(Temp), f. 6-30-06, cert. ef. 7-1-06 thru 12-28-06; BCD 13-2006, f. 9-29-06, cert. ef. 10-1-06

918-030-0240

Extension for Hardship or Illness

(1) The appropriate board or the division may extend the period for complying with continuing education requirements or for complying with renewal requirements in cases of hardship or illness.

(2) Requests for extension must:

(a) Be in writing;

(b) Describe the hardship or illness;

(c) Describe why the applicant is unable to comply; and

(d) State when the person will complete the continuing education requirements.

(3) A hardship or illness extension will not be granted for:

(a) Failure or inability to pay renewal fees; or

(b) Renewal applications that are lost or otherwise are not delivered to the applicant.

Stat. Auth.: ORS 183.335

Stat. Implemented: ORS 183.335

Hist.: BCD 16-2006(Temp), f. 6-30-06, cert. ef. 7-1-06 thru 12-28-06; BCD 13-2006, f. 9-29-06, cert. ef. 10-1-06

918-030-0250

Extension for Call to Military Service

(1) The appropriate board or the division may extend the period for complying with continuing education requirements or renewal requirements if the licensee was ordered to military duty for a period of 60 days or more.

(2) Request for extension must:

(a) Be in writing; and

(b) Include a copy of military orders.

(3) Following release from duty, the licensee shall comply with renewal requirements or complete continuing education in a manner acceptable to the board or the division.

Stat. Auth.: ORS 183.335

Stat. Implemented: ORS 183.335

Hist.: BCD 16-2006(Temp), f. 6-30-06, cert. ef. 7-1-06 thru 12-28-06; BCD 13-2006, f. 9-29-06, cert. ef. 10-1-06

918-030-0320

Purpose of the Rules

ORS 25.785 requires the Building Codes Division and its appropriate advisory boards to record an applicant's social security number in order to issue or renew a license, certification or registration subject to suspension under ORS 25.750 to 25.783. These rules establish requirements and procedures for applicants with or without social security numbers issued by the United States Social Security Administration to provide a social security number or a statement indicating that the applicant does not have a social security number.

Stat. Auth.: ORS 25.785, 446.210, 446.400, 455.457, 460.085, 479.630, 479.910, 480.630 & 693.050

Stats. Implemented: ORS 25.785

Hist.: BCD 8-2004, f. 6-21-04, cert. ef. 7-1-04

918-030-0325

Requirements and Procedures

(1) The Building Codes Division will not issue or renew a license, certification or registration subject to suspension under ORS 25.750 to 25.783 unless an applicant provides his or her social security number on the application or renewal form. Applicants do not need to provide their social security number on applications for renewal if the applicant previously provided their social security number to the division and it is in the record.

(2) The Building Codes Division may accept a written statement to fulfill the requirements of section (1) from an applicant who has not been issued a social security number by the United States Social Security Administration. Applicants do not need to provide this statement with the application for renewal if the applicant previously provided this statement to the division and it is in the record. Any written statement submitted must:

(a) Be signed by the applicant; and

(b) Attest to the fact that a social security number has not been issued to the applicant by the United States Social Security Administration.

Stat. Auth.: ORS 25.785, 446.210, 446.400, 455.457, 460.085, 479.630, 479.910, 480.630 & 693.050

Stats. Implemented: ORS 25.785

Hist.: BCD 8-2004, f. 6-21-04, cert. ef. 7-1-04

Dealer Licensing

918-030-0400

Purpose and Scope

OAR 918-030-0400 through 918-030-0490 contains the definitions, rules and requirements pertaining to businesses that engage in the business of selling manufactured structures. With the implementation of these rules, the division intends to repeal the administrative rules adopted by the Department of Motor Vehicles to the extent that they regulate dealers of manufactured structures.

Stat. Auth.: Ch. 655, 2003 OL, Sec. 147 & ORS 446.666

Stats. Implemented: ORS 446.666

Hist.: BCD 10-2005, f. 4-29-05, cert. ef. 5-1-05

918-030-0410

Definitions

As used in OAR 918-030-0400 through 0490 and ORS chapter 446, unless the context clearly indicates otherwise, the following definitions apply:

(1) "Corrected license" means a manufactured structures dealer license or a limited manufactured structures dealers license that has

been modified from the information supplied in the original application, i.e. name change, or address change.

(2) "Dealer" means a person who is required to be licensed pursuant to ORS 446.691, 446.696, 446.701 or 446.706.

(3) "Dealership," "place of business," or "business location," means a location within the State of Oregon, where a dealer engages in the business of selling manufactured structures.

(4) "Location," "main business location," or "main dealership," means a location identified and listed as the dealer's main business location on the original business license application.

Stat. Auth.: ORS 183.335

Stat. Implemented: ORS 183.335

Hist.: BCD 16-2006(Temp), f. 6-30-06, cert. ef. 7-1-06 thru 12-28-06; BCD 13-2006, f. 9-29-06, cert. ef. 10-1-06

918-030-0420

Dealer Licensing

(1) To apply for a dealer license, supplemental license, temporary license, or limited license, a person must submit a completed division approved application form and a division approved surety bond.

(2) For the purposes of this section, a supplemental or corrected license shall have the same expiration as the limited or dealer license.

Stat. Auth.: ORS 446.666

Stats. Implemented: ORS 446.666 & 446.716

Hist.: BCD 10-2005, f. 4-29-05, cert. ef. 5-1-05

918-030-0430

Dealer Requirements

(1) A dealer shall file all required applications for ownership documents and trip permits, or ensure required applications are completed and filed, in a manner prescribed by the division.

(2) A manufactured structure dealer selling manufactured homes for installation in Oregon, shall present each potential buyer of a new manufactured home with a division standard disclosure statement to read and sign prior to the completion of the sales contract of any new manufactured home. A dealer shall give one copy of the disclosure, signed by the buyer and the dealer, to the buyer and retain one copy in the dealer's files for not less than five years from the date of sale. Copies of signed disclosures shall be made available to the division upon request.

(3) Dealers are required to maintain accurate records for a period of five years. Records required to be maintained include but are not limited to:

(a) A legible copy of any disclosure statement provided to a purchaser;

(b) A legible copy of any trip permit issued by the dealer;

(c) A record of the names and addresses of all contractors retained or hired by the dealer to engage in any aspect of manufactured structure installation or service work and a record identifying the manufactured structures on which each contractor performed work;

(d) Records of any correction notices the dealer has sent to a manufacturer for repairs arranged by the dealer;

(e) A record of any alterations a dealer made to a manufactured structure prior to sale or as a part of a sales agreement;

(f) A legible copy of all records relating to a sale, including but not limited to confirmation orders, diagrams, purchase options, written agreements, financing applications, financing agreements, change orders, price changes, ownership documents, and applications to record a structure in deed records; and

(g) Records associated with consignment sales.

(4) In addition to the bond or letter of credit requirements in ORS 446.726, a dealer shall authorize their bond or letter of credit company to notify the division upon any change to or cancellation of the insurance required for their dealer license, and notify the division of any change to or cancellation of the bond or letter of credit required for their dealer license.

(5) A dealer shall within 10 business days, notify the division of any name, ownership, address changes or additions, through a division approved form including any change of registration status with the Secretary of State, and obtain all required licenses.

(6) Dealers shall exercise due care and diligence that is consistent with industry practice in all transactions involving a manufactured structure and shall not, by act or omission, endanger the economic welfare or the health or safety of the public through such transactions.

(7) A dealer shall not engage in conduct which demonstrates habitual disregard for the law.

Stat. Auth.: ORS 446.666
 Stats. Implemented: ORS 446.225, 446.260, 446.666, 446.691, 446.696, 446.701, 446.706, 446.716, 446.726, 446.736, 446.741 & 446.751
 Hist.: BCD 10-2005, f. 4-29-05, cert. ef. 5-1-05

918-030-0490

Violations

Additional grounds for manufactured structure dealer license, denial, suspension, revocation or placement on probation, may include:

- (1) Failure to maintain records or any other requirements under OAR 918-030-0430;
- (2) Conduct which constitutes a Class A misdemeanor or any felony arising out of actions related to the selling, brokering, trading or exchanging of manufactured structures or conviction of such Class A misdemeanor of felony; or
- (3) Conduct which constitutes an unlawful practice under ORS 646.608;
- (4) Failure to maintain the required bond insurance or letter of credit; and
- (5) A pattern of violations of any provisions of ORS 446.003 to 446.200, 446.225 to 446.285, 446.395 to 446.420, and 446.561 to 446.756 or any rules adopted thereunder.

Stat. Auth.: ORS 446.741
 Stats. Implemented: ORS 446.666, 446.741, 446.746, 446.751 & 446.756
 Hist.: BCD 10-2005, f. 4-29-05, cert. ef. 5-1-05

918-030-0900

Revocation, Cancellation or Suspension of License

In accordance with ORS Chapter 183, the director may revoke, cancel or suspend a contractor license, business license or registration to conduct business when the contractor or business holds more than one license under ORS 479.510 to 479.945, 480.510 to 480.670, Chapter 447 and Chapter 460, if the contractor or business:

- (1) Does not meet the minimum qualifications prescribed in ORS 460.085, 479.630, 480.630 or 447.030, any rule adopted thereunder;
- (2) Falsifies an application;
- (3) Establishes a pattern of conduct that may include:
 - (a) Working or employing persons without proper license or certification;
 - (b) Making, directing or supervising installations that are unsafe or do not meet minimum safety standards; or
 - (c) Failing to meet the minimum requirements in the State Building Code; or
 - (4) Any other activity prejudicial to the electrical, plumbing, elevator or boiler or pressure vessel safety programs under ORS 479.510 to 479.945, 480.510 to 480.670, Chapter 447 and Chapter 460, or any rules adopted thereunder.

Stat. Auth.: Ch. 75, 2003 OL
 Stats. Implemented: Ch. 75, 2003 OL
 Hist.: BCD 2-2004, f. 2-13-04, cert. ef. 4-1-04

Miscellaneous Licensing Rules

918-030-0910

Combination Licenses

The division, with the approval of the appropriate advisory board, shall establish license categories for contractors or businesses who hold two or more contractor or business licenses established under ORS 479.510 to 479.945, 480.510 to 480.670, chapter 447 and chapter 460 that are valid for two years.

Stat. Auth.: ORS 183.335
 Stat. Implemented: ORS 183.335
 Hist.: BCD 16-2006(Temp), f. 6-30-06, cert. ef. 7-1-06 thru 12-28-06; BCD 13-2006, f. 9-29-06, cert. ef. 10-1-06

918-030-0920

Visible Identification Badge

(1) For the purpose of this rule, a visible identification badge is an individual license, registration or certification issued by the division or an appropriate advisory board. This rule does not apply to contractors, businesses or inspectors.

(2) Individuals performing elevator, electrical, boiler, pressure vessel, or plumbing work, which requires a license, shall wear and visibly display their license. A licensee does not need to wear and visibly display their license if doing so would create a danger or unsafe condition for the licensee or for the public, provided the licensee can

demonstrate proof of licensure to an inspector, investigator or other employee empowered to enforce the state building code.

Stat. Auth.: ORS 183.335
 Stat. Implemented: ORS 183.335
 Hist.: BCD 16-2006(Temp), f. 6-30-06, cert. ef. 7-1-06 thru 12-28-06; BCD 13-2006, f. 9-29-06, cert. ef. 10-1-06

DIVISION 35

CONTINUING EDUCATION PROVIDERS

918-035-0000

Purpose and Scope

OAR 918, division 35 establishes standards and procedures for approval of continuing education courses by the appropriate board or division. These rules apply to continuing education providers and instructors for purposes of gaining and maintaining approval of continuing education courses and instructors.

Stat. Auth.: ORS 183.335
 Stat. Implemented: ORS 183.335
 Hist.: BCD 16-2006(Temp), f. 6-30-06, cert. ef. 7-1-06 thru 12-28-06; BCD 13-2006, f. 9-29-06, cert. ef. 10-1-06

918-035-0005

Definitions

As used in OAR 918 division 035 terms are defined as established in OAR 918-030-0010.

Stat. Auth.: ORS 183.335
 Stat. Implemented: ORS 183.335
 Hist.: BCD 16-2006(Temp), f. 6-30-06, cert. ef. 7-1-06 thru 12-28-06; BCD 13-2006, f. 9-29-06, cert. ef. 10-1-06

918-035-0010

Authority for Course and Instructor Approval

(1) The appropriate board or the division approves continuing education courses and instructors, subject to the standards and procedural requirements established in OAR 918, division 35.

(2) The appropriate board may delegate authority for course or instructor approval to a committee or the Building Codes Division. The committee or division must report all approved courses to the appropriate board.

Stat. Auth.: ORS 183.335
 Stat. Implemented: ORS 183.335
 Hist.: BCD 16-2006(Temp), f. 6-30-06, cert. ef. 7-1-06 thru 12-28-06; BCD 13-2006, f. 9-29-06, cert. ef. 10-1-06

918-035-0020

Timeline for Approval; Term of Approval

(1) Application for course or instructor approval may be made at any time during the code cycle.

(2) Application for course approval prior to code adoption as defined in OAR 918, division 008 may be made at any time after the notice of proposed rulemaking hearing for the adoption of the new code has been filed with the Secretary of State.

(3) Courses and instructors are approved for the duration of the code-cycle and courses may be taught prior to the effective date of that code.

Stat. Auth.: ORS 183.335
 Stat. Implemented: ORS 183.335
 Hist.: BCD 16-2006(Temp), f. 6-30-06, cert. ef. 7-1-06 thru 12-28-06; BCD 13-2006, f. 9-29-06, cert. ef. 10-1-06

918-035-0040

Minimum Requirements for Continuing Education Course Approval

Continuing education courses must meet the following minimum requirements:

(1) Course instructors must be approved by the appropriate board or the division pursuant to these rules;

(2) The minimum course length is two hours or the equivalent for online or correspondence courses;

(3) Courses must cover the most current appropriate specialty code including Oregon amendments;

(4) The course must include the material described in OAR 918-035-0050; and

(5) The course must comply with the policies and procedures established by the appropriate board or the division for ensuring the quality and effectiveness of the course.

Stat. Auth.: ORS 183.335
 Stat. Implemented: ORS 183.335
 Hist.: BCD 16-2006(Temp), f. 6-30-06, cert. ef. 7-1-06 thru 12-28-06; BCD 13-2006, f. 9-29-06, cert. ef. 10-1-06

918-035-0050

Code-Change Course Content

The appropriate board or the division develops content requirements for continuing education code-change courses. The content requirements must include but are not limited to the following:

- (1) Permit processes and requirements;
- (2) Instruction on the scope of work allowed under a given license;
- (3) Rule and law changes, including alternate method rulings and interpretations; and
- (4) Code instruction, in specific areas deemed appropriate by the board or division.

Stat. Auth.: ORS 183.335
 Stat. Implemented: ORS 183.335
 Hist.: BCD 16-2006(Temp), f. 6-30-06, cert. ef. 7-1-06 thru 12-28-06; BCD 13-2006, f. 9-29-06, cert. ef. 10-1-06

918-035-0060

Instructor Approval

(1) Instructors may apply for approval as part of the course approval procedure or may apply for approval independent of the course approval process.

(2) Approved instructors must be qualified by training or experience to teach the subject matter of the course. Qualifications may be evidenced by:

- (a) An appropriate license;
 - (b) A relevant degree; or
 - (c) Other expertise recognized by the board or the division.
- (3) Applicants for instructor approval must:
- (a) Apply on a division-approved form; and
 - (b) Submit proof of qualifications to the board or the division.
- (4) Approved instructors and division staff who instruct continuing education courses shall receive continuing education credit for courses taught.

(5) Division staff teaching courses in the normal course of their duties are considered approved instructors for the purposes of these rules.

Stat. Auth.: ORS 183.335
 Stat. Implemented: ORS 183.335
 Hist.: BCD 16-2006(Temp), f. 6-30-06, cert. ef. 7-1-06 thru 12-28-06; BCD 13-2006, f. 9-29-06, cert. ef. 10-1-06

918-035-0070

Approval Procedure

- (1) Applications for course approval must include:
 - (a) Brief description of the course;
 - (b) Detailed course outline, which shall include:
 - (A) Specific reference to the course content requirements established by the appropriate board or division; and
 - (B) The amount of time spent on each content area;
 - (c) Course objectives and learning outcomes;
 - (d) Provider contact information;
 - (e) Name or names of instructors;
 - (f) Instructor qualifications, unless the instructor has already been approved by the division;
 - (g) Number of credits requested;
 - (h) List or samples of all program materials;
 - (i) Documentation demonstrating compliance with the policies and procedures for ensuring the quality and effectiveness of the course;
 - (j) Course prerequisites, if any; and
 - (k) Agreement to allow division to evaluate course and instructor.
- (2) Courses qualifying for approval as code-change courses must include the code-change material specified by the appropriate board or the division under OAR 918-035-0050 for the specific license type(s).
- (3) Subsequent applications for the same program may incorporate by reference all or part of the original application.

Stat. Auth.: ORS 183.335
 Stat. Implemented: ORS 183.335
 Hist.: BCD 16-2006(Temp), f. 6-30-06, cert. ef. 7-1-06 thru 12-28-06; BCD 13-2006, f. 9-29-06, cert. ef. 10-1-06

918-035-0080

Recording Continuing Education Credits

(1) Providers must submit a list of course attendees in a method specified by the division.

(2) Providers must document course completion and give proof of course completion to each attendee.

(3) Providers shall retain records of attendees for each course for at least 5 years from the date of the course. Providers shall provide a copy of the record to the division at the division's request.

Stat. Auth.: ORS 183.335
 Stat. Implemented: ORS 183.335
 Hist.: BCD 16-2006(Temp), f. 6-30-06, cert. ef. 7-1-06 thru 12-28-06; BCD 13-2006, f. 9-29-06, cert. ef. 10-1-06

918-035-0090

Suspension or Revocation of Program or Instructor Approval

The board or the division may assess a civil penalty or take any other appropriate action including suspension or revocation of approval of a continuing education course or instructor if the provider or instructor fails to meet the requirements in this division of rules, including but not limited to:

- (1) The requirement that courses be taught by an approved instructor;
- (2) Failure to teach the required material or course content for the approved course;
- (3) Providing inaccurate information indicating that a course or instructor has been approved; or
- (4) Providing an inaccurate list of course attendees.

Stat. Auth.: ORS 183.335
 Stat. Implemented: ORS 183.335
 Hist.: BCD 16-2006(Temp), f. 6-30-06, cert. ef. 7-1-06 thru 12-28-06; BCD 13-2006, f. 9-29-06, cert. ef. 10-1-06

DIVISION 40

BOARD MEETINGS AND ADMINISTRATION

918-040-0000

Purpose and Scope

The rules in OAR chapter 918 division 040 establish consistent protocols for the administration of activities carried out by the boards covered by these rules. These rules apply to the Electrical and Elevator Board, the Building Codes Structures Board, the Mechanical Board, the Residential Structures Board, the Board of Boiler Rules, the Oregon State Plumbing Board and the Manufactured Structures and Parks Advisory Board.

Stat. Auth.: ORS 183.335
 Stats. Implemented: ORS 455.144
 Hist.: BCD 14-2006, f. & cert. ef. 12-29-06

918-040-0020

Board Agendas

(1) Board meeting agendas will be made available approximately two weeks prior to scheduled meetings.

(2) Any person requesting that an item be placed on the agenda must make the request to the division at least 30 days before the scheduled meeting. The request must include:

- (a) A written statement explaining the subject matter of the item;
- (b) The action or result requested, if applicable;
- (c) The amount of time requested; and
- (d) Any other documents relevant to the item.

(3) The appropriate board chairperson may exclude a requested item from the agenda if the request does not include the information required in Section (2) of this rule, or is not relevant to, or appropriate for, the board in question.

(4) The board may restrict presentation time on any agenda item.

Persons appearing are encouraged to submit written statements.

Stat. Auth.: ORS 183.335
 Stats. Implemented: ORS 455.144
 Hist.: BCD 14-2006, f. & cert. ef. 12-29-06

918-040-0030

Rules of Order

Sturgis Standard Code of Parliamentary Procedure, Fourth Edition, is adopted for board and board-committee proceedings.

[Publications: Publications referenced are available from the agency.]
 Stat. Auth.: ORS 183.335

Stats. Implemented: ORS 455.144
Hist.: BCD 14-2006, f. & cert. ef. 12-29-06

918-040-0040

Public Comment

(1) Board meeting agendas provide for public comment. No prior arrangements are necessary to make public comment.

(2) Time for comment may be restricted by the presiding officer.

(3) The board may decide to refer an item from public comment to the next meeting agenda.

Stat. Auth.: ORS 183.335

Stats. Implemented: ORS 455.144

Hist.: BCD 14-2006, f. & cert. ef. 12-29-06

DIVISION 50

TRI-COUNTY ADMINISTRATION

General Administration

918-050-0000

Purpose and Scope

Division 50 provides administrative procedures for use in all regions of the state and, where applicable, to specified regions of the state. These rules do not supersede or repeal the existing provisions of the state building code and related statutes and rules.

Stat. Auth.: ORS 455.844 & 455.846

Stats. Implemented: ORS 455.844 & 455.846

Hist.: BCD 8-2000, f. 6-15-00, cert. ef. 7-1-00; BCD 31-2005, f. 12-30-05, cert. ef. 1-1-06

918-050-0010

Definitions

The following definitions are adopted for OAR 918, division 050:
(1) "Tri-county region" or "Tri-county regional" refers to the geographical area that includes Clackamas, Multnomah and Washington counties.

(2) "Division" means the Building Codes Division of the Department of Consumer and Business Services.

(3) "Permit" includes any license, certificate, approval, registration, insignia of compliance, label, or similar form of permission required by law to begin construction, reconstruction, alteration, installation, or repair on a structure, device, or equipment regulated by the state building code.

Stat. Auth.: ORS 455.842, 455.844 & 455.846

Stats. Implemented: ORS 455.842, 455.844 & 455.846

Hist.: BCD 8-2000, f. 6-15-00, cert. ef. 7-1-00; BCD 20-2003, f. 12-31-03, cert. ef. 1-1-04; BCD 31-2005, f. 12-30-05, cert. ef. 1-1-06

918-050-0020

Standard Tri-County Regional Application Forms

(1) All jurisdictions within the Tri-County region shall use standard permit application and intake checklist forms as approved by the division.

(2) The division shall consider for adoption proposed amendments to the standard application and intake checklist forms.

(a) Proposals for amendment to the application forms shall include: The existing unamended form(s);

(A) The form(s) containing the appropriate amendments; and

(B) A brief explanation of the need for the amendments.

(b) Proposals to amend the approved forms must be filed with the division no later than February 1 or August 1.

(c) The division shall notify all affected municipalities and interested parties of the division's determination regarding proposed amendments and provide copies of the amended form(s).

(d) Any form changes shall be effective in all Tri-County region jurisdictions on July 1 or January 1 following adoption.

Stat. Auth.: ORS 455.844 & 455.846

Stats. Implemented: ORS 455.844 & 455.846

Hist.: BCD 8-2000, f. 6-15-00, cert. ef. 7-1-00; BCD 20-2003, f. 12-31-03, cert. ef. 1-1-04; BCD 31-2005, f. 12-30-05, cert. ef. 1-1-06

918-050-0030

Standard Tri-County Regional Processes

All jurisdictions within the Tri-County region shall use uniform processes for permit application, plan review, permit issuance and recording inspections as approved by the division, including, but not limited to:

(1) Minor labels;

(2) Issuing permits when no plan review is required;

(3) Recording inspections;

(4) Partial permits;

(5) Deferred submittals;

(6) Over-the-counter permits that require plan review; and

(7) Plan review issue resolution.

Stat. Auth.: ORS 455.844 & 455.846

Stats. Implemented: ORS 455.844 & 455.846

Hist.: BCD 8-2000, f. 6-15-00, cert. ef. 7-1-00; BCD 31-2005, f. 12-30-05, cert. ef. 1-1-06

Uniform Fee Methodology

918-050-0100

Tri-County Regional Fee Methodology for Residential Permits

All municipalities in the Tri-county region shall use the following methodologies consistent with the terminology of the state building code to calculate permit fees for residential construction.

(1) Plumbing permit fees for new construction include one kitchen and are based on the number of bathrooms, from one to three, on a graduated scale. An additional set fee shall be assessed for each additional bath or kitchen.

(a) An additional fee shall not be charged for the first 100 feet of water and sewer lines, hose bibbs, icemakers, underfloor low-point drains and rain drain packages that include the piping, gutters, downspouts and perimeter system.

(b) Fee does not include:

(A) Any storm water retention/detention facility;

(B) Irrigation and fire suppression systems; or

(C) Additional water, sewer and service piping or private storm drainage systems exceeding the first 100 feet.

(c) Additions, alterations and repairs shall be calculated based on the number of fixtures, appurtenances and piping with a set minimum fee.

(2) All mechanical permit fees shall be calculated per appliance and related equipment with a set minimum fee.

(3) Effective July 1, 2007, structural permit fees for new construction and additions shall be calculated using the most current ICC Building Valuation Data Table, multiplied by the square footage of the dwelling to determine the valuation. The valuation shall then be applied to the jurisdiction's fee schedule to determine the permit fee. The plan review fee shall be based on a predetermined percentage of the permit fee as set by the local jurisdiction.

(a) The square footage of a dwelling, addition, or garage shall be determined from outside exterior wall to outside exterior wall for each level. The square footage of carports, covered porches and patios and decks shall be calculated separately at fifty percent of the value of private garages from the most current ICC Building Valuation Data Table.

(b) Permit fees for remodels and alterations shall be calculated using the valuation determined by the fair market value as determined by the building official, and applied to the jurisdiction's fee table.

(4) Additional local administrative fees or other local fees shall not be added to the cost of the building permit, except those administrative fees adopted by a municipality for plan reviews performed by licensed plan reviewers accepted pursuant to ORS 455.465.

Stat. Auth.: ORS 455.046, 455.048

Stats. Implemented: ORS 455.046, 455.048

Hist.: BCD 9-2000, f. 6-15-00, cert. ef. 10-1-00; BCD 31-2005, f. 12-30-05, cert. ef. 1-1-06; BCD 5-2007, f. 5-11-07, cert. ef. 7-1-07

918-050-0110

Tri-County Regional Fee Methodology for Commercial Permits

All municipalities in the Tri-county region shall use the following methodologies consistent with the terminology of the state building code to calculate permit fees for commercial structures.

(1) Plumbing permit fees shall be calculated based on the number of fixtures and footage of piping with a set minimum fee. The plan review fee shall be calculated separately based on a predetermined percentage of the permit fee as set by the local jurisdiction.

(2) Mechanical permit fees shall be determined based on the value of the mechanical equipment and installation costs and applied to the jurisdiction's fee schedule with a set minimum fee. The plan review fee shall be based on a predetermined percentage of the permit fee as set by the local jurisdiction.

(3) Effective July 1, 2007, structural permit fees shall be calculated using the most current ICC Building Valuation Data Table, using the occupancy and construction type as determined by the building official, multiplied by the square footage of the structure to determine the valuation, or value as stated by the applicant, whichever is greater, to determine the valuation. The valuation shall then be applied to the jurisdiction's fee schedule to determine the permit fee, with a set minimum fee. When the construction or occupancy type does not fit the ICC Building Valuation Data Table, the valuation shall be determined by the building official with input from the applicant. The plan review fee shall be based on a predetermined percentage of the permit fee as set by the local jurisdiction.

(4) Additional local administrative fees or other local fees shall not be added to the cost of the building permit.

Stat. Auth.: ORS 455.046, 455.048

Stats. Implemented: ORS 455.046, 455.048

Hist.: BCD 9-2000, f. 6-15-00, cert. ef. 10-1-00; BCD 31-2005, f. 12-30-05, cert. ef. 1-1-06; BCD 5-2007, f. 5-11-07, cert. ef. 7-1-07

918-050-0120

Tri-County Regional Electrical Permit Fees

Electrical Permit fees in the Tri-County region shall be calculated based on the categories, procedures and requirements established in OAR 918-309-0020 to 918-309-0070. Additional local administrative fees or other local fees shall not be added to the cost of the building permit.

Stat. Auth.: ORS 455.844 & 455.846

Stats. Implemented: ORS 455.844 & 455.846

Hist.: BCD 9-2000, f. 6-15-00, cert. ef. 10-1-00; BCD 31-2005, f. 12-30-05, cert. ef. 1-1-06;

918-050-0130

Tri-County Regional Manufactured Home Siting Permits

(1) All jurisdictions in the Tri-County region shall charge a single fee for the installation and set-up of manufactured homes. This single fee shall include the concrete slab, runners or foundations when they comply with the prescriptive requirements of the **Oregon Manufactured Dwelling and Park Specialty Code**, electrical feeder and plumbing connections and all cross-over connections. Additional local administrative fees or other local fees shall not be added to the cost of the building permit, except those administrative fees adopted by a municipality for plan reviews performed by licensed plan reviewers accepted pursuant to ORS 455.465.

(2) Decks, other accessory structures and foundations that do not comply with the prescriptive requirements of the **Oregon Manufactured Dwelling and Park Specialty Code**, utility connections beyond 30 lineal feet, new electrical services or additional branch circuits, new plumbing and other such items that fall under the building code may require separate permits.

(3) When the jurisdiction has reason to believe that the existing electrical service to a manufactured dwelling may be unsafe or inadequate, the jurisdiction may require a separate permit to inspect the electrical service.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 455.844 & 455.846

Stats. Implemented: ORS 455.844 & 455.846

Hist.: BCD 9-2000, f. 6-15-00, cert. ef. 10-1-00; BCD 26-2000(Temp), f. 10-4-00, cert. ef. 1-1-01 thru 6-29-01; BCD 31-2000, f. 12-27-00, cert. ef. 1-1-01; BCD 31-2005, f. 12-30-05, cert. ef. 1-1-06

918-050-0140

Residential Fire Suppression Systems

Stand-alone and multi-purpose fire suppression system permit fees charged in the Tri-County region shall each be calculated as separate flat fees based on the square footage of the structure with graduated rates for dwellings with 0 to 2000 square feet, 2001 to 3600 square feet, 3601 to 7200 square feet and 7201 square feet and greater. The permit fee shall be sufficient to cover the costs of inspection and plan review.

Stat. Auth.: ORS 455.844 & 455.846

Stats. Implemented: ORS 455.844 & 455.846

Hist.: BCD 19-2001, f. 12-21-01, cert. ef. 4-1-02; BCD 31-2005, f. 12-30-05, cert. ef. 1-1-06

918-050-0150

Medical Gas

Plumbing permit fees for medical gas systems installed in the Tri-County region shall be determined based on the value of installation

costs and the system equipment, including but not limited to, inlets, outlets, fixtures and appliances and applied to the jurisdiction's fee schedule with a set minimum fee. The plan review fee shall be based on a predetermined percentage of the permit fee as set by the local jurisdiction.

Stat. Auth.: ORS 455.844 & 455.846

Stats. Implemented: ORS 455.844 & 455.846

Hist.: BCD 19-2001, f. 12-21-01, cert. ef. 4-1-02; BCD 31-2005, f. 12-30-05, cert. ef. 1-1-06

918-050-0160

Phased Projects

The plan review fee charged in the Tri-County region for a phased project is based on a minimum phasing fee, to be determined by the jurisdiction, plus 10 percent of the total project building permit fee not to exceed \$1,500 for each phase.

Stat. Auth.: ORS 455.842 & 455.846

Stats. Implemented: ORS 455.842 & 455.846

Hist.: BCD 11-2002, f. 6-28-02, cert. ef. 7-1-02; BCD 31-2005, f. 12-30-05, cert. ef. 1-1-06

918-050-0170

Deferred Submittals

The fee charged in the Tri-County region for processing and reviewing deferred plan submittals shall be an amount equal to a percentage, to be determined by the local jurisdiction, of the building permit fee calculated according to OAR 918-050-0110(2) and (3) using the value of the particular deferred portion or portions of the project, with a set minimum fee. This fee is in addition to the project plan review fee based on the total project value.

Stat. Auth.: ORS 455.846

Stats. Implemented: ORS 455.842 & 455.844

Hist.: BCD 12-2002, f. 6-28-02, cert. ef. 7-1-02; BCD 31-2005, f. 12-30-05, cert. ef. 1-1-06

918-050-0800

Permit Surcharges

(1) A one-percent surcharge will be assessed upon the total permit fees collected pursuant to ORS 455.210(4)(c).

(2) Effective January 1, 2008, a four percent surcharge will be assessed upon the total permit fees collected pursuant to ORS 455.210(4)(d).

Stat. Auth.: ORS 455.044 & 455.210

Stats. Implemented: ORS 455.044 & 455.210

Hist.: BCD 10-1999(Temp), f. 9-7-99, cert. ef. 10-1-99 thru 3-28-00; BCD 17-1999, f. 12-30-99, cert. ef. 1-1-00; BCD 8-2000, f. 6-15-00, cert. ef. 7-1-00, Renumbered from 918-020-0520; BCD 31-2005, f. 12-30-05, cert. ef. 1-1-06; BCD 10-2007, f. 9-28-07, cert. ef. 1-1-08

DIVISION 90

SPECIALTY CODE PLAN REVIEW AND INSPECTION

918-090-0000

Purpose and Scope

(1) These rules establish registration requirements for businesses that perform specialty code inspections or plan reviews, and establish license requirements for individuals who perform specialty code inspections or plan reviews who are not employed by the division or a municipality.

(2) Nothing in these rules is meant to change existing requirements for individual certification to perform plan reviews and inspections under OAR 918, division 098, 281, 695, or 780.

(3) For the purpose of these rules "plan reviewer" and "plans examiner" have the same meaning.

(4) Persons approved and certified by the division who perform amusement ride or boiler inspections under the authority of ORS Chapters 460 and 480 and rules adopted thereunder are not required by OAR 918, division 090 rules to be licensed or registered.

Stat. Auth.: ORS 455.457

Stats. Implemented: ORS 455.455 & 455.457

Hist.: BCD 16-2000, f. 8-4-00, cert. ef. 10-1-00; BCD 10-2002(Temp), f. 5-14-02, cert. ef. 5-15-02 thru 11-10-02; BCD 29-2002, f. & cert. ef. 10-1-02; BCD 16-2005(Temp), f. & cert. ef. 7-7-05 thru 12-31-05; BCD 26-2005, f. 12-15-05, cert. ef. 1-1-06

918-090-0010

Definitions

As used in OAR 918, division 090, unless the context requires otherwise:

(1) "Employed" means working directly for an employer as an employee and completing a withholding exemptions certificate required by ORS 316.162 to 316.212.

(2) "Employee" means an individual who has completed a withholding exemptions certificate required by ORS 316.162 to 316.212.

(3) "Designated Licensed Plan Reviewer" means a licensed plan reviewer authorized by the division or a municipality to perform simple one- and two-family plan reviews directly for a permit applicant on their behalf.

(4) "Division" is defined in OAR 918-001-0005.

(5) "Inspector" is a person appropriately certified under OAR 918, division 098, 281, 695 or 780 who inspects work performed under the state specialty codes and approves the required inspections.

(6) "Licensed Plan Reviewer or Inspector" is an individual who is licensed to perform specialty code inspections or plan reviews under ORS 455.457 and these rules.

(7) "Limited Licensed Plan Reviewer or Inspector" is an individual who:

(a) Is licensed to perform specialty code inspections or plan reviews under ORS 455.457 and these rules;

(b) Contracts directly with a municipality or the division to perform specialty code inspections or plan reviews on a temporary basis to backfill a vacant position or to supplement existing employees;

(c) Works under the authority of a designated state certified building official employed by a municipality or the division; and

(d) Whose contract or contracts to perform plan reviews and inspections do not exceed \$10,000 annually.

(8) "Municipality" is defined in ORS 455.010.

(9) "Person" means an individual, partnership, joint venture, private or public corporation, association, firm, public service company, or any other entity, public or private, however organized.

(10) "Plan Reviewer" is a person who is appropriately certified under OAR 918, division 098, 281 or 780 who reviews plans for compliance with the state specialty code(s) and approves the plans for permit and construction.

(11) "Registrant" means those businesses registered with the division under OAR 918, division 090 rules to engage in the business of performing plan review and inspection services.

(12) "Specialty Code" is defined in ORS 455.010.

Stat. Auth: ORS 455.455, 455.457, 455.459, 455.461 & 455.463

Stats. Implemented: ORS 455.455, 455.457, 455.459, 455.461 & 455.463

Hist.: BCD 16-2000, f. 8-4-00, cert. ef. 10-1-00; BCD 10-2002(Temp), f. 5-14-02, cert. ef. 5-15-02 thru 11-10-02; BCD 29-2002, f. & cert. ef. 10-1-02; BCD 16-2005(Temp), f. & cert. ef. 7-7-05 thru 12-31-05; BCD 26-2005, f. 12-15-05, cert. ef. 1-1-06

Business Registration Requirements

918-090-0100

General Business Registration Requirements

A registration as a plan review and inspection business shall be held by any person who engages in or follows the business or occupation of, or advertises or purports to engage in or perform plan reviews or inspections other than as an exclusive employee of a municipality, the division or a registered plan review and inspection business. Individuals who have a limited license to perform specialty code inspections or plan reviews who work under the authority of a designated state certified building official employed by a municipality or the division are not required to hold a business registration.

Stat. Auth: ORS 455.457

Stats. Implemented: ORS 455.457

Hist: BCD 16-2001, f. 8-4-00, cert. ef. 10-1-00; BCD 10-2002(Temp), f. 5-14-02, cert. ef. 5-15-02 thru 11-10-02; BCD 29-2002, f. & cert. ef. 10-1-02

918-090-0110

Business Registration Application Requirements

(1) Applicants for a plan review and inspection business registration shall submit an application on division-supplied forms and a \$50 application fee. The applicant shall also pay a registration fee based on \$60 per hour for review and approval of the application and quality control manual up to an amount not to exceed \$300.

(2) Application for plan review and inspection business registration shall include at least the following:

(a) Applicant name, address, telephone number, fax number and, if available, e-mail address;

(b) Type of business (individual, partnership or corporation);

(c) Names and titles of principals, officers, directors, major shareholders or other responsible agents;

(d) Names and titles of all managers and supervisors of plan reviewers and inspectors;

(e) Names and certification and license numbers of all plan reviewers, plans examiners and inspectors whether employed or under contract;

(f) Names of the municipalities with which the registrant intends to contract, the scope of work intended to be performed under the contract and, if this information is not available, the geographical areas in which the registrant intends to work;

(g) Proof of general liability insurance of at least \$1 million or its equivalent, including but not limited to the name of the insurance company, the amount for which insured, the policy number, expiration date and the current business address and phone number of the insurance company's agent;

(h) Proof of "errors and omissions" liability insurance or its equivalent, of at least \$500,000 per occurrence, with an aggregate limit of at least \$500,000 per policy year, including but not limited to, the name of the insurance company, the amount for which insured, the policy number and expiration, and the current business address and phone number of the insurance company's agent. In lieu of errors and omission insurance required by this rule, businesses contracting directly with a municipality to provide specialty code inspections and plan reviews, may be covered by the municipality's insurance. When this option is used, the business shall submit sufficient information for the division to determine the errors and omissions insurance is covered by all municipalities for which the person or business is working; and

(i) Provide a quality control manual complying with OAR 918-090-0300 for division approval describing operating procedures and the process to ensure all applicable code provisions will be enforced as required by these rules.

(3) Business registrations shall be renewed on a two-year cycle, beginning March 1, 2002, on a division-approved form. Businesses shall submit a \$100 renewal fee. Applicants shall also submit:

(a) Proof of all insurance required in Section (2) of this rule; and

(b) Any changes in the original registration application and quality control manual.

(4) The division shall approve or deny any completed application for plan review and inspection business registration within 60 days of receipt.

(5) Persons denied registration may appeal this decision to the director and request contested case procedures under ORS Chapter 183.

Stat. Auth: ORS 455.457 & 455.461

Stats. Implemented: ORS 455.457 & 455.461

Hist.: BCD 16-2000, f. 8-4-00, cert. ef. 10-1-00; BCD 10-2002(Temp), f. 5-14-02, cert. ef. 5-15-02 thru 11-10-02; BCD 29-2002, f. & cert. ef. 10-1-02

918-090-0120

Registered Business Responsibilities

(1) A business registered pursuant to ORS 455.457 shall employ or contract with plan reviewers and inspectors who are licensed under these rules and certified by the division in accordance with OAR 918, division 098, 281, 695, or 780 for the specific type of inspections or plan reviews that person will perform;

(2) A business registered to perform specialty code plan reviews or inspections shall assure that all certified inspectors and plans examiners maintain their minimum continuing education credits required by OAR 918, division 090, 098, 281, 695, or 780.

(3) A business registered to perform specialty code plan reviews or inspections shall submit to the division an amended application or quality control manual within ten days of the date any licensed and certified inspection or plans examiner staff or contracted person is hired or discharged from the employment of that agency.

Stat. Auth: ORS 455.455, 455.457 & 455.461

Stats. Implemented: ORS 455.455, 455.457 & 455.461

Hist.: BCD 16-2000, f. 8-4-00, cert. ef. 10-1-00; BCD 10-2002(Temp), f. 5-14-02, cert. ef. 5-15-02 thru 11-10-02; BCD 29-2002, f. & cert. ef. 10-1-02

918-090-0130

Additional Requirements

(1) In addition to the insurance requirements set forth in these rules, a business registered to perform specialty code plan reviews or inspections shall:

(a) Authorize their insurance company to notify the division upon any change to or cancellation of the insurance required for their business registration; and

(b) Notify the division of any change to or cancellation of the insurance required for their business registration within three working days.

(2) A business registered to perform specialty code plan reviews or inspections that cancels or loses the minimum required insurance shall have their registration immediately suspended, until the registrant obtains the required insurance to resume business.

(3) Licensed employees or subcontractors of a registered business whose registration has lapsed, been revoked or been suspended shall not continue providing specialty code plan review and inspection services until they obtain a business registration, go to work for another registered business, municipality or the division, or until the registration of the business in question is reestablished.

Stat. Auth.: ORS 455.455 & 455.457

Stats. Implemented: ORS 455.455 & 455.457

Hist.: BCD 16-2000, f. 8-4-00, cert. ef. 10-1-00; BCD 10-2002(Temp), f. 5-14-02, cert. ef. 5-15-02 thru 11-10-02; BCD 29-2002, f. & cert. ef. 10-1-02

Specialty Code Plan Reviewer and Inspector License

918-090-0200

Licensing Scope

(1) An individual licensed before July 1, 2005 may perform specialty code plan reviews or inspections under ORS 455.457 and these rules as follows:

(a) Licensed Plan Reviewer or Inspector:

(A) performs specialty code plan reviews or inspections not as an employee of a municipality or the division; or

(B) be Employed to perform plan reviews or inspections for one or more municipalities, but also may performs plan reviews or inspections as other than an employee of a municipality or the division.

(b) Limited Licensed Plan Reviewer or Inspector:

(A) Contracts directly with a municipality or the division to perform specialty code inspections or plan reviews on a temporary basis to backfill a vacant position or supplement existing employees; and

(B) Works under the authority of the designated state certified building official who is a municipal or state employee.

(2) An individual licensed on or after July 1, 2005 may perform specialty code plan reviews or inspections as outlined in Section (1), but are restricted in scope of work for commercial or residential based on experience demonstrated under OAR 918-090-0210.

(3) An employee of a municipality or the division need not be licensed while performing plan reviews or inspections on behalf of another municipality while in the official capacity as an employee of the division or municipality.

Stat. Auth.: ORS 455.457

Stats. Implemented: ORS 455.457

Hist.: BCD 16-2000, f. 8-4-00, cert. ef. 10-1-00; BCD 10-2002(Temp), f. 5-14-02, cert. ef. 5-15-02 thru 11-10-02; BCD 29-2002, f. & cert. ef. 10-1-02; BCD 16-2005(Temp), f. & cert. ef. 7-7-05 thru 12-31-05; BCD 26-2005, f. 12-15-05, cert. ef. 1-1-06

918-090-0210

Licensing Application Requirements

(1) Licensed Plan Reviewer or Inspector Applicants must submit an application on division-supplied forms that shall include a listing of current specialty code certifications along with a \$100 application fee. The applicant shall pass a division-approved examination on the substance and intent of the laws and rules related to the licensure of plan reviewers and inspectors. If an applicant fails to take the examination within 60 days of being approved to do so, the applicant must reapply. Applicants who fail the division approved examination shall be required to pay a \$25 fee and wait 30 days before retaking the required examination, but shall not make more than three attempts in a 12-month period.

(2) Limited Licensed Plan Reviewer or Inspector Applicants must submit an application on a division-supplied form, that shall include a listing of current specialty code certifications, along with a \$50 application fee. The applicant shall identify the building inspection

programs for which they will be working. No examination is required for the limited plan reviewer and inspector license.

(3) Applicants shall first apply for and obtain the required specialty code certifications under OAR 918, division 098, 281, 695, or 780, prior to becoming a Licensed Plan Reviewer or Inspector or a Limited Licensed Plan Reviewer or Inspector under these rules.

(4) Beginning July 1, 2005, individuals applying to be a Licensed Plan Reviewer or Inspector, or a Limited Licensed Plan Reviewer or Inspector must demonstrate a minimum level of experience to the division. An individual's scope of work will be restricted based on certification and experience. The division will designate the scope of work allowed based on an applicants experience. License applicants must obtain the appropriate certificate recognized under OAR 918-098-1010 through 918-098-1220. In addition to obtaining the appropriate certification under Chapter 918, division 098, license applicants must demonstrate to the division the following:

(a) To perform plan reviews and inspections on residential structures either

(A) Two years of construction or inspection related experience or its equivalent; or

(B) An approved one year inspection-related program and one year of construction or inspection-related experience; or

(C) A degree from a division approved two year inspection related program or its equivalent.

(b) To perform plan reviews and inspections on all structures either

(A) An Oregon registration as an architect, an Oregon certified professional engineer, or a Bachelor or Master degree in architecture, civil or structural engineering; or

(B) 4 years diversified experience designing commercial structures; or

(C) 4 years diversified experience as a plans examiner in another jurisdiction reviewing commercial structures for compliance with a recognized code for building construction.

(5) Licensed Plan Reviewer or Inspector, and Limited Licensed Plan Reviewer or Inspector must renew every two years on division-approved forms, submit the form with payment to the division before the license expiration date, meet continuing education requirements outlined in sub-section (c), and update or change any information that is no longer current.

(a) Licensed Plan Reviewer or Inspector must pay a \$50 renewal fee.

(b) Limited Licensed Plan Reviewer or Inspector must pay a \$25 renewal fee.

(c) Licensed Plan Reviewer or Inspector, and Limited Licensed Plan Reviewer or Inspector must also meet continuing education requirements as determined by the division related to legislative changes in the substance and purpose of ORS 455.455 through 455.467, and the rules adopted thereunder.

(d) An individual who submits a license renewal after the expiration date must reapply for a new license and meet all requirements of a new applicant.

(6) A Licensed Plan Reviewer or Inspector, and Limited Licensed Plan Reviewer or Inspector license is valid only for the specialty code certifications held by the licensee. A licensed individual must work within the scope of the license or may be subject to sanctions under OAR 918-098-1500. The license shall be suspended or revoked if the licensee no longer holds at least one current certification as a plans examiner or inspector.

(7) Individuals denied licensure may appeal this decision to the director and request contested case procedures under ORS Chapter 183.

Stat. Auth.: ORS 455.457

Stats. Implemented: ORS 455.457

Hist.: BCD 16-2000, f. 8-4-00, cert. ef. 10-1-00; BCD 10-2002(Temp), f. 5-14-02, cert. ef. 5-15-02 thru 11-10-02; BCD 29-2002, f. & cert. ef. 10-1-02; BCD 16-2005(Temp), f. & cert. ef. 7-7-05 thru 12-31-05; BCD 26-2005, f. 12-15-05, cert. ef. 1-1-06

Quality Control Manual

918-090-0300

Requirements for the Quality Control Manual

(1) All registered businesses providing plan review and inspection services shall create, maintain and make available to customers

and affected jurisdictions, a quality control manual for their business operations that is approved by the division and includes the following:

- (a) The scope of work performed by the business;
- (b) Organizational structure of the company including the person or persons responsible for technical management and quality control;
- (c) A listing of the business's contact numbers including address, phone and fax and, if available, e-mail;
- (d) Name and policy number of insurance carriers as required by these rules, or where applicable, verification from the municipality in which they are working, of municipality insurance coverage;
- (e) Procedures for approval of alternate materials, design or methods of construction and modifications through the building official having jurisdiction; and
- (f) Any documented policies and procedures describing business operations or application of the state building code and related regulations.

(2) Registered businesses providing building official and building inspection program services as described in OAR 918, division 020 shall also include the following information in their manual:

- (a) Procedures for creating, maintaining and notifying the division of changes to the building inspection program standards (Operating Plan) required by OAR 918-020-0090; and
- (b) Documentation of accounting procedures for receiving permit and hourly inspection fees and submitting required state surcharge reports and revenues to the division.

(3) Registrants may substitute copies of policies, procedures and forms used by the authority having jurisdiction, for portions of the Quality Control Manual required by this rule where the local procedures are used by the business to perform their work.

(4) Each registrant shall supplement its quality control manual following any change in process or items described in this rule and submit the supplement to the division for approval.

(5) Registered businesses shall review their quality control manual at least once a year to verify it appropriately reflects its current organization and operations. Any revisions shall be forwarded to the division and incorporated into the copy available to customers and affected jurisdictions following division approval.

Stat. Auth.: ORS 455.461

Stats. Implemented: ORS 455.461

Hist.: BCD 16-2000, f. 8-4-00, cert. ef. 10-1-00; BCD 10-2002(Temp), f. 5-14-02, cert. ef. 5-15-02 thru 11-10-02; BCD 29-2002, f. & cert. ef. 10-1-02

918-090-0310

Record Keeping Requirements

(1) Businesses registered with the division to hire persons to perform specialty code plan reviews and inspections shall maintain records required by these rules including but not limited to:

(a) Plan review and inspection activity with the jurisdiction and address;

(b) For plan review the use of the building, size and its valuation;

(c) Any documents maintained by the business, relating to inspector and plans examiner certifications; and

(d) Inspector and plans examiner continuing education records.

(2) Where the business is the only provider of inspection and plan review services to a municipality, the municipality's records may substitute for the requirements of Section (1) of this rule.

(3) Proof of insurance for a minimum of four years following expiration or use of their business registration.

Stat. Auth.: ORS 455.461

Stat. Implemented: ORS 455.461

Hist.: BCD 16-2000, f. 8-4-00, cert. ef. 10-1-00; BCD 10-2002(Temp), f. 5-14-02, cert. ef. 5-15-02 thru 11-10-02; BCD 29-2002, f. & cert. ef. 10-1-02

918-090-0320

Requirements for Plan Review for Simple One- and Two-Family Dwellings

The following minimum requirements apply to registered businesses and licensees who are designated plan reviewers providing plan reviews for simple one- and two-family dwellings pursuant to ORS 455.465. The business or licensee shall:

(1) Receive the plan and verify that it is complete using a plan intake checklist approved by the division;

(2) Use appropriately certified and licensed individuals, to review the plan, document any code deficiencies in writing and cite the applicable code sections;

(3) When necessary, require revised plans or additional information to complete the review;

(4) Mark all required sets of plans as reviewed by a licensed plan reviewer with a stamp that includes the licensee's printed name and signature, date and license number;

(5) Attach the list of plan review corrections to each set of plans;

(6) Return plans, plan review correction list and any supporting documents to the applicable jurisdiction or to the applicant for submittal to the authority having jurisdiction;

(7) Send a copy of the plan correction list directly to the authority having jurisdiction; and

(8) Make files relating to each plan review available to the applicant, the authority having jurisdiction and the division for review.

Stat. Auth.: ORS 455.457

Stats. Implemented: ORS 455.457

Hist.: BCD 16-2000, f. 8-4-00, cert. ef. 10-1-00; BCD 10-2002(Temp), f. 5-14-02, cert. ef. 5-15-02 thru 11-10-02; BCD 29-2002, f. & cert. ef. 10-1-02

Monitoring

918-090-0400

Specialty Code Plan Reviewer and Inspector License and Business Registration Monitoring

This rule will become effective October 1, 2000.

(1) The division shall conduct monitoring of registered businesses or licensees with prior notice during any reasonable time. Monitoring shall include a review of the work performed by a registrant or licensee.

(2) Division monitoring may take place at the registrant's place of business, at the location where business records are kept or at the building or project site. Following completion, monitoring reports shall be forwarded to the registrant or licensee in a timely manner.

(3) The division shall review and monitor the records and performance of each registrant or licensee to assure conformance with ORS Chapter 455, the Oregon specialty codes and these rules. The division shall review and monitor each registrant or licensee at least once every two years. To the degree possible and where applicable, these reviews shall be coordinated with local program reviews.

(4) The registrant or licensee shall make available to the division all requested documents in their possession including but not limited to:

(a) Quality Control Manual(s) and other approved policies and procedures;

(b) Plan review records and status reports;

(c) Inspection records and reports;

(d) Reviewed and approved plans;

(e) Test records and reports;

(f) Copies of approved alternate materials, design or methods of construction and modifications;

(g) Contracts for plan review and inspection services;

(h) Continuing education records required under OAR 918, divisions 090, 098, 281, 695, or 780;

(i) Where permits are issued and inspections performed, accounting records necessary to verify accurate collection and payment of state surcharges;

(j) Approval of special inspectors and their reports; and

(k) Appropriate insurance records.

Stat. Auth.: ORS 455.461

Stats. Implemented: ORS 455.461

Hist.: BCD 11-2000, f. 6-23-00, cert. ef. 7-1-00; BCD 10-2002(Temp), f. 5-14-02, cert. ef. 5-15-02 thru 11-10-02; BCD 29-2002, f. & cert. ef. 10-1-02

Enforcement

918-090-0910

Penalty Guidelines

(1) For the purposes of this rule, an employer of the licensee is defined by ORS 652.310. This includes any person who engages personal services of one or more other persons.

(2) A relative is defined by ORS 95.200. This includes relatives of both the plan reviewer and the spouse of the plan reviewer.

(3) Persons subject to the penalties set forth in ORS 455.895 include, but are not limited to, the following:

(a) An individual who performs and approves specialty code plan reviews or inspections while neither an employee of a municipality or

the division, nor licensed by the division as a plan reviewer and inspector.

(b) An individual who performs and approves specialty code plan reviews or inspections for a fee or other valuable consideration while not an employee of a municipality, the division, or a business registered by the division as a plan reviewer and inspector business.

(c) An individual whether or not licensed as a plan reviewer and inspector, or other entity, purporting to perform specialty code plan reviews or inspections without being registered with the division as a plan reviewer and inspector business.

(d) A person, other than a municipality or the division, who employs or contracts with an unlicensed person to perform specialty code plan reviews or inspections.

(e) A licensed plan reviewer and inspector who performs an inspection on a simple one- or two-family dwelling for which they previously performed a plan review while acting in the capacity of a designated plan reviewer under ORS 455.465.

(f) Any individual, including municipal or division employees, who performs a plan review or inspection for a project in which the plan reviewer and inspector, or the plan reviewer and inspector's employer or relative, has any financial interest or business affiliation. Registrants and their employees, and employees of a municipality or the division may perform plan reviews or inspections of projects owned by any municipality or the State of Oregon.

(g) Any licensed specialty code plan reviewer and inspector who performs plan reviews or inspections in a specialty code area in which they do not hold a valid certification.

(h) Any licensed specialty code plan reviewer and inspector whose license has been suspended, revoked or is invalid for any other reason, who performs plan reviews or inspections.

(i) Any officer, director, shareholder or agent of a corporation, or member or agent of a partnership or association who personally participates in, or is an accessory to, any violation listed in these rules.

Stat. Auth: ORS 455.455 & 455.895

Stats. Implemented: ORS 455.455 & 455.895

Hist.: BCD 16-2000, f. 8-4-00, cert. ef. 10-1-00; BCD 10-2002(Temp), f. 5-14-02, cert. ef. 5-15-02 thru 11-10-02; BCD 29-2002, f. & cert. ef. 10-1-02

918-090-0920

Investigation and Enforcement

For the purposes of administering and enforcing ORS 455.455 through 455.471, the division may charge a fee of \$60 per hour when additional investigation or analysis is necessary.

Stat. Auth: ORS 455.457 & 455.461

Stats. Implemented: ORS 455.457 & 455.461

Hist.: BCD 11-2000, f. 6-23-00, cert. ef. 7-1-00; BCD 10-2002(Temp), f. 5-14-02, cert. ef. 5-15-02 thru 11-10-02; BCD 29-2002, f. & cert. ef. 10-1-02

918-090-0930

License and Registration Revocation, Cancellation or Suspension

(1) For the purpose of ORS 455.457, failing to achieve or maintain licensing competency or acting in such a manner that otherwise constitutes a danger to the public health or safety includes, but is not limited to, the following:

(a) Failing to complete required continuing education requirements;

(b) Failing to renew the license prior to expiration;

(c) Employing or contracting with uncertified or unlicensed plan reviewers, plans examiners and inspectors;

(d) Repeatedly failing to perform plan reviews or inspections that meet the minimum requirements of the **Oregon Specialty Codes**;

(e) Repeatedly failing to require correction of conditions that are in violation of the Oregon Specialty Codes;

(f) Failing to maintain plan review or inspection report records;

(g) Consistently failing to perform plan reviews or inspections in a timely manner;

(h) Failing to meet the provisions of their quality control manual as approved by the division;

(i) Failing to meet the division's reporting requirements;

(j) Failing to submit and comply with an approved monitoring report correction plan;

(k) Entering into a project where the registrant or licensee has any financial interest or business affiliation;

(l) Submitting false information in application for certification;

(m) Submitting false information in plan reviews and inspection reports;

(n) Altering or falsifying plan review or inspection reports or records;

(o) Failing to maintain insurance as required by these rules;

(p) Failing to maintain at least one specialty code plans examiner or inspector certification as required by OAR 918-090-0210 to perform the scope of work defined in the business quality control manual;

(q) Violating any Oregon law or the administrative rules adopted thereunder relating to any specialty code; or

(r) Committing any other activity prejudicial to the **Oregon Specialty Codes** in locations subject to the authority of the registrant or licensee.

(2) A person whose license or registration has been revoked or suspended under ORS 455.457 and this rule may apply for its reinstatement not less than 90 days from the date of the revocation or suspension unless otherwise stated in the final order or these rules. The division may withhold reinstatement of a license or registration for up to one year, or until resolution of the alleged violations for which the license or registration was suspended.

(3) When a license or registration is suspended for any reason, it is necessary for the licensee or registrant to continue to comply with continuing education requirements where applicable and to apply for and pay for renewal of the license to prevent cancellation of the license by operation of law. In the event a license is revoked, the licensee or registrant will need to reapply as a new applicant.

Stat. Auth: ORS 455.457

Stats. Implemented: ORS 455.457

Hist.: BCD 16-2000, f. 8-4-00, cert. ef. 10-1-00; BCD 10-2002(Temp), f. 5-14-02, cert. ef. 5-15-02 thru 11-10-02; BCD 29-2002, f. & cert. ef. 10-1-02

DIVISION 98

CERTIFICATION RULES

918-098-1000

Purpose and Scope

(1) These rules establish minimum training, experience and certification requirements for building officials and persons who perform specialty code plan review and inspections in this state. The certification requirements for commercial plumbing and electrical inspectors are located in OAR 918-695-0400 through 918-695-0410 and 918-281-0000 through 918-281-0020.

(2) Nothing in these rules is intended to allow a person to violate statute or rule or change certification and licensing requirements set forth in statute.

(3) Nothing in these rules prevents the administrator from waiving procedural requirements in the rare circumstance where substantial compliance is impracticable.

Stat. Auth.: ORS 455.720

Stats. Implemented: ORS 446.250, 455.622 & 455.720

Hist.: BCD 16-2005(Temp), f. & cert. ef. 7-7-05 thru 12-31-05; BCD 24-2005, f. 9-30-05, cert. ef. 10-1-05; BCD 4-2006, f. 3-31-06, cert. ef. 4-1-06; BCD 18-2006, f. 12-29-06, cert. ef. 1-1-07

918-098-1005

Definitions

As used in OAR chapter 918, division 098, unless the context requires otherwise:

(1) "A-level Structures" means structures regulated by the Oregon Structural Specialty Code that require a state fire and life safety plan review or are required to be designed by an Oregon licensed architect or engineer pursuant to ORS chapter 671.

(2) "B-level Structures" means structures regulated by the Oregon Structural Specialty Code that do not require a state fire and life safety plan review and are not required to be designed by an Oregon licensed architect or engineer pursuant to ORS chapter 671.

(3) "Building Inspection Technology" means an approved curriculum meeting the requirements of OAR 918-098-1420.

(4) "Code-Change Course" means a continuing education course that addresses changes to specialty codes, code standards, interpretations and alternate methods or administrative rules addressing code.

(5) "Commercial" means structures regulated by the **Oregon Structural Specialty Code**.

(6) "Cross-Training Program" means a division approved residential, electrical or plumbing inspector on-the-job cross-training program and practical evaluation, established by the building official of

a local jurisdiction, that meets the minimum training and education requirements established by the division.

(7) "Design" means professional, engineering or technical design of systems or components that requires computations, research or special knowledge.

(8) "Division" means the Building Codes Division.

(9) "Education Institution" is an institution accredited through a nationally recognized body and is usually governed by a local board and receives a state recognition.

(10) "Education Program" is a minimum two-year, or one-year focused building inspection technology program administered by an education institution.

(11) "International Code Council certification" means a certification issued by the International Code Council demonstrating that an individual has passed a specific International Code Council certification examination.

(12) "Nationally Recognized Certification Body" means a body or organization that provides formal recognition that a person possesses minimum knowledge of a recognized code.

(13) "High Priority Training" means periodic continuing education training identified by the division that addresses new technologies or specific problem areas identified by the division.

(14) "Oregon Code Certification" means a certification issued by the division for:

- (a) Building Official;
- (b) Fire and Life Safety Plans Examiner;
- (c) A-Level Structural Plans Examiner;
- (d) B-Level Structural Plans Examiner;
- (e) Residential or One-and-Two Family Dwelling Plans Examiner;
- (f) Residential or One-and-Two Family Dwelling Structural Inspector;
- (g) A-Level Structural Inspector;
- (h) A-Level Mechanical Inspector;
- (i) B-Level Structural Inspector;
- (j) B-Level Mechanical Inspector;
- (k) Residential or One-and-Two Family Dwelling Mechanical Inspector;
- (l) Electrical Specialty Code Inspector;
- (m) Residential or One-and-Two Family Dwelling Electrical Inspector;
- (n) Plumbing Specialty Code Inspector;
- (o) Residential or One-and-Two Family Dwelling Plumbing Inspector;
- (p) Limited Plumbing Inspector — Building Sewers;
- (q) Manufactured Structure Construction Inspector;
- (r) Manufactured Structure Installation Inspector;
- (s) Recreational Vehicle Inspector Certification; and
- (t) Park and Camp Inspector.

(15) "Oregon Inspector Certification" means a certification issued by the division demonstrating that a person has passed a division-approved examination that covers Oregon laws and regulations relating to state building codes including, but not limited to, architectural barrier laws governing accessibility to buildings by disabled persons.

(16) "Practical Experience Evaluation" means a division-approved evaluation to determine if a person meets the practical experience equivalent of 50 percent of the required work experience listed in the appropriate certification categories defined in OAR 918-098-1030.

(17) "Recognized Code" means a regulatory document enforced by one or more state or local governments that prescribes minimum standards for building materials and construction methods of buildings or structures and building service equipment including plumbing, mechanical and electrical systems.

(18) "Residential Structures" means one-and two-family dwellings, townhouses and rowhouses regulated by the **Oregon Residential Specialty Code**, excluding apartment buildings.

(19) "Year of Experience" means 2,000 hours of documented experience.

[Publications: Publications referenced are available from the agency.]
Stat. Auth.: ORS 455.720
Stats. Implemented: ORS 455.720
Hist.: BCA 16-1992, f. & cert. ef. 8-11-92; BCD 23-1996(Temp), f. & cert. ef. 10-21-96; BCD 8-1997, f. & cert. ef. 4-1-97; Renumbered from 918-099-0220; BCD 15-1997,

f. 9-30-97, cert. ef. 10-1-97; BCD 38-2000, f. 12-29-00, cert. ef. 1-1-01; BCD 16-2005(Temp), f. & cert. ef. 7-7-05 thru 12-31-05, Renumbered from 918-098-0010; BCD 24-2005, f. 9-30-05, cert. ef. 10-1-05, Renumbered from 918-098-0010; BCD 4-2006, f. 3-31-06, cert. ef. 4-1-06; BCD 18-2006, f. 12-29-06, cert. ef. 1-1-07

918-098-1010

Certification Requirements

(1) Unless otherwise stated in this rule, every person who performs building official duties building code inspections, or plan reviews must possess either:

(a) An Oregon Code Certification issued prior to October 1, 2005; or

(b) An Oregon Inspector Certification and an Oregon Code Certification issued after October 1, 2005; or

(c) An Oregon Inspector Certification and the current appropriate International Code Council certification for the work being performed and the minimum level of experience as follows:

(A) Two years of construction or inspection-related experience or its equivalent; or

(B) An approved one-year inspection-related education program and one year of construction or inspection-related experience; or

(C) A degree from an approved two-year inspection-related education program or its equivalent; or

(D) Be a registered Oregon architect, a certified Oregon professional engineer, or have a bachelor or master degree in architecture or civil or structural engineering.

(2) Notwithstanding section (1)(c) of this rule, a person may perform the duties of a building official with only the Oregon Inspector Certification providing the person passes the International Code Council Certified Building Official Legal Management examination within six months of hire.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 455.720 & 455.730

Stats. Implemented: ORS 455.720 & 455.730

Hist.: BCD 16-2005(Temp), f. & cert. ef. 7-7-05 thru 12-31-05; BCD 24-2005, f. 9-30-05, cert. ef. 10-1-05; BCD 4-2006, f. 3-31-06, cert. ef. 4-1-06; BCD 18-2006, f. 12-29-06, cert. ef. 1-1-07

918-098-1012

Scope Of Work Allowed For Persons With An Oregon Inspector Certification and an International Code Council Certification

(1) Individuals meeting the experience requirement in OAR 918-098-1010 who possess a valid Oregon Inspector Certification and a current International Code Council certification may perform work based on the type of International Code Council Certification they possess.

(2) A Certified Building Official Legal/Management may oversee a jurisdiction's administration and enforcement of the state building code for those specialty codes assumed by the jurisdictions pursuant to ORS 455.148 or 455.150. Building officials may not perform plan-reviews or inspections unless they possess the appropriate certification for the type of plan review or inspection being performed.

(a) Commercial Building Inspector certificate holders may conduct construction inspections for:

(A) All work regulated by the **Oregon Structural Specialty Code**; and

(B) Structural work on townhouse structures, rowhouse structures, and apartment buildings regulated by the Oregon Residential Specialty Code.

(b) Commercial Building Plans Examiner certificate holders may review construction plans for:

(A) Compliance with the provisions of the **Oregon Structural Specialty Code** and **Oregon Fire Code**, except the fire and life safety plan review provisions for structures required to receive a state fire and life safety plan review; and

(B) Fire and life safety construction on townhouse structures, rowhouse structures, and apartment buildings regulated by the **Oregon Residential Specialty Code**.

(c) Commercial Fire Plans Examiner certificate holders who also have the Commercial Building Plans Examiner Certificate may review construction plans for compliance with the fire and life safety plan review provisions of the **Oregon Structural Specialty Code** and the **Oregon Fire Code**.

(d) A Commercial Mechanical Inspector certificate holder may conduct construction inspections and may review construction plans for:

(A) All work regulated by the **Oregon Mechanical Specialty Code**; and

(B) Mechanical work on townhouse structures, rowhouse structures and apartment buildings regulated by the **Oregon Residential Specialty Code**.

(c) A Residential Building Inspector certificate holder may conduct construction inspections and plan reviews for:

(A) Structural work regulated by the **Oregon Residential Specialty Code**, except apartment buildings; and

(B) Structural work on manufactured dwelling alterations and manufactured structure accessory buildings and structures under the **Oregon Manufactured Dwelling and Park Specialty Code**.

(f) A Residential Mechanical Inspector certificate holder may conduct inspections and plan reviews for:

(A) Mechanical work regulated by the Oregon Residential Specialty Code, except for apartment buildings; and

(B) Mechanical work on manufactured dwelling alterations under the **Oregon Manufactured Dwelling and Park Specialty Code**.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 455.720 & 455.730

Stats. Implemented: ORS 455.720 & 455.730

Hist.: BCD 24-2005, f. 9-30-05, cert. ef. 10-1-05; BCD 4-2006, f. 3-31-06, cert. ef. 4-1-06

918-098-1015

Scope of Work for Persons Holding Oregon Code Certifications

Persons who possess a current Oregon Code Certification may perform inspections and plan reviews based on the class designated on their certificate. The classes, other than electrical and plumbing inspector classifications found in OAR 918-281-0020 and 918-695-0400, are:

(1) Building Official. Persons certified as a Building Official legal management certification may oversee jurisdictions' administration and enforcement of the state building code for those specialty codes assumed by the jurisdiction(s) pursuant to ORS 455.148 or 455.150. Building officials may not perform plan-reviews or inspections unless they possess the appropriate certification for the plan review or inspection being performed.

(2) Fire and Life Safety. Persons certified as fire and life safety plans examiners review construction plans for compliance with the fire and life safety plan review provisions of the **Oregon Structural Specialty Code** and the **Oregon Fire Code** for any structure regulated by the **Oregon Structural Specialty Code**.

(3) A-Level.

(a) Persons certified as A-level structural plans examiners:

(A) May review construction plans for compliance with the provisions of the **Oregon Structural Specialty Code** and **Oregon Fire Code** for all work regulated by the **Oregon Structural Specialty Code**, except the fire and life safety plan review provisions for structures required to receive a state fire and life safety plan review; and

(B) May review construction plans for work that falls within the B-level structural plans examiner classification.

(b) Persons certified as A-level structural inspectors:

(A) May conduct construction inspections of all work regulated by the **Oregon Structural Specialty Code**; and

(B) May conduct inspections of work that falls within the B-level structural inspector classification.

(c) Persons certified as A-level mechanical inspectors:

(A) May conduct construction inspections and may review construction plans for all work regulated by the **Oregon Mechanical Specialty Code**; and

(B) May conduct inspections and may review construction plans for work that falls within the B-level mechanical inspector classification.

(4) B-Level.

(a) Persons certified as B-level structural plans examiners may review construction plans for compliance with the provisions of the **Oregon Structural Specialty Code** and **Oregon Fire Code** for work regulated by the **Oregon Structural Specialty Code**, except:

(A) Work in structures required to receive a state fire and life safety plan review; and

(B) Work in structures required to be designed by an Oregon registered architect or certified professional engineer pursuant to ORS Chapter 671.

(b) Persons certified as B-level structural inspectors may conduct construction inspections of work regulated by the **Oregon Structural Specialty Code**, except:

(A) Work in structures required to receive a state fire and life safety plan review; and

(B) Work in structures required to be designed by an Oregon registered architect or certified professional engineer pursuant to ORS Chapter 671.

(c) Persons certified as B-level mechanical inspectors may conduct construction inspections of work regulated by the **Oregon Mechanical Specialty Code**, except:

(A) Work in structures required to receive a state fire and life safety plan review; and

(B) Work in structures required to be designed by an Oregon registered architect or certified professional engineer pursuant to ORS Chapter 671.

(d) Persons certified as B-level structural plans examiners, B-level structural inspectors or B-level mechanical inspectors:

(A) May qualify to be certified to review construction plans or conduct inspections of structures regulated by the **Oregon Residential Specialty Code**; and

(B) Shall not be authorized to review construction plans or conduct inspections of structures that are outside the B-level classification without first obtaining the appropriate certification.

(5) One and two family dwelling or residential.

(a) Persons certified as one and two family dwelling or residential:

(A) Structural inspectors may conduct construction inspections of structural work regulated by the **Oregon Residential Specialty Code**, excluding apartment buildings, and manufactured dwelling alterations and manufactured structure accessory buildings and structures under the **Oregon Manufactured Dwelling and Park Specialty Code**;

(B) Mechanical inspectors may conduct inspections of mechanical work regulated by the **Oregon Residential Specialty Code**, excluding apartment buildings, and manufactured dwelling alterations under the **Oregon Manufactured Dwelling and Park Specialty Code**;

(C) Plumbing inspectors may conduct inspections of plumbing work regulated by the Oregon Residential Specialty Code, excluding apartment buildings; and

(D) Electrical inspectors conduct inspections of electrical work regulated by the Oregon Residential Specialty Code, excluding apartment buildings.

(b) Persons certified as a one-and-two family dwelling plans examiners review construction plans for compliance with provisions of the **Oregon Residential Specialty Code**, excluding apartment buildings and structures under the **Oregon Manufactured Dwelling and Park Specialty Code**.

(c) Persons certified as a one and two family dwelling or residential inspectors and plans examiners shall not be authorized to review construction plans or conduct inspections of either A-level or B-level structures without the required commercial A-level or B-level certification.

(d) See OAR 918-098-1325 for additional requirements of one and two family dwelling residential inspectors and plans examiners performing manufactured dwelling alteration inspections or plan reviews.

(e) See OAR 918-098-1330 for additional requirements of one and two family dwelling residential inspectors performing manufactured structure accessory structure or accessory building inspections.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 455.720

Stats. Implemented: ORS 455.720

Hist.: DC 24-1978, f. & ef. 9-1-78; DC 10-1980, f. & ef. 9-10-80; DC 4-1983, f. & ef. 1-12-83; Renumbered from 814-003-0065; BCA 16-1992, f. & cert. ef. 8-11-92; BCD 8-1997, f. & cert. ef. 4-1-97; Renumbered from 918-099-0065; BCD 15-1997, f. 9-30-97, cert. ef. 10-1-97; BCD 16-2005(Temp), f. & cert. ef. 7-7-05 thru 12-31-05, Renumbered from 918-098-0060; BCD 24-2005, f. 9-30-05, cert. ef. 10-1-05, Renumbered from 918-098-0060; BCD 4-2006, f. 3-31-06, cert. ef. 4-1-06

918-098-1020

Expanded Scope of Work for Oregon A- or B-Level or Commercial Mechanical Inspectors

(1) Persons who possess a current and valid Oregon Code Certification as an Oregon A- or B-level Mechanical Inspector, or an

Oregon Inspector Certification and an International Code Council Certification as a Commercial Mechanical Inspector, may conduct inspections of brazing or welding work related to the installation, alteration or repair of refrigeration piping systems, except as regulated by the Oregon Boiler and Pressure Vessel Program under OAR chapter 918, division 225.

(2) To perform work under section (1) of this rule, these persons must successfully complete a training program in accordance with either **Section IX, "Welding and Brazing Qualification"** of the **ASME Boiler and Pressure Vessel Code**, or **AWS B2.2, "Standard for Brazing Procedure and Performance Qualification"** administered by a division-approved organization.

(3) Inspector certification for refrigeration piping in residential structures is not required.

[Publications referenced are available for review at the division.]

Stat. Auth.: ORS 455.720

Stats. Implemented: ORS 455.720

Hist.: BCD 2-2001, f. 2-2-01, cert. ef. 7-1-01; BCD 16-2005(Temp), f. & cert. ef. 7-7-05 thru 12-31-05, Renumbered from 918-098-0900; BCD 24-2005, f. 9-30-05, cert. ef. 10-1-05, Renumbered from 918-098-0900; Renumbered from 918-098-1080, BCD 19-2006, f. 12-29-06, cert. ef. 1-1-07

918-098-1025

Oregon Inspector Certification and Oregon Code Certification Application Process; Testing Procedures

(1) Unless a person is qualified to apply under section (2) of this rule, all persons who seek certification to perform the duties of a building official, inspector or plans examiner must apply for the Oregon Inspector Certification as follows:

(a) Submit a division-approved application with a payment of \$22.00; and

(b) Successfully pass the Oregon Inspector Certification examination.

(2) Persons applying for an Oregon Code Certification under these rules, or under OAR 918-281-0020 and 918-695-0400 must:

(a) Submit a division-approved application demonstrating appropriate experience, as defined in chapter 918, division 281, 695, or these rules; and

(b) Pay a \$22.00 fee; and

(c) Successfully pass the appropriate Oregon Code Certification exam.

(3) Applicants for an Oregon Inspector Certification who fail the examination may reapply under section (1) of this rule to retest.

(4) Applicants for an Oregon Code Certification who fail the examination may reapply under section (2) of this rule to retest. Applicants may not retake the test for 30 days after each failed attempt.

(5) If an applicant fails to take the Oregon Inspector Certification exam or the Oregon Code Certification exam within 60 days of being approved to do so, the applicant must re-apply under section (1) or (2) of this rule.

Stat. Auth.: ORS 455.720, 455.730 & 455.735

Stats. Implemented: ORS 455.720, 455.730 & 455.735

Hist.: BCD 16-2005(Temp), f. & cert. ef. 7-7-05 thru 12-31-05; BCD 24-2005, f. 9-30-05, cert. ef. 10-1-05; BCD 4-2006, f. 3-31-06, cert. ef. 4-1-06; BCD 19-2006, f. 12-29-06, cert. ef. 1-1-07

918-098-1030

Practical Experience Evaluation Requirements

(1) The following evaluation process is established to determine a practical experience equivalent for the various structural and mechanical Oregon Code Certifications issued under these rules.

(2) Satisfactory completion of an approved evaluation shall be accepted by the division or a building official as compliance with 50 percent of the minimum experience requirements for the specific Oregon Code Certification. The evaluation may include, but is not limited to, a field evaluation and division-approved written examination.

(3) When a field evaluation is used, the jurisdiction with the intent to hire must:

(a) Schedule the evaluators from a list provided by the division; and

(b) Coordinate appropriate job site locations for the evaluators and applicants, when applicable.

(4) There shall be two or more division-approved evaluators, that may include a representative of the division, for each field evaluation who must:

(a) Have at least two years inspection or plan review experience with the same or higher certification in the same discipline for which the person has applied; and

(b) Not be employed by the municipality that is sponsoring the applicant.

(5) The applicant may appeal the evaluation results to the administrator and request a contested case hearing under ORS Chapter 183.

Stat. Auth.: ORS 455.720

Stats. Implemented: ORS 455.720

Hist.: BCD 38-2000, f. 12-29-00, cert. ef. 1-1-01; BCD 16-2005(Temp), f. & cert. ef. 7-7-05 thru 12-31-05, Renumbered from 918-098-0065; BCD 24-2005, f. 9-30-05, cert. ef. 10-1-05, Renumbered from 918-098-0065; BCD 19-2006, f. 12-29-06, cert. ef. 1-1-07

918-098-1080 [Renumbered to 918-098-1020]

Residential Certification

918-098-1210

Residential Plumbing Inspectors

(1) A person possessing a "One and Two Family Dwelling Plumbing Inspector" certification prior to July 1, 2005, shall be considered a "Residential Plumbing Inspector" for the purpose of these rules.

(2) A person issued a residential plumbing inspector certification after October 1, 2005 must also possess a valid Oregon Inspector Certification issued under OAR 918-098-1025 prior to performing residential plumbing inspections.

(3) A residential plumbing inspector may conduct inspections for:

(a) Plumbing work regulated by the **Oregon Residential Specialty Code**, except for apartment buildings; and where connection to the building is not a separate plumbing system.

(b) Plumbing work on manufactured dwelling alterations and manufactured structure accessory buildings and structures under the **Oregon Manufactured Dwelling and Park Specialty Code**.

(4) To qualify to perform work as a residential plumbing inspector, individuals must demonstrate compliance with at least one of the following minimum experience, education or training requirements:

(a) A current division certification as an **Oregon Plumbing Specialty Code** inspector; or

(b) Two years of experience designing or installing plumbing systems as a journeyman plumber or its equivalent; or

(c) 2 years of experience as a plumbing inspector in another jurisdiction inspecting plumbing systems in commercial or residential structures for compliance with a recognized code for plumbing installations; or

(d) 90 quarter hours or 60 semester hours education and training in mechanical engineering which includes designing and installing plumbing systems through a college or community college; or

(e) Current division certification as a one and two family dwelling or residential inspector under one or more provisions of the **Oregon Residential Specialty Code** and:

(A) 1 year of experience administering and enforcing another provision of the **Oregon Residential Specialty Code**; and

(B) Confirmation by the building official of the jurisdiction that employs the applicant that the applicant has completed a one and two family dwelling or residential plumbing inspector cross-training program that meets the minimum requirements established by the division.

(f) Any combination of experience designing, installing or inspecting plumbing systems totaling 3 years.

(5) Persons certified by a nationally recognized certification body to inspect plumbing systems in commercial or residential structures according to a recognized code in plumbing installations shall be granted 1 year of credit toward the experience requirements listed in subsections (4)(b) and (c) of this rule.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 455.720

Stats. Implemented: ORS 455.622

Hist.: BCD 8-1997, f. & cert. ef. 4-1-97; BCD 38-2000, f. 12-29-00, cert. ef. 1-1-01; BCD 16-2005(Temp), f. & cert. ef. 7-7-05 thru 12-31-05, Renumbered from 918-098-0220; BCD 24-2005, f. 9-30-05, cert. ef. 10-1-05, Renumbered from 918-098-0220; BCD 4-2006, f. 3-31-06, cert. ef. 4-1-06

918-098-1215

Residential Electrical Inspectors

(1) A person possessing a "One and Two Family Dwelling Electrical Inspector" certification prior to July 1, 2005, shall be considered a "Residential Electrical Inspector" for the purpose of these rules.

(2) A person issued a residential electrical inspector certification after October 1, 2005 must also possess a valid Oregon Inspector Certification issued under OAR 918-098-1025 prior to performing residential electrical inspections.

(3) Residential electrical inspectors may conduct inspections for:

(a) Electrical work regulated by the **Oregon Residential Specialty Code**, excluding for apartment buildings; and

(b) Electrical work on manufactured dwelling alternations and manufactured structure accessory buildings and structures under the **Oregon Manufactured Dwelling and Park Specialty Code**.

(4) To qualify to perform work as a residential electrical inspector, individuals must demonstrate compliance with at least one of the following minimum experience, education or training requirements:

(a) A current division certification as an Oregon Electrical Specialty Code inspector; or

(b) 2 years of Experience installing electrical systems as a limited residential journeyman electrician or a general journeyman electricians license or their respective equivalents; or

(c) 2 years of experience as an electrical inspector in another jurisdiction inspecting electrical installations in commercial or residential structures for compliance with a recognized code for electrical installations; or

(d) 90 quarter hours or 60 semester hours education and training in electrical engineering which includes designing and installing electrical systems through a college or community college; or

(e) Current division certification as a one and two family dwelling or residential inspector under one or more provisions of the **Oregon Residential Specialty Code**, and:

(A) 1 year of experience administering and enforcing another provision of the **Oregon Residential Specialty Code**; and

(B) Confirmation by the Division that an applicant has completed a one and two family dwelling or residential electrical inspector cross-training program that meets the minimum requirements established by the division.

(f) Any combination of experience or education listed in subsections (a) through (d) of this section designing, installing or inspecting electrical systems totaling 3 years.

(5) Persons certified by a nationally recognized certification body to inspect electrical installations in commercial or residential structures according to a recognized code in electrical installations may be granted 1 year of credit toward the experience requirements and may be considered as meeting some requirements of a division approved cross-training program, except the experience listed subsections (4)(b) and (c) of this rule.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 455.720

Stats. Implemented: ORS 455.622

Hist.: BCD 8-1997, f. & cert. ef. 4-1-97; BCD 38-2000, f. 12-29-00, cert. ef. 1-1-01; BCD 16-2005(Temp), f. & cert. ef. 7-7-05 thru 12-31-05, Renumbered from 918-098-0230; BCD 24-2005, f. 9-30-05, cert. ef. 10-1-05, Renumbered from 918-098-0230; BCD 4-2006, f. 3-31-06, cert. ef. 4-1-06

918-098-1300

Certifications Related to Manufactured Structures and Parks

References and Undertakings.

(1) Scope. The rules in OAR 918-098-1300 to 918-098-1330 relate to certifications for inspectors and plans examiners dealing with manufactured dwellings, recreational vehicles, manufactured dwelling parks, organizational camps, recreation parks and picnic parks.

(2) A person issued a manufactured structure installation inspector, recreational vehicle inspector certification, manufactured structure construction inspector, or park and camp inspector certification after October 1, 2005 must also possess a valid Oregon Inspector Certification issued under OAR 918-098-1025 prior to performing inspections.

(3) Hiring Non-Certified Persons. The division or a jurisdiction may employ a person not meeting the minimum requirements of OAR 918-098-1305 through 918-098-1320 while the person is being trained or waiting to qualify to take the division examination. During this period the person may only perform inspections or plan reviews under the direct supervision of appropriately certified trainers. Training must be provided by an inspector or plans examiner having a minimum of three years experience in the same certification or a person approved by the board. This rule does not waive the requirements of ORS 455.730 or

permit the division or jurisdiction to hire or use persons whose certifications have lapsed or been revoked.

(4) Inspectors and plans examiners of prefabricated structures do not require special certifications but shall have the appropriate certifications required for performing inspections or plan reviews under the specific specialty code being used.

(5) The following definitions apply to OAR 918-098-1300 through 918-098-1330 only. Also, see applicable definitions in OAR 918-098-1005:

(a) "Board" means the Manufactured Structures and Parks Advisory Board.

(b) "Building Construction," relating to experience qualifications, means site-built construction, prefabricated construction or manufactured structure construction.

(c) "One Year," relating to experience qualifications, means 2,000 hours of work experience, 45 or more credit hours of schooling in the quarter system or 30 or more credit hours of schooling in the semester system.

Stat. Auth.: ORS 455.720

Stats. Implemented: ORS 446.250 & 455.720

Hist.: BCA 25-1990, f. & cert. ef. 10-17-90; BCD 13-1997, f. 9-18-97, cert. ef. 10-1-97; Renumbered from 918-099-0130; BCD 16-2005(Temp), f. & cert. ef. 7-7-05 thru 12-31-05, Renumbered from 918-098-0300; BCD 24-2005, f. 9-30-05, cert. ef. 10-1-05, Renumbered from 918-098-0300; BCD 4-2006, f. 3-31-06, cert. ef. 4-1-06

918-098-1305

Manufactured Structure Installation Inspector Certification

(1) Scope of Activities and Authority.

(a) A manufactured structure installation inspector conducts on-site field inspections of manufactured dwelling or park trailer installations including site preparation, setbacks, drainage, stand, foundation support, earthquake bracing systems, tie-downs, under-floor enclosures, access, egress, plumbing utility connections (within 30 lineal feet of the manufactured dwelling), mechanical connections and electrical feeder assembly connections (as defined by **Article 550 of the National Electrical Code**), electrical fixture connections and plumbing, mechanical and electrical crossover connections for manufactured structures under ORS 446.230 and 446.240;

(b) This certification does not include inspections or plan reviews of manufactured dwelling alterations or manufactured structure accessory structures and accessory buildings. See OAR 918-098-1325 and 918-098-1330 for certification requirements.

(c) This certification can be used only in a jurisdiction that:

(A) Meets all of the requirements of this rule and OAR 918-500-0055;

(B) Complies with ORS 446.250 and 446.253(2) relating to the delegation of full responsibility for permit issuance and inspections;

(C) Issues permits according to ORS 446.253; and

(D) Enforces the current edition of the **Oregon Manufactured Dwelling and Park Specialty Code** and all referenced standards contained therein.

(2) Procedure for Qualification. An applicant for certification under this rule must meet the general qualifications in section (3) of this rule, make application, pay the required fees, attend a division-approved training program and pass a division-approved examination.

(3) Experience, Education and Training Requirements. An applicant must have at least one of the following:

(a) 2 years of supervisory experience in the building construction industry; or

(b) 2 years of experience in design work related to building construction; or

(c) Be a division-certified building inspector or plans examiner; or

(d) 2 years of experience as a quality assurance inspector in a manufactured structure manufacturing plant; or

(e) 2 years of experience as an Oregon licensed manufactured dwelling installer; or

(f) An associate degree or equal from a division-approved education program in a construction-related field; or

(g) Any combination of the experience and education listed in subsections (a) through (f) of this section equaling at least 2 years; or

(h) A one-year certificate of completion in building inspection technology from a division-approved education program and completion of 180 hours working under the supervision of a person with a

minimum of three years experience as a certified manufactured structure installation inspector or a person approved by the board.

(4) Inspector Training and Examination. An applicant must successfully complete a division-approved manufactured structure installation inspector training program and pass a division-approved examination covering:

(a) The Oregon Manufactured Dwelling and Park Specialty Code and those standards referenced therein;

(b) ORS 446.003, 446.155 to 446.253, and 446.395 to 446.420; and

(d) OAR chapter 918, divisions 500, 515, 520, and 530.

(5) After October 1, 2005, a Manufactured Structure Installation Inspector must also possess an Oregon Inspector Certification issued under OAR 918-098-1025 prior to performing inspections.

(6) Revocation. The division is authorized to revoke this certification under ORS 446.255. Persons certified under this rule who fail to meet the minimum continuing education requirements shall be subject to revocation. If the minimum continuing education is met within 60 days from the date it was originally due, the division shall discontinue any pending revocation action based on a failure to meet minimum continuing education requirements.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 446.250, 446.255 & 455.720

Stats. Implemented: ORS 446.250, 446.255 & 455.720

Hist.: BCA 25-1990, f. & cert. ef. 10-17-90; BCD 13-1997, f. 9-18-97, cert. ef. 10-1-97; Renumbered from 918-099-0135; BCD 16-2005(Temp), f. & cert. ef. 7-7-05 thru 12-31-05, Renumbered from 918-098-0310; BCD 24-2005, f. 9-30-05, cert. ef. 10-1-05, Renumbered from 918-098-0310; BCD 19-2006, f. 12-29-06, cert. ef. 1-1-07

918-098-1310

Recreational Vehicle Inspector Certification

(1) Scope of Activities and Authority. A recreational vehicle inspector conducts field, dealer lot, repair operation, alteration, visual and manufacturing plant inspections, reviews plans and provides other technical services for recreational vehicle manufacturers, dealers and owners in accordance with ORS 446.185 and 446.160(1).

(2) Procedure for Qualification. An applicant for certification under this rule must meet the general qualifications in section (3) of this rule, make application, pay the required fees and pass a division-approved examination.

(3) Experience, Education and Training Requirements. An applicant for certification as a recreational vehicle inspector must have at least one of the following:

(a) 2 years of experience as a supervisor in the building construction industry;

(b) 2 years of experience in design work related to building construction;

(c) 2 years of experience as a certified building inspector or plans examiner;

(d) 2 years of experience as a quality assurance inspector in a manufactured structure plant;

(e) 2 years of experience as a division-certified recreational vehicle quality assurance technician;

(f) 2 years of code-related experience as a recreational vehicle technician;

(g) An associate degree or equal from a division-approved education program in a construction-related field;

(h) Any combination of the experience and education listed in subsections (a) through (g) of this section equaling at least 2 years; or

(i) A one-year certificate of completion in building inspection technology from a division-approved education program and completion of 800-hours working under the supervision of a person with a minimum of three years experience as a certified recreational vehicle inspector or a person approved by the board.

(4) Inspector Examination. An applicant for certification as a recreational vehicle inspector must pass a division-approved examination covering the following:

(a) **American National Standards Institute (ANSI) A119.2 (1999 Edition);**

(b) **American National Standards Institute (ANSI) A119.5 (1998 Edition);**

(c) **National Electrical Code (NFPA) 70 (2005 Edition);**

(d) ORS 446.003 and 446.155 to 446.253; and

(e) OAR chapter 918, divisions 525 and 530.

(5) After October, 1 2005, a Recreational Vehicle Inspector must also possess an Oregon Inspector Certification issued under OAR 918-098-1025 prior to performing inspections.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 455.720

Stats. Implemented: ORS 455.720

Hist.: BCA 25-1990, f. & cert. ef. 10-17-90; BCD 13-1997, f. 9-18-97, cert. ef. 10-1-97; Renumbered from 918-099-0140; BCD 16-2005(Temp), f. & cert. ef. 7-7-05 thru 12-31-05, Renumbered from 918-098-0320; BCD 24-2005, f. 9-30-05, cert. ef. 10-1-05, Renumbered from 918-098-0320; BCD 19-2006, f. 12-29-06, cert. ef. 1-1-07

918-098-1315

Manufactured Structure Construction Inspector Certification

(1) Scope of Activities and Authority. A manufactured structure construction inspector conducts field, dealer lot, consumer assistance, alteration, visual and manufacturing plant inspections, reviews plans and provides technical services for manufactured dwelling manufacturers, dealers and owners.

(2) Procedure for Qualification. An applicant for this certification must meet the general qualifications in section (3) of this rule, make application, pay the required fees and pass a division-approved examination.

(3) Experience, Education and Training Requirements. An applicant for certification as a manufactured structure construction inspector must have at least one of the following:

(a) 2 years of experience as a supervisor in the building construction industry;

(b) 2 years of experience in design work related to building construction;

(c) 2 years of experience as a certified building inspector or plans examiner;

(d) 2 years of experience as a quality control inspector in a manufactured structures plant;

(e) An associate degree or equal from a division-approved education program in a construction-related field; or

(f) Any combination of the experience and education listed in subsections (a) through (e) of this section equaling at least two years; or

(g) A one-year certificate of completion in building inspection technology from a division-approved education program and completion of 800-hours working under the supervision of a person with a minimum of three years experience as a certified manufactured structure construction inspector or a person approved by the board.

(4) Inspector Examination. An applicant for certification as a manufactured structure construction inspector must pass a division-approved examination covering:

(a) **Oregon Manufactured Dwelling and Park Specialty Code;**

(b) **National Electrical Code (NFPA) 70 (2005 Edition);**

(c) **Manufactured Home Construction and Safety Standards Act;**

(d) **Public Law 93-383, Title VI;**

(e) **ORS 446.003 and 446.155 to 446.253;**

(f) **OAR chapter 918, divisions 500 and 520; and**

(5) After October, 1 2005, a Manufactured Structure Construction Inspector must also possess an Oregon Inspector Certification issued under OAR 918-098-1025 prior to performing inspections.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 446.250 & 455.720

Stats. Implemented: ORS 446.250 & 455.720

Hist.: BCA 25-1990, f. & cert. ef. 10-17-90; BCD 13-1997, f. 9-18-97, cert. ef. 10-1-97; Renumbered from 918-099-0145; BCD 16-2005(Temp), f. & cert. ef. 7-7-05 thru 12-31-05, Renumbered from 918-098-0330; BCD 24-2005, f. 9-30-05, cert. ef. 10-1-05, Renumbered from 918-098-0330; BCD 19-2006, f. 12-29-06, cert. ef. 1-1-07

918-098-1320

Park and Camp Inspector Certification

(1) Scope of Activities and Authority.

(a) A park and camp inspector conducts field inspections, reviews plans and provides other technical services for manufactured dwelling parks, recreational parks, organizational camps and picnic parks under ORS 446.066 and 446.335.

(b) This certification can be used only in a jurisdiction that:

(A) Meets all of the requirements of this rule;

(B) Complies with ORS 446.430, 455.170 and 455.680 relating to the delegation of full responsibility for permit issuance and inspections; and

(C) Issues permits, enforces the current edition of ORS Chapter 446, OAR chapter 918, divisions 600 and 650 and all referenced standards contained therein.

(2) Procedure for Qualification. An applicant for certification under this rule must meet the general qualifications in section (3) of this rule, make application, pay the required fees and pass a division-approved examination.

(3) Experience, Education and Training Requirements. An applicant for certification as a park and camp inspector must have at least one of the following:

(a) 2 years of experience as a supervisor in the building or road construction industry;

(b) 2 years of experience in design work related to building or road construction;

(c) 2 years of experience as a road construction inspector;

(d) 2 years of experience as a surveyor or landscape architect;

(e) 2 years of experience as a registered sanitarian;

(f) 2 years of experience as an Oregon licensed manufactured dwelling installer;

(g) A division certification as a building inspector or plans examiner;

(h) An associate degree or equal from a division-approved education program in a construction-related field; or

(i) Any combination of the experience and education listed in subsection (a) through (h) of this section equaling 2 years; or

(j) A one-year certificate of completion in building inspection technology from a division-approved education program and completion of 180-hours working under the supervision of a person with a minimum of three years experience as a certified park and camp inspector or a person approved by the board.

(4) Inspector Examination. An applicant for certification under this rule must pass a division-approved park and camp inspector certification examination covering:

(a) ORS 446.003 to 446.140, 446.310 to 446.350, 446.430, 455.170, and 455.680;

(b) OAR chapter 918, divisions 600 and 650; and

(c) **Oregon Manufactured Dwelling and Park Specialty Code**, Chapters 1, 2, 9, and 10.

(5) After October 1, 2005, a Park and Camp Inspector must also possess an Oregon Inspector Certification issued under OAR 918-098-1025 prior to performing inspections.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 455.720

Stats. Implemented: ORS 455.720

Hist.: BCA 25-1990, f. & cert. ef. 10-17-90; BCD 13-1997, f. 9-18-97, cert. ef. 10-1-97; Renumbered from 918-099-0150; BCD 16-2005(Temp), f. & cert. ef. 7-7-05 thru 12-31-05, Renumbered from 918-098-0340; BCD 24-2005, f. 9-30-05, cert. ef. 10-1-05, Renumbered from 918-098-0340; BCD 19-2006, f. 12-29-06, cert. ef. 1-1-07

918-098-1325

Requirements for Alteration Inspection and Plan Review of Manufactured Dwellings

(1) Scope of Work. Manufactured dwelling alteration inspections and plan reviews include on-site field inspections of alterations including structural, fire and life safety, electrical, plumbing and mechanical alterations made to manufactured dwellings after the initial sale of the home to the first consumer after all the terms of the sales contract have been met. Most alteration inspections made prior to this time are the responsibility of the division and must be performed by a certified manufactured structure construction inspector. All alteration inspections made to recreational vehicles and park trailers are the responsibility of the division and must be performed by a certified recreational vehicle inspector.

(2) Certifications. Inspectors of manufactured dwelling alterations are required to be certified by ORS 446.250. The division requires that persons performing inspections or plan reviews on manufactured dwelling alterations have:

(a) The appropriate Oregon Code Certification under OAR 918-098-1015 for the Oregon Residential Specialty Code for the specific discipline being used issued prior to October 1, 2005; or

(b) An Oregon Inspector Certification and the appropriate ICC Residential Certification as described in OAR 918-098-1010; or

(f) An Oregon Code Certification issued under OAR 918-098-1210 or 918-098-1215 after October 1, 2005.

(3) The requirement in section (2) is not applicable to alteration inspections performed on manufactured homes still under the jurisdiction of the U.S. Department of Housing and Urban Development (HUD), recreational vehicles or park trailers.

(4) Authority. Inspectors and plans examiners of manufactured dwelling alterations may only inspect or review plans in a jurisdiction that has been delegated the manufactured dwelling alteration program and that:

(a) Complies with ORS 446.250 and 446.253(2) relating to the delegation of full responsibility for permit issuance and inspections;

(b) Issues permits and enforces the current edition of ORS Chapter 446 and OAR chapter 918, divisions 500 and 520;

(c) Meets the requirements of OAR 918-500-0055 for delegation; and

(d) Enforces the current edition of the **Oregon Manufactured Dwelling and Park Specialty Code** and all referenced standards contained therein.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 446.250 & 455.720

Stats. Implemented: ORS 446.250 & 455.720

Hist.: BCD 13-1997, f. 9-18-97, cert. ef. 10-1-97; BCD 16-2005(Temp), f. & cert. ef. 7-7-05 thru 12-31-05, Renumbered from 918-098-0350; BCD 24-2005, f. 9-30-05, cert. ef. 10-1-05, Renumbered from 918-098-0350; BCD 19-2006, f. 12-29-06, cert. ef. 1-1-07

918-098-1330

Manufactured Structure Accessory Structure or Accessory Building Inspection

(1) Scope of Work. Manufactured structure accessory structure or accessory building inspections and plan reviews include on-site field inspections of installations of manufactured structure accessory structures and accessory buildings (i.e., carports, ramadas, cabanas, garages, storage sheds, awnings, decks, steps and ramps).

(2) Certifications. Inspectors of manufactured structure accessory structures and accessory buildings are required to be certified by ORS 446.250. To satisfy this mandate, the division requires that persons performing inspections or plan reviews on manufactured structure accessory structures or accessory buildings have the appropriate Oregon Code Certification under OAR 918-098-1015 or the Oregon Inspector Certification and the appropriate ICC Residential Certification as described in OAR 918-098-1010 for the **Oregon Residential Specialty Code** for the specific discipline being used.

(3) Authority. Inspectors of manufactured structure accessory structures and accessory buildings may only inspect or review plans in a jurisdiction that has been delegated the manufactured dwelling accessory structure and accessory building program and that:

(a) Complies with ORS 446.250 and 446.253(2) relating to the delegation of full responsibility for permit issuance and inspections;

(b) Complies with the Oregon Manufactured Dwelling and Park Specialty Code and all referenced standards contained therein;

(c) Issues permits and enforces the current edition of ORS Chapter 446 and OAR chapter 918, division 500;

(d) Meets the requirements of OAR 918-500-0055 for delegation; and

(e) Enforces the current edition of the **Oregon Manufactured Dwelling and Park Specialty Code** and all referenced standards contained therein.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 446.250 & 455.720

Stats. Implemented: ORS 446.250 & 455.720

Hist.: BCD 13-1997, f. 9-18-97, cert. ef. 10-1-97; BCD 16-2005(Temp), f. & cert. ef. 7-7-05 thru 12-31-05, Renumbered from 918-098-0360; BCD 24-2005, f. 9-30-05, cert. ef. 10-1-05, Renumbered from 918-098-0360; BCD 19-2006, f. 12-29-06, cert. ef. 1-1-07

918-098-1410

Cross-Training Programs for Residential Certifications

(1) A building inspection program that elects to administer, use or participate in a cross-training program for residential inspectors shall follow a division approved standardized cross-training program that can be used in any jurisdiction or submit the following information to the division:

(a) The names and copy of the certifications of the cross-training program supervisor and instructors;

(b) A description of the purpose and scope of the cross-training program;

(c) A description of the various training methods covering the **Oregon Residential Specialty Code**; and

(d) The method of evaluating whether a trainee has satisfactorily completed the cross-training program.

(2) The cross-training program supervisor or instructors shall:

(a) Possess an A-level or commercial certification and an Oregon Inspector certification in the program area the individual is responsible for supervising; and

(b) Shall maintain records of all trainees who participate in the residential plans examiner or inspector cross-training program.

(3) The division may monitor or inspect the records of residential cross-training programs on a periodic basis.

(4) A municipality may enroll its trainees in a division approved program sponsored by another jurisdiction or provided by a private entity or school. The jurisdiction, private entity, or school shall maintain records of all trainees who participate in the cross-training program.

(5) Cross-training programs must follow all applicable code-change cycles and the programs must be amended accordingly. Amendments shall be submitted in writing to the division for approval.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 455.622

Stats. Implemented: ORS 455.622

Hist.: BCD 8-1997, f. & cert. ef. 4-1-97; BCD 15-1997, f. 9-30-97, cert. ef. 10-1-97; BCD 38-2000, f. 12-29-00, cert. ef. 1-1-01; BCD 16-2005(Temp), f. & cert. ef. 7-7-05 thru 12-31-05, Renumbered from 918-098-0410; BCD 24-2005, f. 9-30-05, cert. ef. 10-1-05, Renumbered from 918-098-0410; BCD 4-2006, f. 3-31-06, cert. ef. 4-1-06

918-098-1420

Education Program Requirements

(1) Educational institutes may submit a written application to the division for approval of their education program.

(2) Programs shall be resubmitted for review and approval every three years following initial approval.

(3) Class room and laboratory instructors shall possess an appropriate inspector certification for the specialty code area being taught.

(4) All class room and laboratory instruction shall be based on the specialty codes adopted by the division or the corresponding nationally recognized model codes.

(5) All classes shall be updated with the most recent adopted code-changes. Program amendments shall be submitted to the division for review and approval.

Stat. Auth.: ORS 455.720

Stats. Implemented: ORS 455.720

Hist.: BCD 8-1997, f. & cert. ef. 4-1-97; BCD 16-2005(Temp), f. & cert. ef. 7-7-05 thru 12-31-05, Renumbered from 918-098-0420; BCD 24-2005, f. 9-30-05, cert. ef. 10-1-05, Renumbered from 918-098-0420

918-098-1430

Timeline for Education Program Approval

(1) To be approved for a school year beginning in September, new education programs shall be submitted to the division by June 1 of the prior year for review.

(2) The division shall request any needed additional information by July 1.

(3) The education institution shall submit requested information by August 1.

(4) The division shall issue program approval or disapproval by October 1 for programs for the following calendar year.

(5) Updated programs based on new code adoptions or code-changes shall be submitted to the division for approval within 30 days of the effective date of the code adoption or code-change.

(6) Education programs submitted for the three-year review and re-approval shall follow the timeline in this rule.

Stat. Auth.: ORS 455.720

Stats. Implemented: ORS 455.720

Hist.: BCD 15-1997, f. 9-30-97, cert. ef. 10-1-97; BCD 16-2005(Temp), f. & cert. ef. 7-7-05 thru 12-31-05, Renumbered from 918-098-0425; BCD 24-2005, f. 9-30-05, cert. ef. 10-1-05, Renumbered from 918-098-0425

918-098-1440

Approval of Inspector Continuing Education and Educational Programs

(1) Applications for approval of continuing education and educational programs must be filed at least 45 days prior to the date of the proposed class or beginning date of training. The 45-day period or any other procedural rule controlling these programs may be waived if the administrator determines there is an emergency.

(2) The application must describe the course objectives, qualifications for entry into the course, course content, materials to be used, length of class, field time if applicable, and instructor names and qualifications.

(3) Where continuing education credits are sought, the application must show the number of credits sought for the course and provide justification.

(4) Instructors approved by the division to teach code-change courses shall be granted the same number of continuing education credit hours as those attending the course.

(5) Persons or organizations requesting reimbursement from the division training funds for education programs must have a valid contract with the division or specific written approval from the division at the time of course offering.

Stat. Auth.: ORS 455.720

Stats. Implemented: ORS 455.725

Hist.: BCA 16-1992, f. & cert. ef. 8-11-92; BCD 8-1997, f. & cert. ef. 4-1-97; Renumbered from 918-099-0500; BCD 15-1997, f. 9-30-97, cert. ef. 10-1-97; BCD 16-2005(Temp), f. & cert. ef. 7-7-05 thru 12-31-05, Renumbered from 918-098-0430; BCD 24-2005, f. 9-30-05, cert. ef. 10-1-05, Renumbered from 918-098-0430; BCD 19-2006, f. 12-29-06, cert. ef. 1-1-07

918-098-1450

Continuing Education Requirements

(1) Persons performing inspections and plan review in Oregon are required to obtain at least 16 hours of continuing education every three years, beginning January 1, 2006.

(2) At least one course during each three-year cycle must be a division-approved code-change course related to the scope of work allowed under each certification, if the code related to that specific certification changed during the cycle.

(3) In addition to the minimum hours in section (1), if a person has more than one Oregon Code Certification or ICC certification, for each certification the person must take at least one division-approved code-change course.

(4) Building officials shall be required to obtain six hours continuing education credits every other year in classes related to the duties of a building official. The classes must also include at least one division approved class covering new legislation relating to the administration and enforcement of building inspection programs within one year after the legislature adjourns.

(5) The division may periodically verify that a person is maintaining and recording their continuing education.

Stat. Auth.: ORS 455.720

Stats. Implemented: ORS 455.720

Hist.: BCD 16-2005(Temp), f. & cert. ef. 7-7-05 thru 12-31-05; BCD 24-2005, f. 9-30-05, cert. ef. 10-1-05; BCD 4-2006, f. 3-31-06, cert. ef. 4-1-06; BCD 19-2006, f. 12-29-06, cert. ef. 1-1-07

918-098-1455

High Priority Training

In addition to the continuing education requirements in 918-098-1450, the division may require building officials, inspectors, and plans examiners to take high priority training when the division identifies new technologies or specific problem areas.

Stat. Auth.: ORS 455.720

Stats. Implemented: ORS 455.720

Hist.: BCD 24-2005, f. 9-30-05, cert. ef. 10-1-05

918-098-1460

Waiver of Continuing Education Requirements Due to Hardship or Illness

The administrator may extend the period to comply with code-change continuing education requirements in case of hardship or illness. Requests for extension shall:

(1) Be in writing;

(2) Describe the nature of the hardship or illness and the reason why the applicant is unable to comply with the continuing education requirements; and

(3) State when the person will be able to complete the continuing education requirements.

Stat. Auth.: ORS 455.720

Stats. Implemented: ORS 455.720

Hist.: BCA 16-1992, f. & cert. ef. 8-11-92; BCA 33-1993, f. & cert. ef. 12-14-93; BCD 8-1997, f. & cert. ef. 4-1-97; Renumbered from 918-099-0630; BCD 16-2005(Temp), f. & cert. ef. 7-7-05 thru 12-31-05, Renumbered from 918-098-0470; BCD 24-2005, f. 9-30-05, cert. ef. 10-1-05, Renumbered from 918-098-0470

918-098-1470

Duties and Responsibilities of Certified Building Officials, Inspectors, and Plans Examiners

(1) Persons who hold an Oregon Inspector Certification or an Oregon Code Certification must act in the public interest in performing their duties as a building official, inspector, or plans examiner, including but not limited to:

(a) Obtaining and maintaining any appropriate national or Oregon Code Certification prior to performing their duties;

(b) Completing all required continuing education requirements and maintaining records of completion of continuing education courses required for each national and Oregon certification sufficient to demonstrate compliance with OAR 918-098-1450;

(c) Enforcing all appropriate building code statutes, and rules adopted thereunder, including but not limited to specialty codes, including statewide code interpretations, directives, orders, or other building program requirements and allowing the use of alternate method rulings;

(d) Adhering to all applicable building code statutes and rules adopted thereunder; and

(e) Notifying the division of any changes of name or address in a manner prescribed by the division within 10 business days; and

(f) Implementing a division approved cross-training program for residential electrical inspectors, and residential plumbing inspectors under OAR 918-098-1410.

(2) After a code or code edition is adopted by the division, persons who hold an Oregon Inspector Certificate and hold the national certification for that specialty code must re-certify their national certification to the new code or code edition at the next available renewal cycle of the national certification. If an inspector re-certifies a national certification to the newest edition of the national code(s) before that code edition is adopted in Oregon, such re-certification shall be considered as a current national certification for the purposes of these rules.

(3) If an inspector fails to maintain or does not possess a current national certification, the inspector shall not perform inspections or plan review for that particular specialty code.

Stat. Auth.: ORS 455.720

Stats. Implemented: ORS 455.720

Hist.: BCD 16-2005(Temp), f. & cert. ef. 7-7-05 thru 12-31-05; BCD 24-2005, f. 9-30-05, cert. ef. 10-1-05; BCD 4-2006, f. 3-31-06, cert. ef. 4-1-06

918-098-1480

Additional Responsibilities for Building Officials

In addition to the above responsibilities, all certified individuals who are performing the duties of the building official shall also:

(1) Ensure a person is properly certified under these rules and meets the minimum experience requirements prior to allowing the individual to perform plan reviews and inspections;

(2) Ensure all inspectors and plans examiners in the municipality take all required continuing education and track the continuing education in a manner prescribed by the division; and

(3) Ensure all applicable building code statutes and rules, including statewide code interpretations, directives and other building program requirements and allowing the use of statewide alternate method rulings are enforced and carried out through their certified individuals in their municipality.

Stat. Auth.: ORS 455.720

Stats. Implemented: ORS 455.720

Hist.: BCD 16-2005(Temp), f. & cert. ef. 7-7-05 thru 12-31-05; BCD 24-2005, f. 9-30-05, cert. ef. 10-1-05

918-098-1500

Building Official and Inspector Sanctions Process

(1) The division shall establish uniform procedures for the processing and resolution of complaints relating to building officials and inspectors certified pursuant to ORS 455.735. The division may condition, suspend or revoke a certification in the course of resolving a complaint.

(2) Failure to act "in the public interest in the performance of their duties" in accordance with ORS 455.740 shall include, but not be limited to:

(a) Providing or having knowledge of, false education, work experience or documentation being used to meet certification or continuing education requirements, or during the examination, using unauthorized notes, examinations or examination answers at an examination,

copying from another, allowing another to copy or otherwise use unauthorized methods to gain an advantage or give another person an advantage during an examination;

(b) Failing to complete continuing education requirements;

(c) Permitting, allowing or performing plan reviews or inspections without proper certification;

(d) Engaging in a pattern that fails to enforce the specialty code, including statewide code interpretations, site-specific interpretations, directives or other building program requirements and failure to allow the use of alternate method rulings;

(e) After notification, engaging in a pattern of requiring construction or installations to exceed the requirements of the specialty codes, unless otherwise specified by the designer(s);

(f) Requiring an individual to approve structures or installations that do not comply with the specialty codes;

(g) Failing to properly perform inspections or plan reviews;

(h) Engages in unprofessional behavior; or

(i) Any other activity prejudicial to the administration and enforcement of the state building code.

(3) Applicants sanctioned under this rule may be required to wait at least one year from the date the application was denied before they may re-apply for any certification.

(4) Upon a finding of a violation of section (2) of this rule, the director may, in accordance with the requirements of ORS Chapter 183, place conditions on a certification in lieu of suspension or revocation.

(5) In determining the appropriate sanction any applicable factors shall be taken into account, including, but not limited to:

(a) Prior history of violations;

(b) Extent to which corrective action was taken; and

(c) The element of risk or danger to any person caused by the violation.

(6) Certifications of building officials, plans examiners and inspectors who do not comply with the code-change education or continuing education requirements contained in these rules shall lapse. Persons whose certifications have lapsed for failure to comply with code-change or continuing education requirements shall be required to re-apply for certification and take a division-approved examination in the same manner as a new applicant.

Stat. Auth.: ORS 455.740

Stat. Implemented.: ORS 455.740

Hist.: BCD 13-2001, f. 9-28-01, cert. ef. 10-1-01; BCD 11-2004, f. 8-13-04, cert. ef. 10-1-04; BCD 16-2005(Temp), f. & cert. ef. 7-7-05 thru 12-31-05, Renumbered from 918-098-0500; BCD 24-2005, f. 9-30-05, cert. ef. 10-1-05, Renumbered from 918-098-0500

Post-Earthquake Damage Inspectors

918-098-1600

Purpose and Scope

The provisions of OAR 918-098-1600 to 918-098-1630 establish the background qualifications and the evaluation and testing criteria to be registered as a post-earthquake structural damage inspector.

Stat. Auth.: ORS 455.100 & 455.448

Stats. Implemented: ORS 455.448 & 455.449

Hist.: BCD 8-1997, f. & cert. ef. 4-1-97; BCD 16-2005(Temp), f. & cert. ef. 7-7-05 thru 12-31-05, Renumbered from 918-098-0600; BCD 24-2005, f. 9-30-05, cert. ef. 10-1-05, Renumbered from 918-098-0600; BCD 4-2006, f. 3-31-06, cert. ef. 4-1-06

918-098-1610

Definitions

For the purposes of OAR 918-098-1600 to 918-098-1630, the following definitions apply:

(1) "Building Inspector" as set forth in ORS 455.448 means a person registered pursuant to the provisions of OAR 918-098-1620 as either a general post-earthquake inspector or a limited post-earthquake inspector;

(2) "General Post-Earthquake Damage Inspector" means a person registered under the provisions of OAR 918-098-1620 or appointed by the director pursuant to ORS 455.448 to perform post-earthquake damage and habitability assessments on all structures; and

(3) "Limited Post-Earthquake Damage Inspector" means a person registered under the provisions of OAR 918-098-1620 or appointed by the director pursuant to ORS 455.448 to perform post-earthquake damage and habitability assessments on detached one- and two-family dwellings, rowhouses and townhouses less than three stories in height and their accessory structures less than three stories in height.

Stat. Auth.: ORS 455.100 & 455.448

Stats. Implemented: ORS 455.448 & 455.449
Hist.: BCD 8-1997, f. & cert. ef. 4-1-97; BCD 16-2005(Temp), f. & cert. ef. 7-7-05 thru 12-31-05, Renumbered from 918-098-0610; BCD 24-2005, f. 9-30-05, cert. ef. 10-1-05, Renumbered from 918-098-0610

Hist.: BCD 16-2005(Temp), f. & cert. ef. 7-7-05 thru 12-31-05; BCD 24-2005, f. 9-30-05, cert. ef. 10-1-05

918-098-1620

Post Earthquake Damage Inspector Registration Requirements

All persons seeking registration as a post-earthquake inspector must complete a division application form and complete a division approved Applied Technology Council (ATC) training course within three years of application.

(1) To be registered as a general post-earthquake damage inspector, an applicant must:

(a) Be registered in any state as an architect, or be qualified by training and experience to take the Oregon examination for registration as an architect; or

(b) Be certified in the state of Oregon as an A-level, B-level structural or fire and life safety plans examiner or inspector, or be qualified to take the Oregon A-level, B-level commercial or fire and life safety plans examiner or inspector certification examination; or

(c) Possess a current ICC Commercial Building Inspector, Commercial Building Plans Examiner or Commercial Fire Plans Examiner certificate; or

(d) Be registered in any state as a certified professional engineer in civil or structural engineering, or be qualified by education and experience to take the Oregon certified professional engineer examination in civil or structural engineering, even though the applicant has not taken the Fundamentals of Engineering examination.

(2) To be registered as a limited post-earthquake damage inspector, an applicant must:

(a) Meet any of the qualifications listed in subsection (1) of this rule;

(b) Be certified in the State of Oregon as a residential structural inspector; or

(c) Be certified in the State of Oregon as a residential plans examiner; or

(d) Possess a current ICC Residential Building Inspector certificate.

Stat. Auth.: ORS 455.100 & 455.448

Stats. Implemented: ORS 455.448 & 455.449

Hist.: BCD 8-1997, f. & cert. ef. 4-1-97; BCD 16-2005(Temp), f. & cert. ef. 7-7-05 thru 12-31-05, Renumbered from 918-098-0620; BCD 24-2005, f. 9-30-05, cert. ef. 10-1-05, Renumbered from 918-098-0620; BCD 4-2006, f. 3-31-06, cert. ef. 4-1-06; BCD 19-2006, f. 12-29-06, cert. ef. 1-1-07

918-098-1630

Post-Earthquake Damage Inspector Continuing Education Requirements

(1) Post-earthquake damage inspectors must fulfill the following continuing education requirements every three years, beginning January 1, 2007:

(a) Completion of a division-approved Applied Technology Council (ATC) training course; or

(b) Participation in at least one emergency exercise drill, or actual emergency event.

(2) The division may periodically verify compliance with these continuing education requirements.

Stat. Auth.: ORS 455.100 & 455.448

Stats. Implemented: ORS 455.448 & 455.449

Hist.: BCD 8-1997, f. & cert. ef. 4-1-97; BCD 16-2005(Temp), f. & cert. ef. 7-7-05 thru 12-31-05, Renumbered from 918-098-0630; BCD 24-2005, f. 9-30-05, cert. ef. 10-1-05, Renumbered from 918-098-0630; BCD 4-2006, f. 3-31-06, cert. ef. 4-1-06; BCD 19-2006, f. 12-29-06, cert. ef. 1-1-07

Corrective Notices

918-098-1900

Citation Requirement Effective January 1, 2006

In addition to any other requirements set forth in statute and rule, beginning January 1, 2006, all inspectors and plans examiners certified under Division 098, OAR 918-225-0540, 918-281-0020 918-695-0400, and ORS 460.055 issuing corrective notices at construction sites or to buildings or related appurtenances during a plan review must adequately cite the applicable specialty code sections, Oregon administrative rules, or statutes whenever a re-inspection is required as a result of the inspection or plan review.

Stat. Auth.: ORS 455.720 & 455.740

Stats. Implemented: ORS 455.720 & 455.740

DIVISION 100

SPECIAL ALTERNATIVE INSPECTION PROGRAM RULES GENERAL REQUIREMENTS FOR PROGRAMS

918-100-0000

Applicability of Rules

(1) The rules in OAR 918-100-0000 to 918-100-0120 implement the statewide minor installation label, master permit and special alternative inspection programs.

(2) Nothing in these rules shall prohibit a person from purchasing a regular permit in order to insure individual inspection of any installation.

(3) Tri-County regional minor installation labels issued prior to October 1, 2004 are considered valid until expired and may be used in jurisdictions outside the Tri-County region.

(4) The division may adopt policies and procedures to ensure a smooth transition from the Tri-County regional minor label program to the statewide minor label program.

Stat. Auth.: ORS 447.072, 447.076, 455.144(7), 455.627, 479.540(15) & 479.570(2)

Stats. Implemented: ORS 447.072, 447.076, 455.627, 479.540(15) & 479.570(2)

Hist.: BCD 27-1994, f. & cert. ef. 11-15-94; BCD 4-2002, f. 3-8-02, cert. ef. 4-1-02; BCD 22-2004, f. & cert. ef. 10-1-04; BCD 31-2005, f. 12-30-05, cert. ef. 1-1-06

918-100-0010

Definitions

The following definitions are adopted:

(1) "Accessible" means the structural, mechanical and plumbing installations can be easily inspected because the work is in the open or because there is a designed permanent physical access such as an access panel, door or similar entry.

(2) "Applicant" is a person authorized to take out a master inspection permit or minor label.

(3) "Closest Office" means:

(a) In the case of the division, the closest office within the state from which appropriate inspectors are dispatched; or

(b) In the case of a municipality, the closest office from which appropriate inspectors serving the facility are dispatched within the municipal boundaries. If a municipality does not have an office from which inspectors are dispatched, the "closest office" is the municipality's executive office or the point of actual dispatch, whichever is closest.

(4)(a) A "Covered Facility" under the master permit program is one or more commercial or industrial buildings or structures under common ownership or management located within the boundaries of the same inspection jurisdiction:

(A) Within the same complex on contiguous lots; or

(B) Situated at different locations within the municipality and both the inspecting jurisdiction and the permittee agree to treat the buildings or structures as a "covered facility."

(b) A "covered facility" under the master permit program, does not include an apartment or combination of apartments having less than a total of six living units.

(5) "Inspecting Jurisdiction" is the municipality or state serving the area with inspection services.

(6) "Inspection Hours" means the time necessary to do the inspections under the special alternative master permit inspection program. This includes travel to and from the closest office of the inspecting jurisdiction as well as inspector documentation.

(7) "Jurisdictional Inspector" is the inspector for an inspecting jurisdiction.

(8) "Minor Label" is an adhesive sticker with a corresponding log sold by a jurisdiction or the division for use with minor installation inspection programs which has a serial number, space for a date, identification of the person doing the work, license number if applicable and other information.

(9) "New Construction" means:

(a) Creation of a new building shell;

(b) Installation of mechanical and plumbing products as part of the work described in subsection (a) of this section;

(c) Any structural, mechanical or plumbing work performed in connection with changing the use or occupancy classification of the building, except as permitted by OAR 918-100-0080; or

(d) Any addition which increases the square footage of the building or structure.

(10) "Occupancy Classification" means the designation of a building according to its use or the character of its occupancy, into one or more of the occupancy groups as provided in the **Oregon Structural Specialty Code**.

(11) "Repair and Maintenance" means restoring accessible or existing plumbing appliances, appurtenances, fixtures, wastes, vents or distribution pipes in buildings or structures to a safe and sanitary condition.

(12) "Replacement" means exchanging an existing structural component or mechanical or plumbing product for a similar item which:

(a) Does not change the source or location of power;

(b) Does not exceed the design capacity of the existing system or structure; and

(c) Meets current accessibility and earthquake requirements.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 447.072, 447.076, 455.144(7), 455.627, 479.540(15) & 479.570(2)

Stats. Implemented: ORS 447.072, 447.076, 455.627, 479.540(15) & 479.570(2)

Hist.: BCD 27-1994, f. & cert. ef. 11-15-94; BCD 30-2000, f. 12-27-00, cert. ef. 1-1-01; BCD 4-2002, f. 3-8-02, cert. ef. 4-1-02; BCD 22-2004, f. & cert. ef. 10-1-04

Minor Label Programs

918-100-0020

Scope of Minor Installation Label Programs

(1) The statewide minor installation label program is a mandatory statewide program for which labels are sold by the division and used within any jurisdiction.

(a) The division administers the residential, commercial and industrial plumbing and electrical minor installation label program. Local jurisdictions are required to participate in the program by performing inspections on behalf of the division on a percentage of minor installation labels used by contractors.

(b) Work performed under this program shall conform to the **Electrical Specialty Code**, the **Plumbing Specialty Code** and the **One-and Two-Family Dwelling Specialty Code**. The scope of work allowed under this program is defined in OAR 918-309-0220 for electrical installations and OAR 918-780-0140 for plumbing installations.

(2) Jurisdictions may file a request for delegation of optional minor installation programs. Use of a minor installation label by an appropriate person include:

(a) Work performed under the structural commercial and industrial minor label program shall be to the **Structural Specialty Code**. The scope of work allowed under this program includes:

(A) Alteration, replacement or repair of up to 100 linear feet of nonbearing, non-fire-resistive walls and partitions not part of the building shell, an exit or an exit passageway;

(B) Window and door replacements or relocations not part of an exit or exit passageway and fit within existing openings. Replacement windows and doors shall comply with the requirements of current state codes, including but not limited to safety glazing requirements;

(C) Light weight interior awnings under 100 pounds total weight;

(D) Removal and replacement of acoustical ceiling tiles in non-fire-rated ceilings of less than 1,000 square feet. Replacement of supporting grid is not included;

(E) Minor roofing repairs not exceeding ten percent of the roofing area.

(b) Work performed under the mechanical commercial and industrial minor label program shall be to the **Mechanical Specialty Code**. The scope of work allowed under this program includes:

(A) Moving or replacing duct work not involving fire-dampers or penetrations of fire walls, fire assemblies or floors;

(B) Moving grills in duct work;

(C) Replacing existing heating, cooling and ventilation equipment.

(3) Exclusions: The minor label program does not include:

(a) New construction, except as allowed under OAR 918-309-0220(3)(a) and (b);

(b) Accessibility retrofit;

(c) Major roof repairs, constituting more than ten percent of roofing area and reroofing;

(d) Work on fire-extinguishing or smoke evacuation systems;

(e) Chemical or industrial liquid waste and vent piping; or

(f) Combination waste and vent systems.

(4) No more than one minor label for each specialty area shall be used on any single project per job site. For the purpose of this rule, a job site means work at the same address.

(5) A minor label is only required when the work otherwise requires a permit. No new permit requirements are created.

(6) If a jurisdiction chooses not to offer the optional minor label program, permits and individual inspections shall continue to be required in each program.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 447.072, 447.076, 455.144(7), 455.627, 479.540(15) & 479.570(2)

Stats. Implemented: ORS 447.072, 447.076, 455.627, 479.540(15) & 479.570(2)

Hist.: BCD 27-1994, f. & cert. ef. 11-15-94; BCD 4-2002, f. 3-8-02, cert. ef. 4-1-02; BCD 22-2004, f. & cert. ef. 10-1-04

918-100-0030

Minor Label Fees

Minor labels sold by the division for installations governed by these rules shall be sold in lots of ten at a cost of \$125.

Stat. Auth.: ORS 447.072, 447.076, 447.095, 455.020, 455.144(7), 455.154, 455.155, 455.627, 455.844, 455.846, 479.540(15), 479.570(2) & 479.840

Stats. Implemented: ORS 447.072, 447.076, 455.154, 455.155, 455.627, 455.844, 455.846, 479.540(15) & 479.570(2)

Hist.: BCD 27-1994, f. & cert. ef. 11-15-94; BCD 4-2002, f. 3-8-02, cert. ef. 4-1-02; BCD 31-2005, f. 12-30-05, cert. ef. 1-1-06

918-100-0040

Issuance of Minor Labels

The following persons are eligible to purchase minor labels:

(1) Structural and mechanical minor labels. Building owners, the owner's agent or the contractor doing the work, who holds a Construction Contractors Board license.

(2) Plumbing minor labels. Plumbing contractors authorized by OAR 918-780-0130.

(3) Electrical minor labels. Electrical contractors authorized by OAR 918-309-0210.

Stat. Auth.: ORS 447.072, 447.076, 455.154, 455.627, 479.540(15) & 479.570(2)

Stats. Implemented: ORS 447.072, 447.076, 455.627, 479.540(15) & 479.570(2)

Hist.: BCD 27-1994, f. & cert. ef. 11-15-94; BCD 4-2002, f. 3-8-02, cert. ef. 4-1-02; BCD 22-2004, f. & cert. ef. 10-1-04

918-100-0050

Requirements for Persons Using Minor Labels

(1) A person making a minor installation under either a statewide or optional minor label program shall:

(a) Fill in the information required on a minor label and attach it to the electrical panel or near the installation if no panel is present before work is started;

(b) Record the installation in the minor label log; and

(c) Return the minor label log to the selling jurisdiction or division office after the ten minor labels are used, or every 12 months from date of sale, whichever occurs first.

(2) A plumbing contractor making a minor concealed installation shall notify the division that the work is ready for inspection within 48 hours of completion. Work may not be covered or concealed until an inspection is made or approval to cover is given by the jurisdiction or the division.

(3) A minor label may be used on a job site with existing structural, mechanical, plumbing or electrical permits provided the work is of the type covered by the minor label rules, and the contractor does not have an existing permit for that job site.

(4) Minor installation labels may not be exchanged or transferred.

Stat. Auth.: ORS 447.072, 447.076, 455.154, 455.627, 479.540(15) & 479.570(2)

Stats. Implemented: ORS 447.072, 447.076, 455.627, 479.540(15) & 479.570(2)

Hist.: BCD 27-1994, f. & cert. ef. 11-15-94; BCD 4-2002, f. 3-8-02, cert. ef. 4-1-02; BCD 22-2004, f. & cert. ef. 10-1-04

918-100-0060

Requirements for Municipalities

At least ten percent of each minor label log shall be inspected.

(1) For optional programs, the authority having jurisdiction shall inspect within 30 days of return of the log. If the work inspected violates the code under which the installation is made, the inspecting jurisdiction may:

(a) Inspect additional installations listed in the log; and
 (b) Charge the person purchasing the minor labels for all new inspections and for all reinspections required at the jurisdiction's hourly inspection rate.

(2) Under the statewide program, the authority having jurisdiction shall inspect the minor installation within 30 days of contacting the homeowner, but no more than 35 days from the date of receipt of the division's request to inspect.

(a) The division shall compensate each inspecting jurisdiction \$75 per inspection for the first minor label installation inspected on a log sheet. In the event that a jurisdiction is required to perform an inspection on a second or third label, the contractor shall compensate the jurisdiction directly at a uniform flat fee of \$75. If the jurisdiction finds a code violation that requires a second inspection of minor label, the contractor shall compensate the jurisdiction directly at the jurisdiction's hourly rate.

(b) The division shall, upon notice of three failed inspections in the same lot of labels, notify the contractor and the jurisdictions affected by the remaining labels in the same lot. Each jurisdiction shall then notify the contractor that a permit is necessary for each of the remaining installations within the jurisdiction in the same lot of labels, and work shall follow the normal permit and inspection procedures for that jurisdiction.

(c) If, at any time during a three-year period, the division notifies jurisdictions of two or more lots of minor labels under subsection (b) of this section, the division shall no longer issue minor label sheets to the contractor for a period of one year, upon final determination. Normal permit and inspection procedures for the applicable jurisdiction shall be followed. The contractor shall return any unused minor labels to the division.

(d) Any contractor wishing to appeal a denial of the use of minor labels is entitled to a contested case hearing under the Administrative Procedures Act, ORS Chapter 183.

Stat. Auth.: ORS 447.072, 447.076, 455.144(7), 455.627, 479.540(15) & 479.570(2)
 Stats. Implemented: ORS 447.072, 447.076, 455.627, 479.540(15) & 479.570(2)
 Hist.: BCD 27-1994, f. & cert. ef. 11-15-94; BCD 4-2002, f. 3-8-02, cert. ef. 4-1-02; BCD 22-2004, f. & cert. ef. 10-1-04

918-100-0065

Scope of Work for Master Permits

For the purpose of this rule, "commercial and industrial installations" mean any structural, mechanical and plumbing work involving any occupancy in the **Oregon Structural Specialty Code**, except one- and two-family dwellings and associated accessory buildings.

[Publications: Publications referenced are available from the division.]

Stat. Auth.: ORS 455.040, 455.144(7), 455.154 & 455.560

Stats. Implemented: ORS 455.154

Hist.: BCD 22-2004, f. & cert. ef. 10-1-04

Master Permits

918-100-0070

Issuance of Master Permits

Master permits shall be issued to the following persons electing to be inspected under the master permit program, if the jurisdiction offers this program:

(1) Structural and mechanical master permit. Contractors having a verified Construction Contractors Board registration, owner or operator of the covered facility.

(2) Plumbing:

(a) Plumbing contractors having a certificate of registration under ORS 447.030 and a verified Construction Contractors Board registration;

(b) Covered facilities having plumbing employees with a certificate of competency under ORS Chapter 693.

Stat. Auth.: ORS 455.040(1), 455.144(7) & 479.560, Ch. 368, OL 2003

Stats. Implemented: Ch. 368, OL 2003

Hist.: BCD 27-1994, f. & cert. ef. 11-15-94

918-100-0080

Work Qualifying for the Master Permit Program

(1) A master permit allows construction work in a covered facility if:

(a) The work is not "new construction" as defined in these rules and ORS 455.190;

(b) The occupancy classification of the building is not changed to a more hazardous occupancy as a result of the work; and

(c) Work is governed by the state building codes and a permit is otherwise required.

(2) The master permit program allows:

(a) Structural, mechanical and plumbing construction or alterations that are not new construction except as permitted in this section and ORS 455.190;

(b) Non-structural demolition carried out in conjunction with or necessary for construction allowed under this program;

(c) Repair and maintenance;

(d) Interior tenant remodeling;

(e) Accessibility upgrades; or

(f) Changes of occupancy as described in this section, provided the building official determines the proposed alterations may be satisfactorily reviewed and inspected under a master permit.

(3) Exclusions. A master permit does not allow:

(a) Work on one- and two-family dwellings, and associated accessory buildings, and an apartment building or apartment complex having six or less living units;

(b) New construction; or

(c) Major roof repairs and reroofing unless preapproved by the inspecting jurisdiction.

(4)(a) Where state code requires plan review for any of the construction covered by section (2) of this rule, an expedited, within 24 hours, review can be requested as provided in subsection (b) of this section;

(b) The request for expedited review shall be filed with the inspecting jurisdiction; and

(A) Contain a statement of a state-licensed professional architect or engineer whose practice is in the program area covered certifying fire and life safety issues do not exist or are addressed, and the proposed construction meets code requirements;

(B) Contain a copy of drawings signed by the licensed professional; and

(C) Be requested at least ten working days prior to the work.

(5) No work shall be covered or installation made operational until inspected, tested or approved by the inspecting jurisdiction.

Stat. Auth.: ORS 455.040, 455.144, 455.190 & 479.560

Stats. Implemented: ORS 455.190

Hist.: BCD 27-1994, f. & cert. ef. 11-15-94; BCD 30-2000, f. 12-27-00, cert. ef. 1-1-01

918-100-0090

Master Permit Fees

(1) The master permit fee for inspection hours shall be the hourly charge of the inspecting jurisdiction. The hourly charge may include the direct costs of providing the service, such as salaries, materials and supplies, as well as indirect expenses, such as supervision, overhead and staff support. However, the fee level is subject to ORS 455.210.

(2) Advance estimated payments may be required by the inspecting jurisdiction when the master permit is obtained, or during the term of the permit, provided an annual accounting and credit or refund is given based on actual time spent for inspections. All requirements must be in ordinance, rule or other binding regulations of the inspecting jurisdiction.

Stat. Auth.: ORS 455.040(1), 455.144(7) & 479.560, Ch. 368, OL 2003

Stats. Implemented: Ch. 368, OL 2003

Hist.: BCD 27-1994, f. & cert. ef. 11-15-94

918-100-0100

Requirements for Applicants

An applicant electing to have a covered facility inspected under a master permit shall:

(1) Take out an annual master permit with the inspecting jurisdiction, designate the covered facility involved, define whether the work will be done by exempt employees, licensed plumbing employees or registered contractors or any combination, and pay the required fees;

(2) Create and keep records of all master permit installations showing what was done, the employee or contractor doing the work, when it was done and material used;

(3) File reports covering work done every three months and make the original records available for the jurisdictional inspector;

(4) Arrange an inspection schedule with the inspecting jurisdiction. Every covered facility shall be inspected at least once a year, or more frequently if deemed necessary by the inspecting jurisdiction based upon the size, use or occupancy of the building;

- (5) Not cover until inspected, tested and approved;
 - (6) Make corrections required upon inspection regardless of who did the work;
 - (7) Pay, upon request from the inspecting jurisdiction, the fee for the inspection hours used to service the facility or facilities;
 - (8) Take out a timely separate permit, pay fees and have individual inspections for installations outside the scope of a master permit.
- Stat. Auth.: ORS 455.040(1), 455.144(7) & 479.560, Ch. 368, OL 2003
 Stats. Implemented: Ch. 368, OL 2003
 Hist.: BCD 27-1994, f. & cert. ef. 11-15-94

Delegation of Alternative Inspection Programs

918-100-0110

Delegation of Special Inspection Programs

Each municipality providing industrial and commercial structural, mechanical and plumbing specialty code inspections can request delegation provided it:

(1) Files a timely notice under ORS 455.148 or 455.150 covering the basic programs and serves the required parties, the state in case of a county, and county and state in case of a city;

(2) Files separate requests for delegation of optional special master permit and minor label inspection programs for commercial and industrial structural, mechanical or plumbing installations with the division at the same time and with the same parties in subsection (a) of this section and includes as relevant:

(a) A proposed time line and method by which the municipality shall adopt random inspections or master permit inspections or both within its jurisdiction and notify persons within its inspection boundaries;

(b) A description of the inspection area to be covered and specific identification of covered facilities which cross jurisdictional lines that are included or excluded in the requested delegation:

(A) If a covered facility crosses jurisdictional lines, delegation shall only be allowed if the facility is to be served by one inspecting jurisdiction for all of its inspection needs covering the program for which master permit application is sought and there is consent by the adjacent jurisdictions. The only exceptions are where a logical division of the covered facility can be made and there is no additional expense or loss of convenience to the facility or where a facility crossing jurisdictional lines is constructed after delegation of the program;

(B) The request for delegation shall explain how facilities that cross jurisdictional boundaries will be inspected, and how the relevant code shall be enforced, if the facility elects to be inspected under the master permit program. Copies of agreements with surrounding jurisdictions, dispute resolution agreements or a statement there is no related facility that crosses jurisdictional lines are acceptable;

(C) An explanation shall be provided regarding how fees shall be established with the facility. Copies of prototype agreements with facilities or agreements with adjacent jurisdictions are acceptable;

(D) An agreement that if a disagreement arises between applicant and any adjacent jurisdiction over who should provide complete services to a facility that crosses a jurisdictional line, the division may immediately assign the facility to any jurisdiction to provide complete inspection services covering the program under which there is a disagreement. If applicant is not assigned the authority, applicant shall cooperate in allowing the assigned jurisdiction to operate in its territory and in bringing any enforcement actions necessary involving that facility.

(3) Files a master permit inspection operating plan briefly describing how the programs will be administered including:

(a) Local policies and procedures for operating the program;

(b) The certifications of each jurisdiction plans examiner and inspector assigned to the program including the person licensed as an engineer when required by ch. 368, 2003 Oregon Laws;

(c) Accounting procedures.

(4) Renewal of delegation. No additional procedures are required for renewals. As long as the municipality continues to provide structural, mechanical and plumbing specialty code inspections, the renewal is automatic upon notice under ORS 455.148 or 455.150 of continuation or request.

Stat. Auth.: ORS 455.040, 455.144 & 479.560, Ch. 368, OL 2003
 Stats. Implemented: Ch. 368, OL 2003
 Hist.: BCD 27-1994, f. & cert. ef. 11-15-94; BCD 30-2000, f. 12-27-00, cert. ef. 1-1-01; BCD 4-2002, f. 3-8-02, cert. ef. 4-1-02

918-100-0120

Clarification of Jurisdiction

(1) If an inspecting jurisdiction chooses not to offer the optional minor label program or master permit program, permits and individual inspections shall continue to be required in each program area involved; and

(2) The delegation process shall not shift any inspection authority or boundary from one inspecting jurisdiction to another unless there is express agreement between the granting and receiving jurisdictions under OAR 918-100-0110.

Stat. Auth.: ORS 455.040(1), 455.144(7) & 479.560, Ch. 368, OL 2003
 Stats. Implemented: Ch. 368, OL 2003
 Hist.: BCD 27-1994, f. & cert. ef. 11-15-94; BCD 4-2002, f. 3-8-02, cert. ef. 4-1-02

DIVISION 200

AMUSEMENT RIDE AND DEVICE SPECIALTY CODE

918-200-0000

General Title

OAR 918, division 200 shall be known and may be cited as the “Amusement Ride and Device Specialty Code.”

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 460.355
 Stats. Implemented: ORS 460.355
 Hist.: DC 13-1982, f. 4-21-82, ef. 4-30-82; Renumbered from 814-060-0000

918-200-0005

Definitions

As used in this code, unless the context requires otherwise:

(1) “Administrator” means the administrator of the Building Codes Division.

(2) “Alterations/modifications of an amusement ride or device” means any physical change to the structure or mechanism that materially changes the manufacturer’s original design or affects the function, capacity or operation, in any manner.

(3) “Amusement park” means a tract or area used principally as a permanent location for rides or devices or both.

(4) “Carnival” means one or more amusement rides or devices operated in a temporary location for profit of the owner or operator.

(5) “Division” means the Building Codes Division of the Department of Consumer and Business Services.

(6) “Equipment” means and includes all types of amusement rides, machines, machinery, devices, safeguards and protective facilities used in connection with the operation and maintenance of amusement rides.

(7) “Exit” means a doorway or other opening affording safe access from an amusement ride to an open area.

(8) “Inspections” means:

(a) “Annual Inspection” is the official inspection of a ride or device prior to issuance of an annual operating permit;

(b) “Reinspection” is an inspection of a ride or device after a defect or deficiency is corrected;

(c) “Unscheduled Inspection” is any inspection which is not an annual inspection or reinspection.

(9) “Inspector” means a qualified person authorized by the Division to inspect amusement rides or employed, or otherwise authorized, by an insurance company to inspect rides insured by the company.

(10) “Major Alteration” means a change in the type or capacity of an amusement ride or device or a change in the structure or mechanism that materially affects its function or operation. This includes, but is not limited to, changing its mode of transportation from non-wheeled to a truck or flat-bed mount, and changing its mode of assembly or other operational functions from manual to mechanical or hydraulic.

(11) “Operator” means a person who owns or manages or has the duty of managing the operation of one or more amusement rides and devices.

(12) “Permit (to Operate an Individual Ride or Device)” means a permit issued by the division confirming the annual inspection has been performed and the individual ride or device meets the rules established by the division for its operation in this state.

(13) “Ride Operator” means a person controlling or causing the amusement ride or amusement device to go and stop and perform its function. A “ride operator” may be the operator’s employee.

(14) "Stop Order" means a written order requiring the specified amusement ride not be operated until required repairs, changes, or alterations are completed to the satisfaction of the inspector.

Stat. Auth.: ORS 460.355
 Stats. Implemented: ORS 460.355
 Hist.: DC 13-1982, f. 4-21-82, ef. 4-30-82; Renumbered from 814-060-0020; BCA 9-1992(Temp), f. 5-28-92, cert. ef. 6-1-92; BCA 21-1992, f. 12-3-92, cert. ef. 12-4-92; BCD 1-1994, f. 1-14-94, cert. ef. 2-1-94; BCD 10-1994, f. 4-25-94, cert. ef. 5-1-94; BCD 15-1998, f. 9-30-98, cert. ef. 1-1-99

918-200-0015

Scope

The provisions of this code shall apply to all amusement rides and devices defined in ORS 460.310 and to operators and inspectors of amusement rides. This code does not apply to games or concessions and their associated structures or to pony rides or similar animal rides or amusement devices designed to accommodate one to four children, such as coin operated machines which do not require an attendant on site and are not ordinarily found within an amusement park or carnival.

Stat. Auth.: ORS 460.355
 Stats. Implemented: ORS 460.355
 Hist.: DC 13-1982, f. 4-21-82, ef. 4-30-82; Renumbered from 814-060-0010; BCD 1-1994, f. & 1-14-94, cert. ef. 2-1-94; BCD 15-1998, f. 9-30-98, cert. ef. 1-1-99

918-200-0020

Uniformity

This code shall be applicable and uniform throughout this state and in all municipalities. No municipality shall enact or enforce any ordinance, rule or regulation relating to the same matters encompassed by these rules unless authorized by the Administrator.

Stat. Auth.: ORS 460.355
 Stats. Implemented: ORS 460.355
 Hist.: DC 13-1982, f. 4-21-82, ef. 4-30-82; Renumbered from 814-060-0015; BCD 1-1994, f. 1-14-94, cert. ef. 2-1-94; BCD 10-1994, f. 4-25-94, cert. ef. 5-1-94; BCD 15-1998, f. 9-30-98, cert. ef. 1-1-99

918-200-0025

Permits, Inspections and Appeals

(1) All amusement rides and amusement devices must be inspected prior to the issuance or renewal of an operating permit. Any defects identified during the inspection that are dangerous to health or safety must be corrected before the inspector issues an inspection report. Defects that do not present an immediate hazard to the safety of the public or persons using the ride or device, or that may be temporarily corrected by restrictions in the operation of the ride or device, shall be noted as a restriction on the permit application, and the permit then issued. However, such defects must be corrected before the time of renewal of the permit. The operator shall notify the division when the corrections are completed by signing and delivering to the division the copy of the permit application provided for reporting corrections. Upon receipt of the inspection reports and certification that the ride or device complies with ORS 460.310 through 460.410 and these rules, receipt of a certificate of insurance from the insurer of the ride, and receipt of the required fees, the division shall issue a permit to operate the ride or device. The permit shall be attached to each amusement ride or device in a location accessible and clearly visible to persons who may wish to confirm the existence of the permit.

(2) The certificate of insurance required by section (1) of this rule, shall:

(a) Be an original on the standard form issued by the insurance carrier;

(b) Include the insurance policy number, the identifying name and, if available, the model and serial or other identifying number of the ride or device; and

(c) Include a statement that the insurance carrier will give the division 30 days prior notice before the insurance policy is canceled.

(3) Permits shall expire one year from the date of issue and renewal permits shall begin on the date of expiration of the expired permit. Within ninety days prior to expiration of an existing permit, an operator may apply on a division form to renew a permit to operate an amusement ride or device.

(4) The results of the inspection shall be recorded by the inspector on forms furnished by and filed with the division. A copy of the report shall also be provided to the operator.

(5) The division may make unscheduled inspections of previously inspected rides.

(6) Any inspector or representative of the division may issue, in writing, a stop order for any amusement ride or device determined to

be hazardous or unsafe. Operation shall not resume until the unsafe conditions are corrected and a reinspection has been performed.

(7) The division may suspend or revoke a permit to operate for failure to conform to the minimum safety requirements contained in these rules or otherwise required by law. Proof of compliance with the requirements of the division for reinstatement shall be based on a reinspection.

(8) If the division proposes to suspend or revoke a permit to operate an amusement ride, it shall provide notice in accordance with ORS 183.415 of its proposed action and the basis for such action. If the operator desires a hearing, the operator shall so notify the division in writing, within 20 days. If the division suspends or refuses to renew a permit on an emergency basis as provided by ORS 183.430(2), the operator may request in writing a hearing within 90 days. If the division refuses to issue a permit on grounds other than failure to pass an inspection, the operator may request in writing a hearing within 60 days. For purposes of this section, the calculation of time for notification or receipt shall be:

(a) When mailed by the division, the date mailed plus two days;

(b) When mailed to the division, the date received by the division, less two days.

(9) Temporary renewal permits may be issued as authorized by ORS 460.330(3) upon written application to the division, and payment of the permit fee. Temporary permits shall be valid for 14 days. If the annual renewal permit is issued prior to expiration of the temporary permit, no additional fee shall be required.

Stat. Auth.: ORS 460.355
 Stats. Implemented: ORS 460.330
 Hist.: DC 13-1982, f. 4-21-82, ef. 4-30-82; Renumbered from 814-060-0100; BCD 1-1994, f. 1-14-94, cert. ef. 2-1-94; BCD 10-1994, f. 4-25-94, cert. ef. 5-1-94; BCD 15-1998, f. 9-30-98, cert. ef. 1-1-99

918-200-0027

Temporary Operation of an Amusement Ride or Device Pending Issuance of an Operating Permit

(1) An amusement ride or device may be operated pending the issuance of an operating permit under the following conditions:

(a) The ride operator provides, and the division has received, information about the ride or device to include its nomenclature and serial number and whether the ride or device has previously been issued an Oregon operating permit;

(b) The ride operator provides, and the division has received, proof that the ride is insured in accordance with ORS 460.330 and OAR 918-200-0025(2);

(c) The ride operator makes, and the division has received, payment of the operating permit fees; and

(d) Once the ride is available for inspection, the ride is inspected and approved for operation by a ride inspector in accordance with OAR 918-200-0025(1) and a completed application for an operating permit and inspection report is transmitted to, and received by, the division.

(2) A ride or device may be operated for a period of up to 14 days pending the issuance of an operating permit, unless the division notifies the ride operator that no operating permit will be issued based on the information provided.

Stat. Auth.: ORS 460.355
 Stats. Implemented: ORS 460.330
 Hist.: BCD 15-1998, f. 9-30-98, cert. ef. 1-1-99

918-200-0030

Division Inspectors

(1) The division administrator may appoint and employ qualified inspectors to inspect amusement rides for the division.

(2) The division shall maintain a list of inspectors who have notified the division that they are qualified pursuant to OAR 918-200-0095. Inspectors must renew this notification annually.

Stat. Auth.: ORS 460.355
 Stats. Implemented: ORS 460.355
 Hist.: DC 13-1982, f. 4-21-82, ef. 4-30-82; Renumbered from 814-060-0110; BCD 1-1994, f. 1-14-94, cert. ef. 2-1-94; BCD 10-1994, f. 4-25-94, cert. ef. 5-1-94; BCD 15-1998, f. 9-30-98, cert. ef. 1-1-99

918-200-0040

Authority of Inspector

An inspector not employed by the Division may inspect only amusement rides and devices insured or to be insured by the inspector's employer or principle.

Stat. Auth.: ORS 460.355

Stats. Implemented: ORS 460.355
Hist.: DC 13-1982, f. 4-21-82, ef. 4-30-82; Renumbered from 814-060-0120; BCD 1-1994, f. 1-14-94, cert. ef. 2-1-94

918-200-0055

Permit Fee

(1) The fee for an annual operating permit for rides and devices shall be \$25.

(2) The fee for reinspection by the Division shall be \$60 per hour, including associated travel time.

Stat. Auth.: ORS 460.355

Stats. Implemented: ORS 460.355

Hist.: DC 13-1982, f. 4-21-82, ef. 4-30-82; DC 17-1982, f. & ef. 8-3-82; Renumbered from 814-060-0135; BCA 20-1992(Temp), f. 11-24-92, cert. ef. 12-1-92; BCA 6-1993, f. 4-28-93, cert. ef. 5-1-93; BCD 1-1994, f. 1-14-94, cert. ef. 2-1-94

918-200-0065

Ski Equipment, Federal Exemptions

(1) Devices and equipment generally associated with winter sports activities, such as ski lifts, ski tows, J-bars, ski mobiles, chair lifts and aerial tramways, shall be installed and maintained in accordance with **ANSI Standard B77.1-1992** published by the American National Standard Institute.

(2) The Division finds that the devices associated with winter sports activities located in ski areas that are operated over or upon land under the jurisdiction of the United States Forest Service have been, and are being regulated and inspected by the U.S. Forest Service. The inspection standards are, and have been, not lower than the safety standards required by ORS 460.355(1). So long as the U.S. Forest Service continues to regulate and inspect those devices located on or across Federal Forest Service land, they are exempt from the requirements of ORS 460.310 to 460.410.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 460.355 & 460.360

Stats. Implemented: ORS 460.355

Hist.: DC 13-1982, f. 4-21-82, ef. 4-30-82; Renumbered from 814-060-0150; BCA 3-1991(Temp), f. & cert. ef. 2-25-91; BCA 26-1991, f. 8-26-91, cert. ef. 8-27-91; BCD 10-1994, f. 4-25-94, cert. ef. 5-1-94; BCD 15-1998, f. 9-30-98, cert. ef. 1-1-99

918-200-0070

General Standards and Requirements

(1) Except for devices and equipment subject to OAR 918-200-0065, amusement rides and devices subject to inspection and permit under these rules shall be manufactured, installed and maintained according to **American Society for Testing and Materials (ASTM) Standards F698-94, F747-97, F770-93, F846-92, F853-93, F893-87, F1159-97, 1193-97, and F1305-94**, and by the additional standards adopted in these rules.

(2) Daily Operating Inspection:

(a) Each amusement ride shall be given a daily operating inspection by the ride operator before any passenger is permitted to ride. Results of these daily inspections shall be recorded and kept on file by the operator for at least two years, and made available upon request by the division;

(b) A ride or device not properly assembled or defective or unsafe in any of its parts, controls, or safety equipment shall not be operated.

(3) Control of Operation:

(a) Amusement devices shall be operated only by ride operators at least 18 years of age;

(b) Every ride operator shall be trained in the use and function of all normal operating controls, signal systems and safety devices applicable to the ride or device and of the proper use, function, capacity and speed of the particular ride or device being operated. A ride operator shall be at the operating controls during operation and shall have complete control of the ride or device at all times the ride is operated for public use. When the ride or device is shut down the controls shall be locked or incapacitated to avoid unauthorized operation;

(c) Except for amusement devices designed to be operated or controlled by a passenger, only trained ride operators shall handle the controls during normal operation.

(4) A ride or device shall not be loaded beyond its rated capacity or operated at an unsafe speed or at any speed greater than that prescribed by the design engineer or manufacturer. When this information is not available, the operator shall develop criteria for safe operating speeds and rated capacity to the satisfaction of the division.

(5) An operator shall report by telephone to the division as soon as practicable, any accident that occurs from the operation of an amusement ride or device, and that results in death, serious injury or property damage in excess of \$5,000. A written report shall be filed with the division within five working days following the accident. If the accident is a result of equipment failure, the device shall not be operated until it is inspected by an inspector authorized by these rules to inspect the device.

(6) Public Protection:

(a) An amusement device shall not be operated while any person is in a position to be in danger of harm or injury. Areas of potential danger shall be fenced, barricaded or otherwise guarded;

(b) Amusement rides and devices shall not be assembled, disassembled, or operated in a location that at any time may be nearer to energized overhead power lines than:

(A) For lines rated 600 volts or less, minimum clearance between the lines and any part of a lifting crane, ride structure, concession booth, building or equipment shall be 15 feet;

(B) For lines rated over 600 volts, minimum clearance between the lines and the lifting crane, ride, structure, concession booth, building or equipment shall be 15 feet.

(c) Internal Combustion Power Sources:

(A) Internal combustion power sources shall be of adequate type, design and capacity to handle the design load;

(B) Fuel tanks should be of adequate capacity to permit uninterrupted operation during normal operating hours. Where it is impossible to provide tanks of proper capacity for a complete day, the ride or device shall be shut down and unloaded or evacuated during the refueling procedure. The fuel supply shall not be replenished while the engines are running;

(C) An enclosed area in which an internal combustion engine is operated shall be ventilated. Exhaust fumes shall be discharged outside the area. The equipment shall be properly grounded;

(D) Internal combustion power sources shall be located in a manner permitting proper maintenance and be protected by guards, fencing or enclosure to prevent exposure to hazard and to secure the equipment from the public;

(E) The operator shall provide and maintain portable fire extinguishers of the classification, capacity and number prescribed by the State Fire Marshal;

(F) Liquid petroleum gas employed either as fuel for internal combustion engines, for heat, or for illumination shall be stored in a manner approved by the State Fire Marshal;

(G) All flammable liquids shall be stored and handled according to State Fire Marshal standards. Bulk storage in quantities above 60 gallons shall not be in the area accessible to the public.

(d) Interior and exterior parts with which passengers may come in contact shall be smooth, rounded, free from sharp, rough or splintered edges or corners, and with no protruding screws or projections which might cause injury. Parts upon or against which passengers might be thrown by action of the ride shall be adequately padded to prevent or minimize the possibility of injury.

(7) Electrical Standards:

(a) Code. Permanent electrical conductors and equipment installed on or around permanent and temporary amusement parks, carnivals, amusement rides or devices shall conform to the **Oregon Electrical Specialty Code**. Temporary electrical conductors and equipment, and permanent conductors and equipment within permanent rides and devices shall conform to manufacturers' specifications. Electrical equipment and wiring methods in or on rides, concessions or other units shall be provided with mechanical protection where such equipment or wiring methods are subject to physical damage;

(b) Portable Power Outlets and Terminal Boxes. Boxes shall be designed so that no live parts are exposed to accidental contact. Where installed outdoors, the box shall be of weatherproof construction and mounted so that the bottom of the enclosure is not less than six inches above the ground. Boxes shall be kept locked where located in an area accessible to the general public. Receptacles of the grounding type shall have overcurrent protection. Service power shall be connected to the box by receptacles mounted on the exterior walls with safety grounding. Receptacles of the grounding type shall have overcurrent protection within the box. The overcurrent protection shall not exceed the ampere rating of the receptacle, except as permitted for motors. Branch circuits shall include means for equipment grounding and shall

connect to receptacles mounted on the box. Exterior openings shall be provided with protective covers, draining eaves or canvas. Conductors fed directly through an opening on the wall of the box shall be color coded properly sized and provided with strain relief. Fuses or breakers shall be secured solidly and all connections within the boxes are to be made with threaded screws and lugs of the proper size. Busbars shall have an ampere rating not less than the overcurrent device supplying the box. Where conductors terminate directly on busbars, busbar connectors shall be provided;

(c) Wiring Methods. Flexible cords and cables shall be permitted for temporary installations provided they are listed for extra hard usage, wet location and be sunlight resistant. Flexible cords and cables supplying power to the disconnecting means of a ride or device shall not be smaller than #10 AWG (American Wire Gauge) and shall contain an equipment grounding conductor. Metal enclosures of electric equipment and metal frames and metal parts of rides, concessions, trailers, trucks or other equipment that support or contain electrical equipment shall be grounded and bonded to the same source. Single conductor cable shall be permitted only in sizes #2 and larger. Open conductors are prohibited except as part of a listed assembly or for festoon lighting. Flexible cords and cables shall be continuous without splice or taps between boxes or fittings. A box or fitting shall be installed at each connection point, outlet, switchpoint or junction point. Flexible cords or cables run on the ground, where accessible to the public, shall be covered with nonconductive mats. Cables and mats shall be arranged so as not to present a tripping hazard. Cord connectors shall not be laid on the ground in areas traversed by the public. Flexible cords and cables shall be protected from overcurrent at their source of supply;

(d) Disconnecting Means. Each ride and concession shall be provided with a fused disconnect switch or circuit breaker located in an area readily accessible from the operator's station. The disconnecting means shall be readily accessible to the operator, including when the ride is in operation. Where accessible to unqualified persons, the enclosure for the switch or circuit breaker shall be of the lockable type. A shunt trip device that opens the fused disconnect or circuit breaker when a switch located in the ride operator's console is closed shall be a permissible method of opening the circuit.

(e) Power Sources. Electrical power sources shall be located to permit proper maintenance and protected by guards, fencing or enclosures to prevent exposure to the public;

(f) An amusement ride or device constructed before October 1, 1996, which has been issued an operating permit by the Division within the last three years, may be maintained using previously-approved electrical materials and methods until the ride or device is rebuilt, subject to major electrical alteration. All other rides or devices without manufacturers' information shall conform to the Oregon Electrical Specialty Code in effect on the date the ride or device was first approved for an operating permit in Oregon.

(8) Stairways, Landings and Ramps.

(a) Safe and adequate means of access to and from amusement rides and devices shall be provided. All passenger ways shall be free from debris, obstruction, projection and other hazards. All floor, ramp and step surfaces shall be constructed and maintained to prevent slipping and tripping. A safe clearance shall be maintained from all mechanical handling equipment;

(b) Adequate stairways or ramps and necessary landings and platforms shall be provided where persons enter or leave a device, ride or structure that is above or below grade or floor level at the entrance to and exit from such. Unless provided by a recognized manufacturer as a part of the amusement ride or device, the design and construction of stairways, ramps, railings and exits shall conform to the Oregon Structural Specialty Code in effect at the time of manufacture. All stairs with more than three risers shall have handrails or railings on both sides regardless of width;

(c) Stairways, landings and ramps shall be designed, constructed and maintained in accordance with the Oregon Structural Specialty Code in effect at the time the ride or device was first issued an operating permit, but so as to sustain safely a live load of at least 90 pounds per square foot;

(d) At least two exits remote from each other shall be provided from each level floor, tier, room or balcony. An entrance may serve as an exit for the purposes of compliance with this rule. All exits shall conform to the Oregon Structural Specialty Code in effect at the time

the amusement ride or device was first issued an operating permit in Oregon, but in no case shall be less than 28 inches wide;

(e) Access to and exits from amusement rides and devices and associated structures shall be provided with illumination by natural or artificial means of at least five foot-candles measured at grade level.

(9) Housekeeping:

(a) Cleanliness. A suitable number of containers for refuse shall be provided in and around all amusement rides and devices and associated structures. Excessive accumulations of trash or rubbish shall be promptly removed. All parts of amusement rides or devices and associated structures used by the public shall be kept clean. The area shall be clear and kept free from trash and tripping hazards;

(b) Air Compressors and Equipment. Air compressors, air compressor tanks and related equipment shall be constructed, equipped and maintained to insure safe operation at all times. Air compressor tanks and other air receivers used with air compressors shall be operated and maintained in compliance with applicable provisions of ORS 480.510 through 480.665 and the rules adopted by the Oregon Board of Boiler Rules;

(c) Oil and Hydraulic Systems. Oil and hydraulic systems and other related equipment used in connection with amusement devices shall be free of leaks and shall be maintained to insure safe operation at all times;

(d) Machinery and Machine Guarding. Machinery used in or with an amusement device shall be enclosed, barricaded or otherwise effectively guarded against contact. Guards removed for maintenance shall be replaced before normal operation is resumed. One or more methods of machine guarding shall be provided to protect the public from injury. Guards shall be fixed to the machine where possible and secured elsewhere if attachment to the machine is not possible. The guard or barrier shall not offer an accident hazard in itself. Barriers shall be secured to prevent movement or tipover. The barriers shall be located to keep the public at a safe distance from the ride. All machinery designed for a fixed location shall be secured;

(e) Mechanical Power Transmission. All power transmission devices and associated moving parts shall be shielded, enclosed or barricaded to protect the public or shall be sufficiently distant to prevent hazard;

(f) Welding, Cutting and Brazing. Welding, cutting or brazing shall not be performed where the public can directly observe the process or be hit by sparks of flying materials. Any welding, cutting and brazing performed when the public is present shall be behind temporary solid barriers.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 460.355

Stats. Implemented: ORS 460.355

Hist.: DC 13-1982, f. 4-21-82, ef. 4-30-82; Renumbered from 814-060-0200; BCD 10-1994, f. 4-25-94, cert. ef. 5-1-94; BCD 15-1998, f. 9-30-98, cert. ef. 1-1-99

918-200-0095

Inspectors, Files and Information

(1) Scope. This rule establishes the minimum standards for inspectors, for communication between manufacturers, operators and inspectors, and the required retention of information.

(2) To be qualified to inspect amusement rides in Oregon, inspectors shall have:

(a) Two years experience with an insurance company as an amusement ride inspector;

(b) Two years experience inspecting amusement rides inspecting amusement ride codes while employed by a state or governmental body regulating amusement rides;

(c) Five years field operating and maintenance experience with amusement rides and devices, including responsibility for erection, assembly, disassembly; personnel supervision responsibility for erection, maintenance and operating functions;

(d) Ten years documented practical experience in the design, construction, maintenance, repair, field inspection, and operation of amusement rides and devices as an authorized representative of a recognized manufacturer; or

(e) An equivalent combination of training and experience.

(3) Every inspector shall annually attend at least eight hours of continuing education related to amusement rides and devices sponsored by the Amusement Industry Manufacturers and Suppliers or its equivalent. All experience and schooling shall be documented and available to the Division upon request.

(4) Manufacturers' Registries. Manufacturers shall, insofar as reasonably practical, maintain registries of persons in the State of Oregon who have need for information on the amusement rides and devices which they manufacture:

(a) Operator Registry. This registry shall contain names of all persons known to the manufacturer to operate the manufacturer's products within Oregon;

(b) Other Than Operator Registry. This registry shall contain names of all persons within this state who have notified the manufacturer of their legitimate need for information on the manufacturer's products;

(c) Manufacturers may periodically request, via ordinary U.S. mail, that persons on the registries confirm the need for the new information. A manufacturer may remove from the mailing list the names of persons who fail to respond within 60 days;

(d) Ride manufacturers shall notify registrants of all new information relevant to the proper maintenance, operation and inspection of the amusement rides and devices they manufacture.

(5) Ride Files. Operator shall maintain a file for each ride. Records should be kept at least five years, except as otherwise specifically stated in statute or rule. The file shall include:

- (a) Record of required permit inspections; and
- (b) Correspondence related to the manufacturer, including:
 - (A) Bulletins and other manufacturing information; and
 - (B) Records indicating modifications recommended by the manufacturer were made.

- (c) The operating instructions;
- (d) All technical information supplied by the manufacturer; and
- (6) Such other information as required by these rules.

Stat. Auth.: ORS 460.355

Stats. Implemented: ORS 460.355

Hist.: DC 13-1982, f. 4-21-82, ef. 4-30-82; Renumbered from 814-060-0500; BCD 10-1994, f. 4-25-94, cert. ef. 5-1-94; BCD 15-1998, f. 9-30-98, cert. ef. 1-1-99

918-200-0100

Bungee Jumping

(1) In addition to the standards in these rules, operators of bungee jumping platforms or devices shall comply with the standards in the **Code of Safe Practice** published January 4, 1994, by the North American Bungee Association, Morton, Pennsylvania.

(2) Except for jumps from towers or devices specifically engineered and designed for reverse jumping or catapulting, "bungee catapulting," "negative jumping," "reverse jumping," "launching," "tandem, double or multiple jumping," or "sandbagging" shall not be permitted.

(3) Jump Masters as defined in the Code of Safe Practice adopted in section (1) of this rule shall meet the experience requirement as provided in **section 7.1.1(5)** of the Code of Safe Practice or equivalent experience acceptable to the Division.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 460.355

Stats. Implemented: ORS 460.355

Hist.: BCD 10-1994, f. 4-25-94, cert. ef. 5-1-94

DIVISION 225

BOILERS AND PRESSURE VESSELS

Part 1 — Administrative Requirements

918-225-0220

Reasonable Notice to Interested Parties

Prior to the adoption, amendment or repeal of any rule, the Board of Boiler Rules and the Building Codes Division shall give notice of the proposed adoption, amendment or repeal:

(1) In the Secretary of State's Bulletin referred to in ORS 183.360, at least 21 days prior to the effective date.

(2) By mailing a copy of the notice to persons on the Board of Boiler Rules' mailing list established pursuant to ORS 183.335 and OAR 918-001-0210.

Stat. Auth.: ORS 185.335

Stats. Implemented: ORS 183.335

Hist.: DC 92, f. & ef. 7-19-77; Renumbered from 814-025-0000; BCA 36-1993, f. 12-30-93, cert. ef. 1-1-94; Renumbered from 918-225-0000

918-225-0240

Definitions

As used in OAR 918, division 225, unless the context requires otherwise:

(1) "Agricultural Purposes" means:

(a) Sowing, tending, and harvesting of products of the soil grown under natural conditions;

(b) Raising of poultry or fowl;

(c) Pasturage or raising of livestock or other animals; or

(d) Original processing of the farm product, but not the processing of the product of a different operator, or reprocessing work as freezing, canning, or packing if performed substantially for commercial purposes.

(2) "Available" to determine inspection fees at cost, means the vessels must be due for inspection in the year the notification is applicable, and must all be ready for inspection at the time designated by the inspector.

(3) "Board" is defined in ORS 480.515(1).

(4) "Boiler Room" means any enclosed room or designated space within a building, intended by design or by usage to contain a boiler that is connected and available for use. A boiler located in an area not meeting the definition of "boiler room" under OAR 918-225-0465 shall apply to any space within 20 feet of any burner.

(5) "Building Service Piping" means piping systems operating at or less than 150 psig steam; and water at or less than 160 psig and 250°F as described in **ANSI/ASME Standard B31.9**.

(6) "Chief Inspector" means the inspector appointed by the Director pursuant to ORS 480.565(1).

(7) "Farm" means an area of land:

(a) Located in a rural district;

(b) Of sufficient size to generally be considered as a farm in its locale; and

(c) Devoted primarily to tillage and raising crops under natural conditions, or to raising animals, fowl, or poultry.

(8) "Emergency" as used in ORS 480.630(7) means an unplanned circumstance requiring immediate repair, installation, replacement or shutdown because of risk to health, life or property.

(9) "Hobby" or "Demonstration" means recreational or other noncommercial use.

(10) "Immediate Safety Hazard" means hazardous conditions exist requiring immediate correction to a boiler, pressure vessel or pressure piping system to preserve the safety of people or property.

(11) "Installer," as used in the boiler or pressure vessel laws and rules, means the person making the water, steam, air, refrigerant or other product piping connection to the boiler or pressure vessel. A person who transports or merely positions the boiler or pressure vessel is not an "installer." An electrician making electrical connections is not an "installer."

(12) "National Board" means the National Board of Boiler and Pressure Vessel Inspectors.

(13) "Operating" means any vessel connected and ready for service.

(14) "Person" means any individual, partnership, corporation, association, governmental subdivision or public or private organization of any character.

(15) "Place of Public Assembly" means a building used or held for use, in whole or in part, for worship, health treatment, rest, recuperation or retirement living; child care nurseries or institutions; public meetings; education; instruction; entertainment; eating; recreation; or awaiting transportation.

(16) "Pressure Piping" means piping systems and components under the scope of **ASME B31.1, B31.3, B31.5 and B31.9**.

(17) "Pressure Relief Valve" means a valve activated by inlet static pressure which opens in proportion to the increase in pressure over the opening pressure range. Only ASME approved valves are allowed under the boiler rules.

(18) "Pressure Vessel" is defined in ORS 480.515(9).

(19) "Psig" means pounds per square inch gauge pressure.

(20) "Quantity," to determine inspection fees at cost, means six or more vessels.

(21) "Related Appurtenance" is defined in ORS 480.515(11).

(22) "Safety Valve" means a valve activated by inlet static pressure and characterized by rapid opening or pop action. Only ASME approved valves are allowed under the boiler rules.

(23) "Same Location," to determine inspection fees at cost, means that all vessels are within 2,000 feet of one another.

(24) "Service of Process" means deposit in the U.S. mail a copy of a notice addressed to the respondent at the respondent's last known address.

(25) "Single Private Residence" means a one-family dwelling structure.

(26) "Process Piping Inspector" means the owner's inspector, for the inspection of **ASME B31.3 Process Piping**, Category "M" fluid service only.

(27) "Structure" means a building or shed with a roof and enclosed on the sides 75 percent or more.

(28) "Traction Boiler" means a boiler constructed before January 1, 1961, designed to operate or pull equipment, or to convert steam power into a flywheel energy driving apparatus such as a thresher, road roller, or grinding equipment.

(29) "Vessel That is Considered Subject to Corrosion or Erosion" means the vessel contains or is intended to contain contents having a corrosive or erosive effect on any portion of the vessel. The use of glass linings leaves a vessel subject to corrosion unless all portions of the vessel are impervious to the corrosive or erosive effects of the contents.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 480.545 & 455.030

Stats. Implemented: ORS 480.525, 480.545, 480.550, 480.560 & 480.565

Hist.: DC 17, f. 7-31-72, ef. 8-15-72; DC 3-1982, f. & ef. 2-3-82; DC 1-1984, f. & ef. 1-5-84; BCA 4-1989, f. & cert. ef. 4-17-89; Renumbered from 814-025-0003; BCA 4-1989, f. & cert. ef. 4-17-89; BCA 5-1991, f. & cert. ef. 3-15-91; BCA 36-1993, f. 12-30-93, cert. ef. 1-1-94; Renumbered from 918-225-0005; BCD 18-1997, f. 12-3-97, cert. ef. 1-1-98; BCD 26-1998, f. 12-30-98, cert. ef. 1-1-99; BCD 36-2000, f. 12-29-00, cert. ef. 1-1-01; BCD 4-2003, f. & cert. ef. 3-14-03; BCD 17-2005(Temp), f. & cert. ef. 7-12-05 thru 9-30-05; BCD 20-2005, f. 9-15-05, cert. ef. 10-1-05

Part II — Exemptions

918-225-0300

Fired Water Heaters

Fired water heaters used exclusively for heating water for swimming pools or spas are considered pool boilers and are exempt from the requirements of ORS 480.510 to 480.665 if:

(1) Units are equipped with a flow switch or pressure switch set at a minimum of 1-1/2 psig;

(2) No intervening stop valves are installed on the discharge side of the unit;

(3) Discharge piping is not reduced from the engineered sizing of the fired heater;

(4) All units are equipped with an ASME-approved pressure relieving device set at 50 psig or lower;

(5) The unit has a maximum of ten gallons capacity contained within the unit; and

(6) The burner is wired in series with the circulating pump.

Stat. Auth.: ORS 480.560

Stats. Implemented: ORS 480.560

Hist.: DC 7-1986, f. & ef. 5-5-86; DC 3-1987, f. & ef. 2-18-87; Renumbered from 814-025-0038; BCA 36-1993, f. 12-30-93, cert. ef. 1-1-94; Renumbered from 918-225-0065

918-225-0310

Refrigerant Piping Systems; Components

(1) The requirements of ORS 918-225-0430(5) shall be enforced under this rule for all refrigerant piping systems consisting of welded, brazed or mechanically assembled piping and piping fittings exceeding 2 inches NPS, and containing any refrigerant chemical rated as other than A-1 or B-1 by the American Society of Heating, Refrigeration and Air Conditioning Engineers (ASHRAE 34) as adopted by the **Oregon Mechanical Specialty Code**.

(2) One and two-family dwelling units and air conditioning refrigeration systems used solely for human comfort are exempt from this rule.

(3) All refrigeration piping system requirements other than those regulated by this rule are subject to the **Oregon Mechanical Specialty Code**.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 480.550

Stats. Implemented: ORS 480.550

Hist.: BCD 35-2000, f. 12-29-00, cert. ef. 7-1-01

918-225-0315

Process Piping Systems, Scope and Purpose

(1) For the purposes of the **Oregon Boiler and Pressure Vessel Specialty Code**, the requirements of ORS 918-225-0430(4) shall be

applied to only Category "M" fluid service process piping systems, as described in **ASME B31.3, Appendix "M," Guide to Classifying Fluid Service**. For the purposes of these rules, "process piping systems" consists of welded, brazed, mechanically or chemically assembled piping listed as Category "M" by the owner. Process piping systems begin at the first, flanged, screwed or circumferential joint outside the supply or source to the destination excluding manufactured packaged components. Process piping does not include liquefied petroleum gas piping.

(2) For the purposes of these rules, seismic provisions and additional requirements associated with process piping systems classified as Category "M" fluid service and the structure to which these systems are attached, shall be regulated and inspected under the provisions of the **Oregon Structural Specialty Code**.

(3) Businesses and owner-users installing process piping classified as Category "M" fluid service must meet the requirements under ORS 918-225-0640, 918-225-0720, 918-225-0730 and 918-225-0740 as appropriate. Individuals installing Category M fluid service process piping must be licensed under ORS 918-225-0691 on or before July 1, 2003, unless they meet the requirements of these rules under ORS 918-225-0720 or owner-users under 918-225-0740.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 480.545, 480.565, 480.605, 480.607 & 480.647

Stats. Implemented: ORS 480.545, 480.565, 480.605, 480.607 & 480.647

Hist.: BCD 4-2003, f. & cert. ef. 3-14-03

918-225-0320

Refrigerant or Air Conditioning Pressure Vessels

(1) Refrigerant or air conditioning pressure vessels containing three cubic feet, or less, volume of non-corrosive gases are exempt from ORS 480.510 to 480.665 if the pressure vessel is manufactured in accordance with the **Boiler and Pressure Vessel Code, (ASME Section VIII, Division I)**, and registered with the National Board of Boiler and Pressure Vessel Inspectors as required by ORS 918-225-0450(1).

(2) The installation and operation of these vessels are covered by the **Oregon Mechanical Specialty Code** or mechanical aspect of the **One and Two Family Dwelling Specialty Code**.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 480.560

Stats. Implemented: ORS 480.560

Hist.: DC 26-1978, f. 9-21-78, ef. 10-1-78; DC 2-1985, f. & ef. 1-4-85; Renumbered from 814-025-0042; BCA 36-1993, f. 12-30-93, cert. ef. 1-1-94; Renumbered from 918-225-0080

918-225-0330

Exemption of Unfired Pressure Vessels with an Inside Diameter of Six Inches and Less

(1) Vessels with an inside diameter or cross section diagonal not exceeding six inches, equipped with an approved pressure relieving device are exempt from ORS 480.510 to 480.665.

(2) No limitations are placed on length of vessel or pressure.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 480.560

Stats. Implemented: ORS 480.560

Hist.: DC 18-1980, f. & ef. 8-22-80; BCA 2-1988, f. & cert. ef. 2-22-88; Renumbered from 814-025-0043; BCA 36-1993, f. 12-30-93, cert. ef. 1-1-94; Renumbered from 918-225-0085

918-225-0340

Pressure Containing Parts of Piping Components

The following are exempt from the requirements of ORS 480.510 to 480.665:

(1) Pressure containers which are integral parts or components of rotating or reciprocating mechanical devices, including but not limited to pumps, compressors, turbines, generators, engines and hydraulic or pneumatic cylinders where the primary design considerations or stresses are derived from the functional requirements of the device.

(2) Pressure containing parts of other components, including but not limited to strainers and devices which do mixing, separating, snubbing, distributing and metering or controlling flow, where the parts are generally recognized as piping components or accessories.

Stat. Auth.: ORS 480.560

Stats. Implemented: ORS 480.560

Hist.: BCA 1-1991, f. 1-18-91, cert. ef. 1-31-91; BCA 36-1993, f. 12-30-93, cert. ef. 1-1-94; Renumbered from 918-225-0093

918-225-0350

Hot Water Storage Tanks

Hot water supply storage tanks heated by steam or any indirect means not exceeding any of the following are exempt from ORS 480.510 to 480.665:

- (1) A heat input of 200,000 Btu/hr;
- (2) A water temperature of 210°F;
- (3) A nominal water containing capacity of 120 gallons; or
- (4) A maximum working pressure of 150 pounds per square inch gauge pressure.

Stat. Auth.: ORS 480.560

Stats. Implemented: ORS 480.560

Hist.: BCA 1-1991, f. 1-18-91, cert. ef. 1-31-91; BCA 36-1993, f. 12-30-93, cert. ef. 1-1-94; Renumbered from 918-225-0094

918-225-0360

Exemption of Certain Pressure Vessels

Pressure vessels for cold water storage, water filter, water softener, or hydro-pneumatic service, and equipped with an ASME-approved pressure/temperature relieving device set at a maximum pressure of 300 psig and a maximum temperature of 210°F, except those pressure vessels connected to an outside air supply, are exempt from the Boiler and Pressure Vessel Law under ORS 480.525(1).

Stat. Auth.: ORS 480.560

Stats. Implemented: ORS 480.560

Hist.: DC 5-1982, f. & ef. 2-3-82; DC 21-1983, f. & ef. 9-29-83; BCA 6-1987, f. & ef. 8-24-87; BCA 3-1989, f. & cert. ef. 2-8-89; Renumbered from 814-025-0047; BCA 36-1993, f. 12-30-93, cert. ef. 1-1-94; Renumbered from 918-225-0095; BCD 18-1997, f. 12-3-97, cert. ef. 1-1-98

918-225-0365

Exemption of Certain Miniature Boilers

A miniature boiler used commercially is exempt from the requirements of ORS 480.510 to 480.665, provided the boiler:

- (1) Does not have more than 1.5 cubic feet of steam space;
- (2) Is operated at not more than 30 pounds per square inch;
- (3) Has a safety valve set at or below 30 pounds per square inch;

and

- (4) Meets the safety standards adopted by any of the following laboratories as of December 23, 1994:

(a) Underwriters Laboratories, Inc;

(b) Edison Testing Labs;

(c) Italian Istituto Superiore Per La Prevenzione E La Sicurezza Del Lavoro (ISPESL) also known as the "Italian National Standard"; or

(d) Technischer Überwachungsverein (TUV) also known as the "German National Standard."

Stat. Auth.: ORS 480.545

Stats. Implemented: ORS 480.545

Hist.: BCD 15-1994, f. & cert. ef. 6-14-94; BCD 29-1994, f. & cert. ef. 12-23-94

918-225-0370

Coil-Type Water Boilers

Coil-type water boilers, where the water can flash into steam when released directly to the atmosphere through a manually operated nozzle, are exempt from ORS 480.510 to 480.665 if the following conditions are met:

- (1) There is no drum, header, or other steam space;
- (2) No steam is generated within the coil;
- (3) Tubing outside diameter does not exceed one inch;
- (4) Pipe size does not exceed NPS 3/4;
- (5) Nominal water capacity does not exceed six gallons;
- (6) Water temperature does not exceed 350° F;
- (7) Adequate safety relief valves and controls are provided.

Stat. Auth.: ORS 480.560

Stats. Implemented: ORS 480.560

Hist.: BCA 19-1991(Temp), f. 6-14-91, cert. ef. 6-15-91; BCA 30-1991, f. & cert. ef. 9-9-91; BCA 36-1993, f. 12-30-93, cert. ef. 1-1-94; Renumbered from 918-225-0096

918-225-0380

Refrigeration Chillers

(1) Waterside vessels of refrigeration chillers are exempt under ORS 480.510 to 480.665 if:

(a) The design pressure does not exceed 300 pounds per square inch gauge, the temperature does not exceed 210°F., and the system includes an ASME-approved relieving device set at a maximum working pressure of 300 pounds per square inch gauge at 210°F;

(b) The refrigerant side is built in accordance with the minimum safety standards and equipped with an ASME-approved relieving device set at or below the maximum working pressure and temperature as specified on the nameplate for the vessel; and

(c) All installations of refrigeration chillers comply with ORS 480.630.

(2) Systems connected to an outside heat energy source shall not be exempt from ORS 480.510 to 480.665.

(3) If any of the limitations in section (1) of this rule are exceeded, the chiller must comply with the minimum safety standards.

(4) This exemption does not apply to systems using ammonia as a refrigerant.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 480.560

Stats. Implemented: ORS 480.560

Hist.: DC 20-1985(Temp), f. & ef. 9-20-85; DC 5-1986, f. & ef. 3-7-86; Renumbered from 814-025-0049; BCA 4-1990, f. & cert. ef. 2-6-90; BCA 36-1993, f. 12-30-93, cert. ef. 1-1-94; Renumbered from 918-225-0115

918-225-0390

Hobby Miniature Steam Boilers

(1) Steam boilers of a miniature model locomotive, boat, tractor, or stationary engine are exempt from ORS 480.510 to 480.665 if:

(a) Constructed and maintained for hobby use, and not for commercial use;

(b) Has an inside diameter not to exceed 12 inches and having a grate area not to exceed 1-1/2 square feet;

(c) Has working pressure not to exceed 100 psi;

(d) Equipped with an ASME-approved safety valve of adequate capacity, together with a water level indicator and a pressure gauge;

(e) The boiler is inspected and approved by the Division prior to initial operation; and

(f) The boiler is found by the Division to be substantially in accordance with the minimum safety standards for material, design, and fabrication in existence at the time the boiler was manufactured.

(2) This exemption continues as long as:

(a) There is no explosion;

(b) No alteration or repair is made to the boiler affecting its strength or safety.

(3) If alteration or repair is made, the boiler must be requalified for the exemption.

Stat. Auth.: ORS 480.560

Stats. Implemented: ORS 480.560

Hist.: DC 18(Temp), f. & ef. 3-26-73; DC 24, f. 11-15-73, ef. 12-11-73; Renumbered from 814-025-0095; BCA 36-1993, f. 12-30-93, cert. ef. 1-1-94; Renumbered from 918-225-0205; BCD 16-1998, f. 9-30-98, cert. ef. 10-1-98

918-225-0400

Traction Boilers

A traction boiler built prior to 1961 may be operated for hobby or demonstration purposes only if it complies with the following safety standards and requirements:

(1) Before initial operation, the boiler is thoroughly inspected by the Division and evaluated for safety. The selection of appropriate test equipment and procedures shall be at the Division's discretion and at the expense of the owner or user of the boiler. Approval for operation may be conditioned upon passing one or more of the following:

(a) Non-destructive examination equipment such as radiography, ultrasonic thickness testing and magnetic particle, or liquid penetrant process;

(b) Drilling or trepanning of material;

(c) Removal of rivets;

(d) Exposure of all joints and surfaces for visual examination.

(2) An annual opening permit is required. Each traction boiler shall be inspected internally and externally annually and given a hydrostatic test equal to its operating pressure. During the hydrostatic test there shall be no evidence of distortion or leakage in any of the pressure retaining boundaries or appurtenances. The safety valve shall be tested at the time of the external inspection.

(3) Each traction boiler must have an approved safety valve set to relieve at or below the maximum allowable working pressure. To be approved the safety valve shall be ASME Code stamped and National Board rated.

(4) The maximum allowable working pressure shall be calculated using a factor of Safety of 6 and using formula in the minimum safety standards in OAR 918-255-0430(1).

(5) The maximum allowable working pressure of any lap seam traction boiler with a diameter not exceeding 36 inches shall be determined by the Division after appropriate tests. The maximum working pressure shall not exceed 100 psi.

(6) Any repairs by welding or riveting to traction boilers shall be made by shops or contractors possessing a National Board repair symbol stamp. The repair shall be subject to the approval of the Division before and after the repair is made.

(7) Traction boilers operated subject to this rule shall be used for "Hobby or Demonstration" purposes only.

Stat. Auth.: ORS 480.560

Stats. Implemented: ORS 480.560

Hist.: DC 17, f. 7-31-72, ef. 8-15-72; Renumbered from 814-025-0100; BCA 5-1991, f. & cert. ef. 3-15-91; BCA 36-1993, f. 12-30-93, cert. ef. 1-1-94; Renumbered from 918-225-0210; BCD 18-1997, f. 12-3-97, cert. ef. 1-1-98

Part III — Codes and Vessel Operations

Subpart A — Codes

918-225-0430

Adopted Oregon Boiler and Pressure Vessel Specialty Code

The Oregon Boiler and Pressure Vessel Specialty Code containing the minimum safety standards for boilers, pressure vessels, pressure piping, nuclear components, parts, items, and repair and alteration procedures follow :

(1) ORS 480.510 to 480.670 and OAR chapter 918, division 225;

(2) The **Boiler and Pressure Vessel Code of The American Society of Mechanical Engineers (ASME), 2004 Edition** as published, including Section I; Section II, Parts A, B,C and D; Section IV; Section V; Section VI; Section VII; Section VIII, Division 1, 2 and 3; Section IX; and Section X.

(3) The **2004 Edition of the ANSI/ASME B31.1 Power Piping Code**.

(4) The **2004 Edition of the ANSI/ASME B31.3 Process Piping Code**.

(5) The **2001 Edition of the ANSI/ASME B31.5 Refrigeration Piping Code**.

(6) The **1996 Edition of the ANSI/ASME B31.9 Building Service Piping Code**.

(7) The **2004 Edition of the National Board Inspection Code ANSI/NB 23**;

(8) The **2004 Edition of NFPA 85, Boiler and Combustion Systems Hazards Code**; and

(9) The **2004 Edition of ASME CSD-1, Controls and Safety Devices for Automatically Fired Boilers**.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 455.020, 480.545 & 480.550

Stats. Implemented: ORS 480.545, 480.550 & 480.560

Hist.: DC 17, f. 7-31-72, ef. 8-15-72; DC 19, f. 6-21-73, ef. 7-1-73; DC 27(Temp), f. & ef. 12-31-73; DC 33, f. 5-6-74, ef. 5-25-74; DC 38(Temp), f. & ef. 11-1-74; DC 50, f. 7-2-75, ef. 7-25-75; DC 89, f. & ef. 6-2-77; DC 93, f. & ef. 7-19-76; DC 1-1978, f. 1-5-78, ef. 1-15-78; DC 4-1980, f. & ef. 5-30-80; DC 6-1982, f. & ef. 2-4-82; DC 23-1982, f. & ef. 11-9-82; DC 18-1983, f. & ef. 8-11-1983; DC 21-1983, f. & ef. 9-29-83; DC 1-1984, f. & ef. 1-5-84; DC 18-1984, f. & ef. 5-9-84; DC 36-1984, f. & ef. 12-4-84; DC 16-1985, f. & ef. 7-1-85; DC 6-1986, f. & ef. 5-5-86; DC 2-1987, f. & ef. 2-18-87; BCA 5-1987, f. & ef. 8-24-87; BCA 15-1988, f. & cert. ef. 11-16-88; BCA 25-1989, f. & cert. ef. 7-27-89; Renumbered from 814-025-0006; BCA 5-1990, f. & cert. ef. 2-6-90; BCA 26-1990, f. & cert. ef. 10-30-90; BCA 36-1993, f. 12-30-93, cert. ef. 1-1-94; Renumbered from 918-225-0015; BCD 17-1996, f. & cert. ef. 9-17-96; BCD 18-1997, f. 12-3-97, cert. ef. 1-1-98; BCD 26-1998, f. 12-30-98, cert. ef. 1-1-99; BCD 36-2000, f. 12-29-00, cert. ef. 1-1-01; BCD 13-2002, f. 6-28-02, cert. ef. 7-1-02; BCD 17-2005(Temp), f. & cert. ef. 7-12-05 thru 9-30-05; BCD 20-2005, f. 9-15-05, cert. ef. 10-1-05; BCD 16-2006, f. 12-29-06, cert. ef. 1-1-07

918-225-0435

Amendments to the Oregon Boiler and Pressure Vessel Specialty Code

(1) The **Oregon Boiler and Pressure Vessel Specialty Code** is adopted and amended pursuant to chapter 918, division 8. Amendments adopted for inclusion into the **Oregon Boiler and Pressure Vessel Specialty Code** are placed in this rule.

(2) Effective January 1, 2007, the following sections of the **Boiler and Pressure Vessel Code of The American Society of Mechanical Engineers (ASME), 2004 Edition**, are amended to adjust Oregon boiler code provisions that are in conflict with national standards:

(a) Section IV, "Rules for Construction of Heating Boilers."

(b) Section V, "Nondestructive Examination."

(c) Section VI, "Recommended Rules for the Care and Operation of Heating Boilers."

(d) Section VII, "Recommended Guidelines for the Care of Power Boilers."

(e) Section VIII, Divisions 1, 2 and 3, "Rules for Construction of Pressure Vessels."

(f) Section IX, "Qualification Standard for Welding and Brazing Procedures, Welders, Brazers, and Welding and Brazing Operators."

(g) Section X, "Fiber-Reinforced Plastic Pressure Vessels."

(3) Effective June 15, 2007, addenda to the **2004 Edition of the ANSI/ASME B31.1 Power Piping Code**, designated **ASME B31.1b (2006)**, are adopted.

(4) Effective June 15, 2007, addenda to the **2004 Edition of the National Board Inspection Code (NBIC)**, designated **ANSI/NB-23 (2006)**, are adopted.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 455.020, 480.545 & 480.550

Stats. Implemented: ORS 480.545 & 480.550

Hist.: BCD 16-2006, f. 12-29-06, cert. ef. 1-1-07; BCD 6-2007, f. 6-8-07, cert. ef. 6-15-07

Subpart B — Vessel Operations

918-225-0450

Manufacturer's Data Reports

(1) Except as provided in section (3) of this rule, a Manufacturer's Data Report shall be filed with the National Board of Boiler and Pressure Vessel Inspectors before installing any new boiler or pressure vessel subject to installation inspection in Oregon. A copy of the filing is provided to the chief inspector by the National Board of Boiler and Pressure Vessel Inspectors when the boiler is to be installed in Oregon.

(2) A Manufacturer's Data Report shall be filed with the chief inspector before installing any new unfired miniature pressure vessel or used boiler or pressure vessel subject to installation inspection in Oregon.

(3) This rule does not apply to cast iron boilers.

Stat. Auth.: ORS 480.545

Stats. Implemented: ORS 480.545

Hist.: DC 19, f. 6-21-73, ef. 7-1-73; DC 2-1982, f. & ef. 2-3-82; DC 21-1984, f. & ef. 5-15-84; DC 32-1984, f. & ef. 10-19-84; Renumbered from 814-025-0008; BCA 36-1993, f. 12-30-93, cert. ef. 1-1-94; Renumbered from 918-225-0020; BCD 18-1997, f. 12-3-97, cert. ef. 1-1-98

918-225-0460

Reporting of Accidents and Conditions of Use

(1) Any accident, which includes an explosion, fire or major failure of a vessel or a related appurtenance shall be reported to the chief inspector by telephone or FAX, or both, at the Building Codes Division within 24 hours of the occurrence by:

(a) Vessel owner, whether legal or equitable;

(b) Vessel user, whether agent of the owner or independent thereof;

(c) Deputy and special inspectors; or

(d) Any person licensed or certified under ORS 480.630.

(2) The chief inspector shall cause an immediate inspection of the vessel reported under section (1) of this rule.

(3) Neither the vessel, nor its related appurtenances, shall be changed, altered, repaired or moved (except to give emergency aid or assistance to injured persons), before a deputy or special inspector has been notified of the nature, extent and cause of the accident. The deputy or special inspector shall, at that time, make a determination whether repairs may be undertaken and by what method. The vessel owner or user shall keep any damaged parts of the vessel available, until the inspection required by section (2) of this rule has been made.

(4) Reports made under section (1) of this rule shall not relieve any person from the requirements of an inspection as provided by section (2) of this rule.

Stat. Auth.: ORS 480.545

Stats. Implemented: ORS 480.545

Hist.: DC 17, f. 7-31-72, ef. 8-15-72; DC 3-1981, f. & ef. 1-23-81; Renumbered from 814-025-0071; BCA 36-1993, f. 12-30-93, cert. ef. 1-1-94; Renumbered from 918-225-0160

918-225-0465

Boiler Room Usage

(1) Every boiler room shall be maintained for exclusive use of boilers and associated systems, equipment and machinery. Storage of non-boiler-related machinery, equipment or materials in a boiler room is prohibited. Flammable liquid or gas containers shall not be placed or stored in a boiler room.

(2) Boiler water treatment chemicals, boiler maintenance or repair tools and equipment and boiler record-keeping materials are exempted from section (1) of this rule.

(3) Boiler rooms shall be maintained in an orderly manner. Lighting shall be provided and maintained in accordance with **Table 220-3(a)** of the **Electrical Specialty Code** adopted in OAR 918-305-0100. Trash receptacles containing combustible materials shall be of the self-closing type.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 480.545

Stats. Implemented: ORS 480.545

Hist.: BCD 26-1998, f. 12-30-98, cert. ef. 1-1-99; BCD 36-2000, f. 12-29-00, cert. ef. 1-1-01

918-225-0470

Boiler Operation

The owner-user of a boiler, designed for operation at or above 15 psi steam; or 160 psi or 250 F. water shall insure that all boiler control and safety devices are thoroughly inspected and tested at regular intervals consistent with the provisions of OAR 918-225-0560 and 918-225-0570. A daily record of boiler operation, tests, inspections, maintenance and feed water treatment shall be maintained in or near the boiler room and shall be available for examination by any deputy or special inspector. The record shall include the name and signature of the person assigned responsibility for boiler operations.

(1) A person suitably trained in boiler operation and control must be assigned responsibility for the boiler and shall be in close proximity of the boiler whenever it is in operation. While in operation, the boiler may not be left unattended for any period longer than the response time described in section (3) of this rule.

(2) Each boiler must be equipped with an alarm which operates at the lowest permissible water level or highest permissible operating temperature. The alarm must be audible to the person responsible for operation of the boiler at any time the boiler is in operation. The person must be able to respond to a boiler fault within the response time described in section (3) of this rule. At least one low water control device designed to shut down the boiler when activated, must require manual resetting before the boiler may be restarted.

(3) Response time for a boiler subject to this rule shall be the time required to lower the water level from the normal operating level to the minimum allowable level when the boiler is firing at the maximum rate and the feed water is shut off; or to raise the operating pressure or temperature of a water boiler to the maximum allowable rating.

(4) Boilers using solid fuel not in suspension shall have fuel and water control devices approved by the chief inspector, and in case of feed water failure shall be equipped with a means to effectively reduce or eliminate fuel heat input to the boiler.

(5) Miniature boilers built to **ASME Section I, part PMB** are exempt from this rule. Boilers of historical design, operated for hobby use only, are exempt from section (2) of this rule.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 480.545

Stats. Implemented: ORS 480.545

Hist.: DC 17, f. 7-31-72, ef. 8-15-72; DC 24-1982, f. & ef. 11-16-82; Renumbered from 814-025-0085; BCA 36-1993, f. 12-30-93, cert. ef. 1-1-94; Renumbered from 918-225-0190; BCD 4-1995, f. & cert. ef. 3-15-95; BCD 13-1995, f. & cert. ef. 9-15-95; BCD 18-1997, f. 12-3-97, cert. ef. 1-1-98; BCD 36-2000, f. 12-29-00, cert. ef. 1-1-01

918-225-0510

Installation of Buried Vessels

Under no circumstances shall any pressure vessel subject to the Boiler and Pressure Vessel Laws and these rules be buried underground or located in an inaccessible place. Where necessary to install a vessel underground, it shall be enclosed in a concrete or masonry pit with removable cover so that inspection of entire shell and heads of the vessel can be made.

Stat. Auth.: ORS 480.545

Stats. Implemented: ORS 480.545

Hist.: DC 92, f. & ef. 7-19-77; DC 10-1983, f. & ef. 4-28-83; Renumbered from 814-025-0046; BCA 36-1993, f. 12-30-93, cert. ef. 1-1-94; Renumbered from 918-225-0105

Part IV — Inspection Requirements

Subpart A — Powers of Special Inspector

918-225-0540

Scope of Special Inspector's Authority

(1) General inspection requirements are in ORS 480.560.

(2) The type of inspections a special inspector can do is set out in ORS 480.570.

(3) The special inspector's enforcement powers are in ORS 480.660.

(4) Appeals from special inspector actions are under ORS 480.660(4).

Stat. Auth.: ORS 480.560, 480.570 & 480.660

Stats. Implemented: ORS 480.560, 480.570 & 480.660

Hist.: BCA 36-1993, f. 12-30-93, cert. ef. 1-1-94

Subpart B — Responsibility of Inspectors

918-225-0560

Responsibility of Inspectors

(1) All deputy and special inspectors shall perform boiler, pressure vessel and pressure piping inspections in accordance with the **Boiler and Pressure Vessel Specialty Code** adopted in OAR 918-225-0430 and the following requirements of the division:

(a) For new boilers, the inspector shall verify that the controls and safety devices required by ASME CSD-1 or other construction codes are installed and function as designed in accordance with manufacturer's instructions;

(b) External boiler inspections shall be performed with the boiler in normal operation. The inspector shall examine all controls, safety devices, water columns and gauge glasses for evidence of tampering and shall verify that all testing has been performed to ensure proper functioning;

(c) Internal boiler inspections shall be performed in a thorough and complete manner. Manways and other inspection openings necessary to perform a particular inspection shall be removed for access to the boiler internals. Water columns, feed water controllers and feed piping shall be inspected internally. The inspector shall visually examine pressure boundary retaining devices, boiler refractory, hangers, clips, boiler tubes and headers and drum internals for damage, corrosion, overheating, welded repairs, feedwater treatment or any detrimental conditions;

(d) The inspector shall explain to the owner or user that any boiler, pressure vessel or pressure piping deficiency requires correction under the **Oregon Boiler Specialty Code**. The inspector shall require conditions not hazardous to health or safety to be corrected within 30 days. The inspector shall require conditions hazardous to health or safety to be corrected prior to operating the equipment. The owner or user of the equipment may apply to the chief inspector for extension of the 30-day correction requirement; and

(e) All inspectors witnessing installation, repair or alteration of boilers, pressure vessels or pressure piping shall verify that the contractor and workers performing the work are appropriately licensed and hold valid permits as required by ORS 480.630.

(2) Failure to comply with subsections (1)(a) through (e) of this rule, or failure of an owner or user to perform a required deficiency correction may cause additional inspections to be performed per ORS 480.570 as directed by the chief inspector.

(3) The responsibilities of process piping inspectors are located in OAR 918-225-0562.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 455.030 & 480.545

Stats. Implemented: ORS 480.545, 480.555, 480.560, 480.565 & 480.570

Hist.: DC 17, f. 7-31-72, ef. 8-15-72; DC 37-1984, f. & ef. 12-4-84; Renumbered from 814-025-0020; BCA 36-1993, f. 12-30-93, cert. ef. 1-1-94; Renumbered from 918-225-0045; BCD 26-1998, f. 12-30-98, cert. ef. 1-1-99; BCD 4-2003, f. & cert. ef. 3-14-03; BCD 17-2005(Temp), f. & cert. ef. 7-12-05 thru 9-30-05; BCD 20-2005, f. 9-15-05, cert. ef. 10-1-05

918-225-0562

Process Piping Inspector Responsibilities

(1) The process piping inspector shall:

(a) Inspect the Category "M" fluid service process piping to the extent necessary to be satisfied that it conforms to all applicable examination requirements of **ASME B31.3**;

(b) Verify that all required examinations and testing have been completed; and

(c) Complete and sign division-supplied forms and provide them to the authority having jurisdiction, the division and the registered owner a summary report of the inspections on at least a quarterly basis including information showing who did the inspections.

(2) A certified process piping inspector may delegate inspection responsibility only to other persons when the process piping inspector has:

(a) Provided the name or list of names of the delegates to the authority having jurisdiction and the division; and

(b) Determined the person to whom an inspection function is delegated is qualified to perform that function.

(3) The division may review inspection and installation activities as necessary to determine compliance and may assess an hourly review fee as appropriate.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 480.565

Stats. Implemented: ORS 480.565

Hist.: BCD 6-2003, f. 3-14-03, cert. ef. 7-1-03

918-225-0565

Reporting of Immediate Hazards to Health or Safety

Deputy and special inspectors shall report immediate hazards to health or safety concerning boilers or pressure vessels to the chief inspector immediately by telephone and also that a notice of defective condition was issued and that the hazardous operations were stopped.

Stat. Auth.: ORS 480.545

Stats. Implemented: ORS 480.545

Hist.: DC 17, f. 7-31-72, ef. 8-15-72; DC 11-1985, f. & ef. 5-22-85; BCA 4-1988, f. & cert. ef. 2-22-88; Renumbered from 814-025-0070; BCA 36-1993, f. 12-30-93, cert. ef. 1-1-94; Renumbered from 918-225-0155; BCD 18-1997, f. 12-3-97, cert. ef. 1-1-98
Renumbered from 918-225-0800

Subpart C — Timing of Inspections

918-225-0570

Boiler and Pressure Vessel Inspection Schedules

Unless the division grants special permission, all inspectors must comply with the following minimum inspection schedule:

(1) Power boilers must be inspected:

(a) Internally — every year, when physical construction of the boiler allows; and

(b) Externally — every year, while under pressure.

(2) Cast iron boilers must be inspected externally — every two years, while under pressure.

(3) Low pressure steam boilers must be inspected:

(a) Internally — every two years, when physical construction of the boiler allows; and

(b) Externally — every two years, while under pressure.

(4) Hot water heating and hot water supply boilers must be inspected:

(a) Internally — every six years, when physical construction of the boiler allows; and

(b) Externally — every two years, while under pressure.

(5) Pressure vessels containing anhydrous ammonia intended for use as fertilizer must be inspected externally every three years.

(6) Fixed pressure vessels, containing only air, not located at a place of public assembly, not exceeding 20 cubic feet in volume, and operated at gauge pressures of not more than 200 pounds per square inch must be inspected:

(a) Internally — subject to section (11) of this rule; and

(b) Externally — every six years.

(7) CO₂ vessels and hydro-pneumatic pressure vessels, used for beverage service, not exceeding 20 cubic feet in volume, and operated at gauge pressures of not more than 300 pounds per square inch must be inspected:

(a) Internally — subject to section (11) of this rule; and

(b) Externally every six years.

(8) Pressure vessels, not classified in sections (5), (6), and (7) of this rule, and subject to internal corrosion or erosion must be inspected:

(a) Internally — every two years, subject to section (11) of this rule; and

(b) Externally — every two years.

(9) Unfired pressure vessels, not classified in sections (5), (6) and (7) of this rule, and not subject to internal corrosion must be inspected externally — every two years.

(10) Pressure piping systems containing refrigerants, steam or pressurized condensate: Inspection during fabrication, installation, repair or alteration for verification of compliance with material, welding, brazing and structural support requirements. The inspector may

require other tests to verify quality of weldments. This rule does not apply to welded repair of pressure piping under OAR 918-225-0720.

(11) The inspector may waive an internal inspection, under sections (5), (6) and (7) of this rule if the inspector believes from alternate inspection methods an internal inspection is not necessary to verify the safe condition of the vessel.

(12) An inspector may require additional internal or external inspections, or tests, other than those required in this rule, if the inspector has reason to believe that the boiler or pressure vessel does not meet minimum safety standards.

(13) Failure to comply with sections (1) through (12) of this rule may cause inspections to be performed by a deputy inspector per ORS 480.570(5) as directed by the chief inspector.

Stat. Auth.: ORS 480.545, 480.550, 480.560

Stats. Implemented: ORS 480.545, 480.550, 480.560

Hist.: DC 17, f. 7-31-72, ef. 8-15-72; DC 12-1980, f. & ef. 9-12-80; BCA 1-1987, f. & ef. 7-1-87; Renumbered from 814-025-0075; BCA 22-1992(Temp), f. 12-15-92, cert. ef. 1-1-93; BCA 4-1993, f. & cert. ef. 4-5-93; BCA 36-1993, f. 12-30-93, cert. ef. 1-1-94; Renumbered from 918-225-0175; BCD 18-1996, f. & cert. ef. 9-17-96; BCD 18-1997, f. 12-3-97, cert. ef. 1-1-98; BCD 36-2000, f. 12-29-00, cert. ef. 1-1-01; BCD 15-2006, f. 12-29-06, cert. ef. 1-1-07; BCD 7-2007, f. 7-13-07, cert. ef. 9-1-07

Part V — Fees and Permits

Subpart A — Permits

918-225-0600

Permits

The Boiler and Pressure Vessel Law has different permit requirements:

(1) A permit is required by ORS 480.630(6) for each nonexempt vessel installation, repair and alteration.

(2)(a) An operating permit is required under ORS 480.585 before placing a nonexempt vessel into operation;

(b) A special permit is required for insured vessels under ORS 480.600(2);

(c) When a vessel that has a special permit is changed over to Division inspections, an operating permit under subsection (a) of this section is required.

(d) Permits to operate boilers or pressure vessels shall be issued for a set period of time, and shall expire in conjunction with the due date of inspections in OAR 918-225-0570. The permit is issued to the responsible party to operate a certain type of boiler or pressure vessel. The permit will remain in effect and valid if the permitted item is removed and replaced in-kind. "Replacement in kind" means the replacement item is of the same type and same permit code as the original. The responsible party must notify the chief inspector when replacing a permitted item. Operating permits are not transferable to a new responsible party.

(3) No permit is required for shop inspections of vessels manufactured or to be installed in this state under ORS 480.570(2)(a). A permit is required under section (1) of this rule when the vessel is installed.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 480.570, 480.585, 480.595, 480.600 & 480.630

Stats. Implemented: ORS 480.570, 480.585, 480.595, 480.600 & 480.630

Hist.: BCA 36-1993, f. 12-30-93, cert. ef. 1-1-94; BCD 18-1997, f. 12-3-97, cert. ef. 1-1-98

918-225-0605

Installation, Alteration and Repair Permit Procedures

The following permit procedures are established for installation, alteration or repair of boilers, pressure vessels or pressure piping systems by licensed contractors.

(1) Obtaining permits. Permit application forms for installation, alteration or repair of boilers, pressure vessels or pressure piping systems must be prepaid. Prenumbered permit application forms may be purchased individually or in bulk, from the Building Codes Division upon payment of \$16.50 for each form.

(2) Prepaid permit application forms do not authorize work until the contractor provides the required information to the division for review and approval. Prior to beginning the intended installation, repair or alteration, the contractor shall notify the deputy or special inspector who will inspect the work. Work shall not begin until the inspector has reviewed and approved the work to be performed.

(3) Filing and processing of permits.

(a) Prenumbered permit applications can be sent to the Building Codes Division Salem office, by mail or by facsimile transmission, or

by any other method that delivers the permit application or a facsimile of the application to the division.

(b) The applicant may request approval notification, such as by mail, collect delivery by courier or facsimile transmission, and where the authorization should be delivered.

(c) Upon processing, the notification of approval or denial shall be shown on the permit application. The expenses of delivery other than by mail or facsimile transmission shall be prepaid or sent collect to the person requesting the delivery mode. The approval or denial shall be delivered to the applicant following the instructions provided. If no return instructions are received, the notification shall be by mail.

(4) Upon receipt of permit approval:

(a) The signed approval or facsimile transmittal showing an authorized signature shall be posted at the job site before beginning the work; or

(b) The approved permit number shall be posted at the job site and signed by the contractor.

(5) A permit issued under this rule is not transferable.

(6) The person purchasing the permit application is entitled to a refund upon return of any unused or voided prenumbered and prepaid application form.

(7) This rule does not change the provisions for emergency permits in ORS 480.630(7). It is recommended, but not required, that emergency permits be reviewed and coordinated with the inspector responsible to inspect the completed work.

Stat. Auth.: ORS 480.630

Stats. Implemented: ORS 480.630

Hist.: BCD 10-1995, f. & cert. ef. 8-25-95; BCD 18-1997, f. 12-3-97, cert. ef. 1-1-98; BCD 36-2000, f. 12-29-00, cert. ef. 1-1-01

Subpart B — Fees for Permits and Inspections

918-225-0610

Fees for Permits and Inspections

(1) Purpose and Scope of Rules. This rule sets permit and inspection fees.

(2) Authority for Action:

(a) ORS 480.595 authorizes the Board to establish boiler permit fees. ORS 480.607 additionally authorizes establishment of fees and increases up to ten percent on fees set by ORS 480.595(3) and (4), 480.600(2), 480.630(4) and (6);

(b) Other fees are authorized by ORS 480.630.

(3) Permit Fees Generally Under ORS 480.595 are established:

(a) Effective January 1, 2002, under ORS 480.595(3) and 480.607 permit fees, including inspection fees shall be:

(A) Boilers of 15 horsepower or less, \$71.50;

(B) Boilers greater than 15 horsepower to 100 horsepower, \$93.50;

(C) Boilers greater than 100 horsepower to 500 horsepower, \$110;

(D) Boilers greater than 500 horsepower, \$121;

(E) Cast iron boilers, \$71.50;

(F) Pressure vessels having a product volume of 20 cubic feet or less, \$60.50;

(G) Pressure vessels having a product volume greater than 20 cubic feet, \$82.50.

(b) The fee for a reinspection provided in ORS 480.595(4) shall be charged at the rate of \$66 per hour for travel and inspection time to defray the cost of a re-inspection when deviations from the minimum safety standards are found during any inspection.

(4) The fee for the special permit set out in ORS 480.600(2) is \$27.50.

(5) Miscellaneous fees under ORS 480.605:

(a) The fees for shop inspection service provided in ORS 480.605(1) and witnessing hydrostatic or other test under ORS 480.605(3) are:

(A) Hourly charges for travel and inspection, \$66;

(B) Hourly charge for travel and inspections before 8 a.m., after 5 p.m., on weekends and holidays, \$99.

(b) In addition to the hourly charge the actual cost of meals and lodging are also charged.

Stat. Auth.: ORS 480.595, 480.600, 480.605, 480.607 & 480.630

Stats. Implemented: ORS 580.595, 480.600, 480.605, 480.607 & 480.630

Hist.: DC 17, f. 7-31-72, ef. 8-15-72; DC 19, f. 6-21-73, ef. 7-1-73; DC 8-1980, f. & ef. 7-1-80; DC 1-1981, f. & ef. 1-22-81; Renumbered from 814-025-0025; BCA 8-1990, f. 4-18-90, cert. ef. 5-1-90; BCA 13-1990, f. & cert. ef. 6-6-90; BCA 20-1991(Temp),

f. & cert. ef. 6-14-91; BCA 30-1991, f. & cert. ef. 9-9-91; BCA 36-1993, f. 12-30-93, cert. ef. 1-1-94; Renumbered from 918-225-0050; BCD 10-1996(Temp), f. & cert. ef. 7-1-96; BCD 28-1996, f. & cert. ef. 12-6-96; BCD 16-1998, f. 9-30-98, cert. ef. 10-1-98; BCD 36-2000, f. 12-29-00, cert. ef. 1-1-01; BCD 13-2002, f. 6-28-02, cert. ef. 7-1-02; BCD 17-2002(Temp), f. & cert. ef. 7-19-02 thru 1-14-03; BCD 31-2002, f. 12-20-02 cert. ef. 1-1-03; BCD 31-2005, f. 12-30-05, cert. ef. 1-1-06

Subpart C — Volume Inspections

918-225-0620

Inspection Fees at Cost — Notification

Vessels will not be treated as available for inspection at the same location according to ORS 480.600(1) unless the owner or user notifies the authorized inspector in writing at least 30 days prior to the beginning of the inspection period. If notification is not received, regular permit fees shall be charged.

Stat. Auth.: ORS 480.600

Stats. Implemented: ORS 480.600

Hist.: DC 17-1982, f. 7-31-72, ef. 8-15-72; Renumbered from 814-025-0050; BCA 36-1993, f. 12-30-93, cert. ef. 1-1-94; Renumbered from 918-225-0120

918-225-0630

Special Fee for Operating Permits

(1) Persons apply for “at-cost” permit fees pursuant to ORS 480.600(1) shall provide supporting information for estimated inspection and travel time.

(2) The operating permit fee for dryer rolls for a paper machine is \$5.50 per roll, if the machine is under the inspection requirements of ORS 480.600(2).

Stat. Auth.: ORS 480.600

Stats. Implemented: ORS 480.600

Hist.: DC 10-1981, f. & ef. 7-6-81; Renumbered from 814-025-0051; BCA 36-1993, f. 12-30-93, cert. ef. 1-1-94; Renumbered from 918-225-0125; BCD 18-1997, f. 12-3-97, cert. ef. 1-1-98; BCD 36-2000, f. 12-29-00, cert. ef. 1-1-01

Part VI — Certification

Subpart A — Licenses and Certificates; Fees

918-225-0640

Business and Trade License Fees

(1) Licenses required by ORS 480.630 shall be issued by the division to applicants who meet the requirements for the license and apply as established in OAR division 30.

(2) The application fee for a business license shall be \$165 and the application fee for a trade license shall be \$27.50. Licenses may be renewed as established in OAR division 30 for a fee equal to the application fee.

Stat. Auth.: ORS 480.630, 183.335

Stats. Implemented: ORS 480.630, 183.335

Hist.: BCD 36-2000, f. 12-29-00, cert. ef. 1-1-01; BCD 16-2006(Temp), f. 6-30-06, cert. ef. 7-1-06 thru 12-28-06; BCD 13-2006, f. 9-29-06, cert. ef. 10-1-06

918-225-0650

Practical Experience Requirement

Inspectors shall have at least the following practical experience in activities listed by ORS 480.565(1):

(1) Chief Inspector, ten years experience;

(2) Deputy or Special Inspector, experience required by the bylaws of the National Board for a commission as a National Board Inspector.

Stat. Auth.: ORS 480.565

Stats. Implemented: ORS 480.565

Hist.: BCA 36-1993, f. 12-30-93, cert. ef. 1-1-94

918-225-0660

Certification of Special Inspectors

(1) An application for special inspector certification shall be filed by an employer described in ORS 480.565(3) using forms provided by the division and submitting the appropriate application fee.

(2) The person to be certified shall meet the experience requirements in OAR 918-225-0650 and shall have passed the National Board of Boiler and Pressure Vessel Inspectors Examination.

(3) An examination covering the Oregon Boiler and Pressure Vessel Law, ORS 480.510 to 480.990 and OAR 918, division 225, the **National Board Inspection Code** and **ASME CSD-1** shall be given by the chief inspector to all special inspector applicants.

(4) Special inspector certifications shall be renewed annually, by paying a renewal fee of \$25 prior to January 1 of each year.

(5) When a special inspector leaves the employment of the employer covered by ORS 480.565, the employer shall notify the division and return the special inspector certification.

(6) Process piping inspectors shall be certified pursuant to OAR 918-225-0665.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 455.030 & 480.545

Stats. Implemented: ORS 480.565

Hist.: DC 17, f. 7-31-72, ef. 8-15-72; DC 27(Temp), f. & ef. 12-31-73; DC 33, f. 5-6-74, ef. 5-25-74; Renumbered from 814-025-0065; BCA 36-1993, f. 12-30-93, cert. ef. 1-1-94; Renumbered from 918-225-0135; BCD 18-1997, f. 12-3-97, cert. ef. 1-1-98; BCD 4-2003, f. & cert. ef. 3-14-03; BCD 17-2005(Temp), f. & cert. ef. 7-12-05 thru 9-30-05; BCD 20-2005, f. 9-15-05, cert. ef. 10-1-05

918-225-0665

Certification of Process Piping Inspectors

(1) Applicants for process piping inspector shall submit an application on division-supplied forms along with a \$110 application fee. The applicant shall pass a division-approved examination on the substance and requirements of **ASME B31.3**, related standards and administrative rules.

(2) Applicants shall demonstrate to the satisfaction of the division not less than 10 years experience in the design, fabrication or inspection of industrial process piping. Each 20 percent of satisfactorily completed work toward an engineering degree recognized by the Accreditation Board for Engineering and Technology shall be considered equivalent to one year of experience, up to five years total.

(3) The board may consider other experience and education to determine if the experience is equivalent to the requirements in this rule.

(4) Process piping inspector certificate of competency shall be renewed annually. The annual renewal fee shall be \$27.50.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 480.545, 480.565, 480.605, 480.607 & 480.647

Stats. Implemented: ORS 480.545, 480.565, 480.605, 480.607 & 480.647

Hist.: BCD 4-2003, f. & cert. ef. 3-14-03

Subpart B — Examination and Certification Fees

918-225-0670

Fees for Inspector Examination, Certification and Renewal

(1) Fee for each National Board examination, \$165.

(2) Fee for Certificate of Competency Examination, \$110.

(3) Fee for annual renewal of Certificate of Competency, \$27.50.

(4) Fee to administer continuing education program to be added to the cost of annual renewals of certified individuals, \$10.

(5) Fee to prepare and provide continuing education programs, \$66 per hour or part thereof.

Stat. Auth.: ORS 480.605

Stats. Implemented: ORS 480.605

Hist.: DC 27(Temp), f. & ef. 12-31-73; DC 33, f. 5-6-74, ef. 5-25-74; Renumbered from 814-025-0016; BCA 5-1991, f. & cert. ef. 3-15-91; BCA 36-1993, f. 12-30-93, cert. ef. 1-1-94; Renumbered from 918-225-0040; BCD 36-2000, f. 12-29-00, cert. ef. 1-1-01; BCD 2-2003, f. & cert. ef. 2-3-03; BCD 13-2006, f. 9-29-06, cert. ef. 10-1-06

Subpart D — Certification of Employees of Businesses

918-225-0691

Boiler, Pressure Vessel and Pressure Piping Installation, Alteration or Repair Licensing Requirements

Persons installing, altering or repairing boilers and pressure vessels shall be licensed under these rules and may only work within the scope of their license.

(1) Persons desiring to obtain certification under these rules shall:

(a) Meet the qualifications for that license;

(b) Apply as established by the division in OAR division 30.

(2) Definitions. For the purpose of this rule:

(a) "Direct Supervision" means the person supervised is in the physical presence of a qualified licensed person at the job site and the person doing the supervision is directly assigned to monitor and direct the activities of the person supervised. Direct supervision must be on a ratio of one qualified licensed person to one trainee/helper.

(b) "Qualified Licensed Person" means a person who holds a Class 2, 3, 4, 5, 5-A or 5-B certification and is authorized to do the work involved without supervision;

(c) "Supervision" means the individual person assigned to perform supervision under sections 6, 7 and 10 of this rule is directly and specifically assigned to monitor and direct the activities of the person

being supervised. Both the person performing supervision and those being supervised shall be prepared to identify each other.

(3) Class 1 Trainee/Helper License. A person holding this license may install, alter or repair boilers, pressure vessels and pressure piping providing the work is of a mechanical nature only. Work performed shall be under the direct supervision of a qualified licensed person. No ASME Code welding is permitted. There are no minimum qualifications required for applicants to obtain this license.

(4) Class 2 Pressure Vessel Installer License. A person holding this license may install or repair unfired pressure vessels by any non-welded method of attachment.

(a) There are no minimum qualifications required to obtain this license. Applicants shall pass an examination testing the applicant's knowledge of the **Boiler and Pressure Vessel Law**, ORS 480.510 to 480.665; OAR 918, division 225; and **American Society of Mechanical Engineers, Boiler and Pressure Vessel Code, Section VIII, Division 1, General Requirements**.

(b) Persons who install refrigeration process equipment assembled and sold as a modular unit by the manufacturer and who do not attach piping to a pressure vessel during the installation are exempt from this rule. To qualify for this exemption, the attachment shall be made by any method other than fusion welding.

(5) Class 3 Building Service Mechanic License. A person holding this license may install or repair boilers (including boiler and non-boiler external piping) and unfired pressure vessels by a non-welded method of attachment. Applicants shall:

(a) Have at least 2,000 hours of experience installing and repairing boilers verified as established in OAR division 30;

(b) Pass an examination testing the applicant's knowledge of:

(A) Boiler and Pressure Vessel Laws, ORS 480.510 to 480.665; OAR 918, division 225; and the general requirements of the **American Society of Mechanical Engineers, Boiler and Pressure Vessel Code, Sections I, IV, VI, VII and VIII, and CSD-1**;

(B) The State of Oregon Boiler Safety Program Study Guide;

(C) Building Service Systems (Hydronics) for boilers and related appurtenances, American Society of Mechanical Engineers/ASME B31.1 Power Piping and B31.9 Building Service Piping; and

(D) Structural and mechanical blueprints with the ability to interpret specifications.

(6) Class 4 Boilermaker License. A person holding this license may install, alter or repair boilers and pressure vessels (excluding non-boiler external piping) by welding or other methods of attachment. Applicants shall:

(a) Have 2,000 hours of experience doing welding and 2,000 hours of experience doing non-welding applications involving boilers or pressure vessels. Experience must be verified as established in OAR division 30; the verification must cover welding and non-welding applications separately; and

(b) Pass an examination testing the applicant's knowledge of:

(A) Boiler and Pressure Vessel Laws, ORS 480.510 to 480.665; OAR 918, division 225; and the general requirements of the **American Society of Mechanical Engineers, Boiler and Pressure Vessel Code, Sections I, II, IV, V, VI, VII, VIII and IX, CSD-1, B31.1 and B31.9**;

(B) General boilermaker skills and procedures;

(C) Blueprint reading, layout and shop mathematics;

(D) Interpreting plans and specifications covering installation, alteration, repair, fabrication and erection of boilers and pressure vessels;

(E) Welding process, metallurgy and other procedures particularly applicable to boilers and pressure vessels; and

(F) The State of Oregon Boiler Safety Program Study Guide.

(c) Class 4 Boilermakers may also perform the scope of work allowed under section (7) of these rules providing;

(A) Work may only be done under the supervision of a qualified licensed person under section (7) of these rules; and

(B) Prior to any welding, the individual must qualify to supervisor's employer's welding procedures.

(7) Class 5 Pressure Piping Mechanic License. A person holding this license may:

(a) Fabricate, install, alter and repair pressure piping; and

(b) Install boilers and pressure vessels by attachment of piping connections;

(c) Install, assemble and repair cast iron sectional boilers.

(A) Applicants shall have a minimum of 2,000 hours of experience performing pipe-welding on ASME B31 pressure piping and 2,000 hours of experience performing work on pressure piping and boilers. Experience must be verified as established in OAR division 30; and

(B) Pass an examination testing the applicant's knowledge of:

(i) American Society of Mechanical Engineers Boiler and Pressure Vessel Code, Sections I, II, IV, V, VI, VII, VIII, IX, CSD-1 and B31 Pressure Piping;

(ii) Structural and mechanical blueprints with the ability to interpret specifications;

(iii) Pressure piping systems and controls;

(iv) Boiler and Pressure Vessel Laws, ORS 480.510 to 480.665 and OAR 918, division 225;

(v) The State of Oregon Boiler Safety Program Study Guide; and

(vi) Welding and brazing processes, heat treatment, metallurgy and other procedures applicable to pressure piping systems.

(d) Class 5 Pressure Piping Mechanics may also perform the scope of work allowed under section (6) of these rules providing:

(A) Work may only be done under the supervision of a qualified licensed person under section (6) of these rules; and

(B) Prior to any welding, the individual must qualify to supervisor's employer's welding procedures.

(8) Class 5-A Process Piping Mechanic License. A person holding this license may fabricate, install, alter or repair B31.3 process piping. Applicants shall:

(a) Have a minimum of 2,000 hours of experience performing pipe-welding or brazing on B31.3 process piping and 2,000 hours of experience performing work on pressure piping. Experience must be verified as established in OAR division 30; and

(b) Pass an examination testing the applicant's knowledge of:

(A) **American Society of Mechanical Engineers Boiler and Pressure Vessel Code, Section B31.3;**

(B) Structural and mechanical blueprints with the ability to interpret specifications;

(C) Pressure piping controls;

(D) Boiler and Pressure Vessel Laws, ORS 480.510 to 480.665 and OAR 918, division 225; and

(E) Welding, brazing, chemical bonding procedures, heat treatment, metallurgy and other procedures applicable to pressure piping systems.

(9) Class 5-B Refrigeration Piping Mechanic License. A person holding this license may fabricate, install, alter or repair B31.5 refrigeration piping. Applicants shall:

(a) Have a minimum of 2,000 hours of experience performing pipe-welding or brazing on B31.5 refrigeration piping and 2,000 hours of experience performing work on pressure piping. Experience must be verified as established in OAR division 30; and

(b) Pass an examination testing the applicant's knowledge of:

(A) American Society of Mechanical Engineers Boiler and Pressure Vessel Code, Section B31.5;

(B) Structural and mechanical blueprints with the ability to interpret specifications;

(C) Pressure piping controls;

(D) Boiler and Pressure Vessel Laws, ORS 480.510 to 480.665 and OAR 918, division 225; and

(E) Welding, brazing, heat treatment, metallurgy and other procedures applicable to pressure piping systems.

(10) Class 6 Welder License. A person holding this license may weld on boilers, pressure vessels or pressure piping while employed by an approved welding employer. Work may only be performed under the supervision of a person certified under sections (6) through (9) of this rule as applicable. More than one welder may be supervised by one appropriately qualified licensed person under this license.

(a) A Class 6 Welder may also perform the scope of work under section (3) of this rule providing the work performed is under the direct supervision of a qualified licensed person under sections (4) through (9) of these rules.

(b) Applicants shall be qualified as a welder in accordance with the **American Society of Mechanical Engineers Boiler and Pressure Vessel Code, Section IX, Part QW**. The employer shall attest in writing that the applicant is qualified under that code section and is currently qualified to that employer's welding procedures. This written statement is not transferable to another employer.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 480.545, 480.630, 183.335

Stats. Implemented: ORS 480.630, 183.335

Hist.: BCD 7-2003, f. 3-14-03, cert. ef. 7-1-03; BCD 13-2003, f. 6-26-03, cert. ef. 7-1-03; BCD 3-2004(Temp), f. & cert. ef. 3-8-04 thru 9-3-04; BCD 9-2004, f. 6-21-04, cert. ef. 7-1-04; BCD 16-2006(Temp), f. 6-30-06, cert. ef. 7-1-06 thru 12-28-06; BCD 11-2006, f. & cert. ef. 9-5-06; BCD 13-2006, f. 9-29-06, cert. ef. 10-1-06

Subpart E — Contractor Responsibilities

918-225-0700

Responsibility of Boiler Contractors

(1) Persons licensed by the division for the business of installing, repairing or altering boilers, pressure vessels or pressure piping must correct any condition or deficiency resulting from installations, repairs or alterations, which are determined by any deputy, special inspector or process piping inspector to be a violation of the minimum safety standards of the **Oregon Boiler and Pressure Vessel Specialty Code**.

(2) Contractors must prepare and submit any documentation required by construction codes, repair and alteration standards or the authority having jurisdiction.

(3) Boiler contractors are directly responsible for assuring that all persons they employ have correct certification and are properly supervised in the installation, repair or alteration of boilers, pressure vessels or pressure piping systems. Supervisors of persons holding a Class 1 or Class 6 certification must meet the requirements of OAR 918-225-0691.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 480.545

Stats. Implemented: ORS 480.545

Hist.: BCD 36-2000, f. 12-29-00, cert. ef. 1-1-01; BCD 6-2003, f. 3-14-03, cert. ef. 7-1-03; BCD 4-2007, f. 3-30-07, cert. ef. 4-1-07

Part VII — Code Welding Requirements

Subpart A — Owners-Users

918-225-0720

Welding Requirements for Owner-Users

(1) An owner-user may use its own employees to repair or install boilers, pressure vessels or pressure piping, provided it develops, certifies and maintains a welding program meeting the requirements of the **Boiler Specialty Code (ASME Section IX, Part QW)**.

(2) The owner-user's welding program shall be reviewed for conformance with welding program requirements by the authorized inspector performing welding inspections.

(3) The owner-user is responsible for the use of proper materials when doing code repairs.

(4) Prior to welding on code materials, the owner-user shall notify a deputy, special inspector or process piping inspector who will review the proposed work and who will inspect the work when it is completed.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 480.545 & 480.647

Stats. Implemented: ORS 480.545 & 480.647

Hist.: BCA 36-1993, f. 12-30-93, cert. ef. 1-1-94; BCD 18-1997, f. 12-3-97, cert. ef. 1-1-98; BCD 16-1998, f. 9-30-98, cert. ef. 10-1-98; BCD 36-2000, f. 12-29-00, cert. ef. 1-1-01; BCD 6-2003, f. 3-14-03, cert. ef. 7-1-03

Subpart B — Businesses that Do Welding

918-225-0730

Requirements for Businesses Doing Welding or Brazing

All persons in the business of installing, altering or repairing boilers, pressure vessels, or pressure piping shall develop and maintain a quality control system before doing welding or brazing:

(1) Boilers and pressure vessels. For welding on a boiler, boiler external piping as defined by ORS 480.515 and pressure vessels, the person shall develop and maintain a quality control system under the "R" Stamp requirements of the **National Board Inspection Code**.

(2) Pressure piping. For welding or brazing on pressure piping, the person shall develop and maintain a quality control system under either Section (1) of this rule or under OAR 918-225-0740.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 480.545 & 480.647

Stats. Implemented: ORS 480.545 & 480.647

Hist.: BCA 6-1990, f. & cert. ef. 3-13-90; BCA 24-1991(Temp), f. 7-3-91, cert. ef. 7-1-91; BCA 30-1991, f. & cert. ef. 9-9-91; BCA 36-1993, f. 12-30-93, cert. ef. 1-1-94; Renumbered from 918-225-0195; BCD 18-1997, f. 12-3-97, cert. ef. 1-1-98; BCD 16-1998, f. 9-30-98, cert. ef. 10-1-98; BCD 35-2000, f. 12-29-00, cert. ef. 7-1-01

918-225-0740**Quality Control System for Pressure Piping; Oregon “O” Certificate of Authorization**

(1) This rule contains procedures for persons to develop and qualify a quality control system for welding or brazing on pressure piping other than boiler external piping.

(2) An application for approval of a quality control system shall include one copy of a proposed quality control manual. The manual shall include the elements described by the Building Codes Division Sample Quality Control Manual provided to the applicant as a guide. A Quality Control Manual will be reviewed and the applicant billed at board-established shop inspection rates.

(3) If welding, brazing, mechanical or chemical assembly will occur on Category M fluid service process piping, the quality control manual shall include processes and procedures demonstrating compliance with **ASME B31.3**. The registered business or owner-user shall ensure that the process piping inspector provides and updates a list of persons to whom the inspector has delegated responsibility under OAR 918-225-0562.

(4) After acceptance of the proposed quality control system, the applicant must demonstrate practical application of the system and the proficiency of the persons doing welding or brazing. The applicant shall provide the facilities, equipment and materials for the demonstration.

(5) The Certificate of Authorization issued to a successful applicant expires three years from date of issue. The same procedures for qualifying shall be followed for renewal. Copies of the manual do not need to be resubmitted if the only change is the effective date.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 480.647

Stats. Implemented: ORS 480.647

Hist.: BCA 24-1991(Temp), f. 7-3-91, cert. ef. 7-1-91; BCA 30-1991, f. & cert. ef. 9-9-91; BCA 36-1993, f. 12-30-93, cert. ef. 1-1-94; Renumbered from 918-225-0196; BCD 18-1997, f. 12-3-97, cert. ef. 1-1-98; BCD 35-2000, f. 12-29-00, cert. ef. 7-1-01; BCD 13-2002, f. 6-28-02, cert. ef. 7-1-02; BCD 6-2003, f. 3-14-03, cert. ef. 7-1-03

Subpart C — Safety and Safety Relief Valves**918-225-0745****Contractor Registration**

(1) All persons in the business of assembling, repairing or adjusting safety or safety relief valves shall adopt a quality control system under the “VR” Symbol Stamp of the National Board.

(2) An owner-user may use its own employees to repair or adjust safety or safety relief valves for its own use, provided it adopts a quality control system under the “VR” Symbol Stamp requirements of the National Board.

Stat. Auth.: ORS 480.545

Stats. Implemented: ORS 480.545

Hist.: BCD 18-1997, f. 12-3-97, cert. ef. 1-1-98

Part IX — Insured Vessels**918-225-0780****Filing of Insurance Notices**

Insurance companies shall notify the Division within 30 days of providing insurance, cancellation or suspension of insurance or non-renewal of insurance regarding boilers or pressure vessels. This notice shall be on a Division-approved form and shall use Oregon State Numbers to designate the boilers or pressure vessels involved.

Stat. Auth.: ORS 480.545

Stats. Implemented: ORS 480.545

Hist.: DC 92, f. & ef. 7-19-77; Renumbered from 814-025-0066; BCA 36-1993, f. 12-30-93, cert. ef. 1-1-94; Renumbered from 918-225-0140

918-225-0800**Reporting of Immediate Hazards to Health or Safety**

Special inspectors shall report immediate hazards to health or safety concerning insured vessels to the chief inspector immediately by telephone and also advise whether a notice of defective condition was issued and whether operations were stopped.

Stat. Auth.: ORS 480.545

Stats. Implemented: ORS 480.545

Hist.: DC 17, f. 7-31-72, ef. 8-15-72; DC 11-1985, f. & ef. 5-22-85; BCA 4-1988, f. & cert. ef. 2-22-88; Renumbered from 814-025-0070; BCA 36-1993, f. 12-30-93, cert. ef. 1-1-94; Renumbered from 918-225-0155

DIVISION 251**ADMINISTRATION AND DEFINITIONS****General Matters****918-251-0000****Reasonable Notice to Interested Parties**

Before the adoption, amendment or repeal of any rule relating to the Oregon State Electrical Law or to other responsibilities under ORS 479.510 to 479.990, the Building Codes Division shall give notice of the proposed adoption, amendment or repeal:

(1) In the Secretary of State’s Bulletin referred to in ORS 183.360 at least 21 days before the effective date;

(2) By mailing a copy of the notice to persons on the interested parties mailing list established under ORS 183.335(7);

(3) By mailing a copy of the notice to the following organizations:

(a) National Electrical Contractors Association, Portland;

(b) Associated Oregon Industries;

(c) League of Oregon Cities;

(d) Association of Oregon Counties;

(e) Associated General Contractors;

(f) Workers’ Compensation Division;

(g) Homebuilders’ Association of Metropolitan Portland;

(h) Oregon Building Industry Association;

(i) Professional Engineers of Oregon;

(j) International Brotherhood of Electrical Workers Local 48 — Portland;

(k) International Brotherhood of Electrical Workers Local 280 — Salem;

(l) International Brotherhood of Electrical Workers Local 659 — Medford;

(m) National Electrical Contractors Association, Eugene;

(n) Independent Electrical Contractors of Oregon;

(o) Building Owners and Managers Association;

(p) ETL Testing Laboratories;

(q) Underwriters’ Laboratories;

(r) Electro Test Inc.;

(s) The Capitol Press Room; and

(t) Associated Press.

Stat. Auth.: ORS 183.341(4)

Stats. Implemented: ORS 183.341(4)

Hist.: DC 56, f. & ef. 11-20-76; DC 4-1984, f. & ef. 1-17-84; Renumbered from 814-022-0000; BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96, Renumbered from 918-250-0000; BCD 16-1997, f. 9-30-97, cert. ef. 10-1-97

918-251-0010**Compliance with ORS 183.330**

(1) This rule is required by ORS 183.330.

(2)(a) General Office. The general office of the Building Codes Division is at 1535 Edgewater NW, mailing address P. O. Box 14470, Salem, Oregon 97309-0404. The Website address is <http://www.cbs.state.or.us/external/bcd>. The general telephone number is (503) 378-4133; FAX (503) 378-2322. General requests for information or documents should be directed to this office.

(b) Electrical Inspection. The electrical inspection section of the Building Codes Division is managed by the Field Services Manager who reports to the Building Codes Division Administrator. The inspection staff is located in field locations throughout the state.

(A) Inspection requests should be directed to the closest field office; or

(B) General office;

(3) Electrical Code Interpretation and Enforcement. Electrical code development, formal interpretations and enforcement are handled in the general office.

(a) Requests to place items on the Electrical and Elevator Board agenda and requests for adoption or amendment of electrical rules should be directed to the Chief Electrical Inspector at the general office.

(b) Requests for electrical code interpretation shall be directed to the Chief Electrical Inspector.

(4) Miscellaneous Fees. Requests and payment of fees for placement on the Electrical and Elevator Board meeting notice list or the

electrical rule making notice list should be directed to the Building Codes Division general office.

Stat. Auth.: ORS 183.330

Stats. Implemented: ORS 183.330

Hist.: BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96; BCD 23-2000, f. 9-29-00, cert. ef. 10-1-00

Hearings and Adjudicatory Procedures

918-251-0020

Attorney General Model Rules of Procedure

The Attorney General's Model Rules of Procedure, as adopted or amended by the division in OAR 918-001-0010, apply in all contested cases.

[ED. NOTE: The full text of the Attorney General's Model Rules of Procedure is available from the office of the Attorney General or agency.]

Stat. Auth.: ORS 183.341

Stats. Implemented: ORS 183.341

Hist.: DC 20-1986, f. & ef. 12-4-86; Renumbered from 814-022-0422; BCA 32-1993, f. 12-14-93, cert. ef. 1-1-94; BCD 12-1994, f. & cert. ef. 4-29-94; BCD 5-1996, f. & cert. ef. 3-29-96; BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96, Renumbered from 918-270-0050

Adoption of Rules and Codes

918-251-0050

Amendments

The administrator shall obtain board approval before commencing rulemaking on any proposed new rules, rule changes or repeals.

Stat. Auth.: ORS 479.730(5)

Stats. Implemented: ORS 455.030 & 479.730

Hist.: DC 11-1978, f. 4-3-78, ef. 7-1-78; DC 10-1982, f. & ef. 3-1-82; Renumbered from 814-022-0410; BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96, Renumbered from 918-270-0020

918-251-0060

Electrical Specialty Code Change Procedures

(1) ORS 455.030 governs procedures for proposing **Electrical Specialty Code** changes.

(2) Time lines and other procedures for code changes are in OAR 918-008-0030.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 479.530

Stats. Implemented: ORS 455.030

Hist.: BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96

Cross Reference to Statutory Definitions

918-251-0080

Reference to Statutory Definitions

Statutory definitions for the Electrical Safety Law are in ORS 479.530.

Stat. Auth.: ORS 479.530

Stats. Implemented: ORS 479.530

Hist.: BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96

Board-Created Definitions

918-251-0090

Definitions

For purposes of OAR chapter 918, divisions 251 through 311, unless otherwise specified, the following shall apply:

(1) "Appliance" as applied to the limited maintenance specialty contractor license established by ORS 479.630, means any built-in or permanently-connected electrical utilization equipment, not including lighting fixtures, other than industrial, that is installed or connected as a unit to perform one or more functions such as clothes washing, air conditioning, food mixing, deep frying, etc.

(2) "Approved" when referring to electrical product certification means approved in Oregon or for Oregon by the Electrical and Elevator Board.

(3) "Balance of system" as it relates to renewable electrical energy systems are those products, equipment and systems for the conversion, control and storage of electrical energy.

(4) "Board" means Electrical and Elevator Board.

(5) "Building" means a structure that stands alone or that is isolated from adjoining structures by area separation walls as identified in **Section 504.6** of the **Oregon Structural Specialty Code** adopted

in OAR chapter 918, division 460, with all openings therein protected by approved fire doors as required.

(6) "Certification Mark" is identification on an electrical product indicating that the product has been certified under ORS 479.760.

(7) "Certified Electrical Product" is an electrical product certified under ORS 479.760 to which a label or other identifying mark.

(8) "Continuously Employ" means a person, including a person leased from a worker leasing company licensed under ORS 656.850, during time periods when electrical work for which they are responsible is performed, devotes their entire time of employment to tasks of supervising, designing, laying out, planning, controlling and making electrical installations for the electrical contractor for which the supervisor is registered as signing supervisor.

(9) "Custom Made" means electrical products that are designed for a specific purpose and location.

(10) "Document" means prepare records itemizing what was checked, why it was checked, when it was done, how it was checked, what was determined and who did the work.

(11) "**Electrical Specialty Code**" means the National Electrical Code with Oregon amendments.

(12) "Electrical Specialty Code Inspector," formerly referred to as "A-Level Electrical Inspector," is a person certified to inspect under the **Electrical Specialty Code**.

(13) "Energy generation," as it relates to renewable electrical energy generation equipment, are those products, equipment and systems in renewable electrical energy systems that produce or convert electrical energy.

(14) "Engineer" is an individual who has completed a minimum four-year degree program in electrical engineering or electrical technology with power specialty, from an accredited college or university and has received a Bachelor of Science degree.

(15) "Field Evaluation" means the evaluation of electrical products by an approved field evaluation firm.

(16) "Indorsement" is a designation within the restricted energy electrical area showing qualifications and training regarding a product area. It determines the scope of restricted energy electrical activity authorized under a restricted energy electrical license.

(17) "Industrial Electronic Equipment" means a device, appliance, motor, or machine regulated, operated, or controlled through fiber optics or by a combination of electron tubes, capacitors, resistors, impedance transformer, and relays; the control circuit, and/or the power circuits having electrons flowing through a vacuum, metallic vapor, gas tubes, or transistors as used in an industrial plant.

(18) "Industrial Plant", for purposes of licensing and electrical master permit inspection program means an establishment engaged in industrial production, or service, or a school, hospital, sewer plant, water plant, commercial office building, building occupied by the state or a local government entity, or an institution. For purposes of the elevator program, "industrial plant" does not include a school, hospital, commercial office building, building occupied by the state or a local government entity, or an institution where the elevators are accessible to and used by persons other than the employees of that building.

(19) "Installation" includes external and field wiring, service contracts or warranties by the seller or manufacturer concerning the longevity of the equipment or parts after the original installation. It does not include "start-up" activities where new equipment is placed in service, and that type of work related to delivering and setting in place a piece of machinery.

(20) "Inverter", as it relates to renewable electrical energy generation equipment, is a product, equipment or system that converts direct current into alternating current.

(21) "Jurisdictional Inspector" is a state or municipal inspector having inspection responsibility within their jurisdiction over electrical products or their installation, or both.

(22) "Labeled" means a label, symbol or other identifying mark of a Nationally Recognized Testing Laboratory (NRTL), field evaluation firm or the division that is attached to an electrical product indicating the product is manufactured according to approved standards and tested or evaluated for specific end uses or both.

(23) "Lighting Fixture" is a complete lighting unit consisting of a lamp or lamps together with the parts designed to distribute the light, to position and protect the lamps, and to connect the lamp to the power supply.

(24) "Limited Energy System" means those systems that include Class 1, Class 2 or Class 3 systems as defined by **Section 725.2 of NFPA 70 (National Electrical Code)** and audio systems, communication systems and power-limited fire alarm systems, covered in the Oregon Electrical Specialty Code.

(25) "Listed Product" means a product was examined and accepted by a Nationally Recognized Testing Laboratory (NRTL) to meet a particular product standard and is maintained on a list of the listing laboratory.

(26) "Maintain" means to preserve electrical equipment in a good sound condition.

(27) "Maintenance" Compare with repair, replacement, and maintain for definition.

(28) "Minimum Electrical Installation Safety Code" means the adopted **Oregon Electrical Specialty Code**.

(29) "Nationally Recognized Testing Laboratory (NRTL)" means a laboratory recognized by the Federal Occupational Safety and Health Administration (OSHA) under 29 CFR 1910.7.

(30) "NEMA" means the National Electrical Manufacturers Association.

(31) "Off grid system" is a stand-alone system, connected to a structure, whose electrical systems are not connected to a utility-supplied electrical production and distribution network.

(32) "On grid system" is an electrical power system connected to a structure whose electrical systems are also connected to a utility-supplied electrical production and distribution network.

(33) "Plug-in Replacement" is a part, component or assembly designed to be inserted directly into a mating receptacle or socket such as printed circuit boards, control relays, control harnesses or other equipment connected by a cord or cable and plug assembly. A plug-in replacement does not have any field wiring that is connected to the plug-in part or assembly.

(34) "Power Circuitry" means that portion of the system, other than control, that provides electrical power to utilization equipment.

(35) "Registered Professional Electrical Engineer" is an individual licensed by the State of Oregon Board of Engineering Examiners as a professional electrical engineer under OAR chapter 820, division 10.

(36) "Renewable Electrical Energy System" as it relates to electrical energy generation, is the total components and subsystems that, in combination, convert wind energy, solar energy, micro-hydroelectricity, photovoltaic energy or fuel cell energy into electrical energy suitable for connection to a utilization load.

(37) "Repair" means to restore worn or damaged parts to a good, sound condition by means other than replacement.

(38) "Replacement" means substitution of complete units of damaged or worn equipment with similar new or used equipment of a size and rating that does not exceed the design capacity of the existing product.

(39) "Signing Supervising Electrician" or "Signing Supervisor" is a licensed supervising electrician who has been authorized by the electrical contractor to sign permits.

(40) "Similar Equipment," as applied to the limited maintenance specialty contractor license established by ORS 479.630(12), means components of light fixtures other than ballasts.

(41) "Special Deputy" means a person certified by the board or Chief Electrical Inspector to perform special deputy inspections allowed under ORS 479.760.

(42) "Stand-alone system" is a renewable electrical energy system that supplies power independently of an electrical production and distribution network.

(43) "Up to the load side of the inverter", as it relates to electrical energy generation equipment, is the renewable electrical energy system equipment up to the alternating current connection terminals of the inverter.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 479.630

Stats. Implemented: ORS 479.730

Hist.: DC 10, f. 4-13-72, ef. 5-1-72; DC 12-1981, f. 9-29-81, ef. 10-1-81; DC 10-1982, f. & ef. 3-1-82; Renumbered from 814-022-0105; BCA 44-1991, f. & cert. ef. 12-26-91; BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96, Renumbered from 918-260-0005; BCD 4-1999, f. & cert. ef. 4-1-99; BCD 23-2000, f. 9-29-00, cert. ef. 10-1-2000; BCD 5-2001, f. 6-7-01, cert. ef. 7-1-01; BCD 23-2001(Temp), f. 12-28-01, cert. ef. 1-1-02 thru 6-29-02; BCD 9-2002, f. 3-29-02, cert. ef. 4-1-02; BCD 21-2002(Temp), f. 8-30-02, cert. ef. 9-1-02 thru 2-27-03; BCD 23-2002, f. 9-13-02 cert. ef. 10-1-02; BCD 34-2002, f. 12-20-02, cert. ef. 1-1-03; BCD 12-2003(Temp), f. & cert. ef. 6-24-03 thru 10-31-03; BCD

15-2003, f. & cert. ef. 10-1-03; BCD 4-2004, f. 3-31-04, cert. ef. 4-1-04; BCD 3-2007, f. 3-30-07, cert. ef. 4-1-07

DIVISION 261

EXEMPTIONS

Exemptions Created by the Board

918-261-0000

Partial Exemption for Medical Diagnostic Imaging and Therapy Equipment

(1) An exemption from electrical licensing of ORS 479.620 is created under ORS 479.540 for certain persons installing or working on designated medical equipment under this rule.

(a) Only the following medical equipment can be involved: General X-ray systems, vascular systems, computer tomography scanners (CT), magnetic resonance imaging systems (MRI), nuclear medicine systems, positron emission tomography scanners (PET), radiation therapy systems, image-guided therapy systems, dental radiographic, panoramic systems, film processors and newly developed imaging or therapy equipment approved by order of the board;

(b) Only the following electrical installations are allowed: Assembly, interconnection, equipment modification and retrofit, calibrations, testing, maintenance and trouble shooting;

(c) Only electrical licensing is exempted. A permit pursuant to ORS 479.550 and inspection are required, and the installation shall comply with the **Electrical Specialty Code**; and

(d) The persons performing the work must meet the requirements of section (3) of this rule.

(2) An exemption from the permit requirements of ORS 479.550 and licensing requirements of ORS 479.620 is created under ORS 479.540, for repair, maintenance, parts replacement, calibration, testing and trouble shooting involving assemblies and components of the equipment described in subsection (1)(a) of this rule on the load side of the power source.

(a) Only the following are exempted: Super conducting magnet, gantry, patient tables, computer cabinets, system cabinets, operator consoles, display consoles, x-ray generators, x-ray tubes, collimators, hanger assemblies, filming devices, transducers, detector assemblies, modulator, wave guides, accelerating tube, radiation head, water cooling systems, portable systems, and all sublevel assemblies and components;

(b) The person doing the work must meet the qualifications of section (3) of this rule;

(c) All electrical work shall comply with the **Electrical Specialty Code**; and

(d) Different exempt components shall not be combined to exempt a complete system under section (2) of this rule.

(3) Only qualified personnel are authorized to make the electrical installations in sections (1) and (2) of this rule. The installation is exempt if the person making the installation is:

(a) An employee or agent of a manufacturer, with training in installation, warranty work and maintenance involving the specific product of the manufacturer;

(b) A contractor or employee of a contractor, if the contractor is a business entity other than a sole proprietor, who has training by the manufacturer or a nationally recognized training facility to perform the specific work on the specific type product of the manufacturer; or

(c) An employee or agent of a health care facility which owns or leases the medical equipment with training by the manufacturer or a nationally recognized training facility to perform the specific work on the specific type product of the manufacturer.

(4) Procedure for proving exemptions.

(a) The exemption is self-executing. A person claiming the exemption has the burden of proof to show, upon request by an electrical inspector or compliance person, that the person meets the relevant requirements of section (3) of this rule; and

(b) A certificate from the manufacturer or equivalent training facility showing the name of the person, scope of training, including the work in question, and identifying the particular equipment or types of equipment, date of issuance, period for certification and any limitations on the certification, shall meet the requirements of this section.

(5) Revocation of Exemption. In addition to civil penalties for violations, the board may revoke partially or completely the right to use this exemption up to one year for a first violation of subsection (2)(d) of this rule, and up to five years for a second violation or subsequent violations.

(6) Prohibited Installations. The following installations are not exempt under sections (1) or (2) of this rule and shall only be made by qualified licensed electrical personnel:

(a) All work on electrical distribution systems within the constructed facility housing the equipment. This includes installation of electrical supply to the primary supply connection of the medical equipment; and

(b) Installation of electrical raceways and conduits interconnecting major components of the medical systems.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 479.540

Stats. Implemented: ORS 479.540

Hist.: BCD 13-1994, f. 4-29-94, cert. ef. 5-2-94; BCD 19-1995, f. 9-17-96, cert. ef. 10-1-96; Renumbered from 918-330-0125

918-261-0010

Exemption for 12-volt Electrical Products Used in Recreational Vehicles

Recreational vehicle 12-volt DC electrical products, not required to be listed by **Article 551** of the **Oregon Electrical Specialty Code** adopted in OAR 918, division 305, are exempt from the electrical product certification requirement contained in ORS 479.610 and 479.760. This exemption is created under authority granted in ORS 479.540.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 479.540

Stats. Implemented: ORS 479.540

Hist.: BCD 30-1994, f. & cert. ef. 12-23-94; BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96, Renumbered from 918-330-0190; BCD 23-2000, f. 9-29-00, cert. ef. 10-1-00

918-261-0020

Exemption for HVAC/R Electrical Components

(1) Definitions. For the purposes of this rule, a “component” is an electrical part installed inside, or as part of, an appliance where the part is approved by and meets the design specifications of the manufacturer of the appliance. An appliance is not a “component.”

(2) An exemption from permits and listing requirements is created under ORS 479.540 for the following components repaired, maintained or replaced by a licensed general electrical contractor with a supervising electrician, properly licensed personnel or a limited maintenance specialty contractor HVAC/R:

- (a) Electrical motor;
- (b) Compressor;
- (c) Capacitor;
- (d) Relay;
- (e) Wiring;
- (f) Ignition transformer;
- (g) Low voltage transformer;
- (h) Fan or motor control;
- (i) Sequencer;
- (j) Pressure switch;
- (k) Limit switch;
- (l) Air switch;
- (m) Air cleaner;
- (n) Humidifier;
- (o) Reversing valve;
- (p) Timer;
- (q) Defrost heater;
- (r) Stack switch;
- (s) Gas valves;
- (t) An external thermostat operating at less than 100 va;
- (u) Electric water heating element; and
- (v) Other control devices within the appliance in residential, commercial or industrial service.

(3) An exemption from permits and listing requirements is created under ORS 479.540 for the following components repaired, maintained or replaced by a limited maintenance specialty contractor:

- (a) Electrical motor;
- (b) Compressor;
- (c) Capacitor;
- (d) Relay;

- (e) Wiring;
- (f) Ignition transformer;
- (g) Low voltage transformer;
- (h) Fan or motor control;
- (i) Sequencer;
- (j) Pressure switch;
- (k) Limit switch;
- (l) Air switch;
- (m) Air cleaner;
- (n) Humidifier;
- (o) Reversing valve;
- (p) Timer;
- (q) Defrost heater;
- (r) Stack switch;
- (s) Gas valves;
- (t) Electric water heating element; and
- (u) Other control devices within the appliance only of the size and type typically located in a one- or two-family residence.

Stat. Auth.: ORS 479.540(l), 479.550 & 479.730(5)

Stats. Implemented: ORS 479.540

Hist.: BCA 8-1992(Temp), f. 4-29-92, cert. ef. 7-1-92; BCA 17-1992, f. & cert. ef. 9-1-92; BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96, Renumbered from 918-330-0130; BCD 4-1999, f. & cert. ef. 4-1-99; BCD 14-1999, f. & cert. ef. 10-1-99; BCD 12-2003(Temp), f. & cert. ef. 6-24-03 thru 10-31-03; BCD 15-2003, f. & cert. ef. 10-1-03

918-261-0025

Exemption for Limited Energy Underground Signaling Circuits

(1) A license and permit is not required to install limited energy underground signaling circuits or loops defined in this rule. Unlicensed individuals are allowed to install underground signaling circuits or loops, and cover these circuits or loops without a permit or inspection.

(2) For purposes of this rule “underground signaling circuits or loops” means Class 2 circuits defined in Article 725 of the **Electrical Specialty Code** intended for use as traffic signal devices, gate controllers, weigh stations, counters or other similar devices.

(3) A license and permit is required to splice, connect, or extend the signaling circuits, loops, or loop conductor, or to connect to any of the following:

- (a) Controller;
- (b) Control devices;
- (c) Underground wiring; or
- (d) Conduit outside the roadway surface.

Stat. Auth.: ORS 479.740

Stats. Implemented: ORS 479.540

Hist.: BCD 27-2005, f. 12-30-05, cert. ef. 1-1-06

918-261-0030

Exemption and Interpretation Regarding Overhead and Underground Electrical Power Lines and Equipment

(1) Licensing exemption for municipality owned or operated powerlines for transmission or distribution of electricity to the point of service. An exemption is created from the requirements of the **Electrical Specialty Code**, for permits, compliance inspections, licenses or product certification for overhead and underground electrical power lines for transmission or distribution of electricity to the point of service and related equipment owned or operated by a municipality.

(2) Interpretation regarding privately owned power lines. Overhead or underground electrical power lines and equipment owned or operated by a private party that is not a utility or municipality, and utilities who contract to manage private systems are regulated by the **Electrical Specialty Code**. This means the division and municipalities shall require permit and inspection, **Electrical Specialty Code** compliance, and electrical contractor licensing. The licensing exemption for qualified personnel working for the electrical contractor principally engaged in the business of installing and maintaining these systems is in ORS 479.540. Product certification is required for products used in a system that generates and distributes electricity unless the following conditions are satisfied:

- (a) The system is designed and stamped by an Oregon-licensed professional electrical engineer;
- (b) The system meets NESC standards;
- (c) All plan reviews, design specifications, permits and inspections are reviewed and approved by the authority having jurisdiction;
- (d) The owner and the operator meet the Federal Energy Regulatory Commission definition of a “wholesale generator”;

- (e) The system is connected to a utility grid and that connection is for the sole purpose of generating and selling electrical power;
- (f) The individual turbines are 25 kW or larger and the system is 10 megawatts or larger; and
- (g) All generation and distribution systems undergo startup and commissioning by qualified personnel prior to being placed in operation.

[Publications: Publications referenced are available from the agency.]
 Stat. Auth.: ORS 479.540
 Stats. Implemented: ORS 479.540
 Hist.: BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96; BCD 21-2001(Temp), f. & cert. 12-21-01 thru 6-18-02; BCD 7-2002, f. 3-29-02, cert. ef. 4-1-02

918-261-0031

Exemptions for Industrial Electrical Equipment

Industrial electrical equipment designed for and used directly in the production of a product; which due to the equipment design or use requires specialized and specific training in the process, function, design, modification, repair, or maintenance of the equipment is exempt from permits specifically for repair, modification or maintenance. Individuals performing work under this rule are also exempt from licensing.

Stat. Auth.: ORS 479.540
 Stats. Implemented: ORS 479.540
 Hist.: BCD 13-2005, f. 6-20-05, cert. ef. 7-1-05

918-261-0034

Product Certification Partial Exemption

(1) A partial exemption from electrical product certification is created under ORS 479.540 for distribution equipment operating at over 600 volts only when:

(a) the product is used in an emergency repair or installation as defined in section (4); and

(b) the installer provides the local jurisdiction with written evidence that the equipment meets the appropriate standards within 72 hours of installation.

(2) The exemption is restricted to repairs or installations that include the following:

(a) cable and associated fittings that meet the standards of the serving utility; or

(b) pad-mounted switch gear that meets ANSI IEEE C37.73-1998 or C37.74-2003, or the equivalent and appropriate standard in effect at the time the product was manufactured.

(3) A jurisdiction may require product certification or take other appropriate steps if any of the circumstances in section (1) and (2) do not exist.

(4) For the purposes of this rule, emergency repair or installation means an acute, unplanned and immediate need for electrical repair or replacement involving an existing electrical installation or electrical product.

Stat. Auth.: 479.540
 Stats. Implemented: 479.540
 Hist.: BCD 18-2006, f. 12-29-06, cert. ef. 1-1-07

918-261-0036

Exemption for Transformers

An exemption from certification is created under ORS 479.540 for transformers over 600 volts that are built to or conform with:

- (1) IEEE C57.12.00 standards; or
 - (2) Standards used by a public utility as defined in ORS 757.005.
- Stat. Auth.: ORS 479.540
 Stats. Implemented: ORS 479.540
 Hist.: BCD 4-2004, f. 3-31-04, cert. ef. 4-1-04

918-261-0037

Exemption for Traffic Management Systems

An exemption from certification is created under ORS 479.540 for traffic management systems approved by Oregon Department of Transportation (ODOT) and maintained on their qualified products list. This exemption does not apply to message boards nor does it remove the requirements of licensing, permitting and inspection for the installation of these products.

Stat. Auth.: ORS 479.540
 Stats. Implemented: ORS 479.540
 Hist.: BCD 4-2004, f. 3-31-04, cert. ef. 4-1-04

918-261-0038

Exemption for Manufactured Construction Services

An exemption from licensing is created under ORS 479.540 for the placement of manufactured construction services of 100 amperes, 240 volts single-phase or less. This exemption applies only to manufactured services used during construction. Repairs or alterations to the manufactured construction service require permit, inspection and appropriately licensed person(s). The word "manufactured" as used in this rule applies to a construction service built by and supplied from an electrical contractor or manufacturer.

Stat. Auth.: ORS 479.540
 Stats. Implemented: ORS 479.540
 Hist.: BCD 4-2004, f. 3-31-04, cert. ef. 4-1-04

918-261-0039

Exemption for Products Located on the Load Side of a Listed Class 2 Transformer

(1) An exemption from product certification is granted under ORS 479.540 for installation of Class 2 products, other than wiring, located on the load side of a listed Class 2 transformer. The exemption applies only to products that are not:

- (a) In a damp or wet location;
- (b) Located in a plenum, duct or other air-handling space;
- (c) Located in any area from chapter 5 of the adopted **Oregon Electrical Specialty Code**; or
- (d) Part of a protective signaling system.

(2) An exemption from permitting is created for installation of Class 2 wiring located on the load side of a listed garage door controller. The exemption applies only to one- and two-family dwellings when the wiring is not part of the original wiring of the dwelling.

[Publications: Publications referenced are available from the agency.]
 Stat. Auth.: ORS 479.540
 Stats. Implemented: ORS 479.540
 Hist.: BCD 4-2004, f. 3-31-04, cert. ef. 4-1-04

Interpretations Concerning Exemptions

918-261-0040

Interpretation of "Owner" in ORS 479.540(1)

For the purposes of ORS 479.540(1):

(1) The owner of property to which this exemption applies shall be a natural person and not a business entity such as a corporation or partnership.

(2) The members of the owner's immediate family are defined in section (3). Persons whose only relationship is as an officer, stockholder, partner or employee of a business entity to which the owner is affiliated are not included.

(3) "Immediate family" of an owner includes the owner's:

- (a) Parent;
- (b) Step-parent or parent's domestic partner;
- (c) Sibling and sibling's spouse or domestic partner;
- (d) Child and child's spouse or domestic partner;
- (e) Spouse or domestic partner;
- (f) Spouse's or domestic partner's child and the child's spouse or domestic partner;
- (g) Grandchild; and
- (h) Grandparent.

(4) "Immediate family" of an owner does not include the owner's step-sibling, aunt, uncle, cousin, step-grandchild, or step-grandparent.

(5) "Domestic partner" means a person in a relationship with another person, each of whom:

(a) Is at least 18 years of age and capable of entering into a civil contract or, if 17, has the written consent of a parent or guardian to enter into the domestic partnership;

(b) Is not a first cousin or any nearer kin to the other person, whether of the whole or half blood, and whether by blood or adoption, except for a first cousin by adoption only;

(c) Desires a relationship of marriage under Oregon law and would enter into marriage with the other person, and only with the other person, if Oregon law permitted such a marriage;

(d) Acknowledges and accepts financial obligations to the other person and to third parties similar to the financial obligations that arise by reason of a marriage recognized under Oregon law and has joint financial accounts, and joint financial responsibilities;

(e) Is not married and has no similar commitment and responsibility to any other person; and

(f) Has continuously lived with the other person for six (6) months in an exclusive relationship that each intends to maintain for the rest of their lives.

Stat. Auth.: ORS 455.117, 479.540, 479.680, 479.730

Stats. Implemented: ORS 479.540, 479.680

Hist.: BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96; BCD 23-2000, f. 9-29-00, cert. ef. 10-1-00; BCD 3-2007, f. 3-30-07, cert. ef. 4-1-07

DIVISION 271

INSPECTIONS

Inspection Procedures

918-271-0000

Role of an Electrical Inspector

An electrical inspector shall inspect electrical installations and provide public information on the meaning or application of an electrical code provision, but shall not lay out work or act as a consultant for electrical contractors, property owners or users.

Stat. Auth.: ORS 479.730

Stats. Implemented: ORS 479.730

Hist.: BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96

918-271-0010

Calls for Inspection

(1) All persons who take out an electrical permit, homeowners as well as electrical contractors, shall request an inspection within three working days of:

(a) The completion of any electrical installation intended to be covered or concealed or that is intended to be placed into service before the final electrical inspection; and

(b) The completion of all electrical installations for the job site covered by a particular permit.

(2) Transactions under a master inspection permit are covered by separate requirements.

Stat. Auth.: ORS 479.730

Stats. Implemented: ORS 479.730

Hist.: BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96; BCD 23-2000, f. 9-29-00, cert. ef. 10-1-00

918-271-0020

Requests for Inspection and Notice of Results

(1) Except as provided in section (2) of this rule, an inspecting jurisdiction, shall inspect within 48 hours of a written request for inspection unless the time for inspection is extended to a set date by mutual agreement. The 48 hours excludes Saturdays, Sundays and holidays.

(2) The inspecting jurisdiction shall inspect an installation at a remote location within a reasonable time of the request.

(a) For the purpose of this section a "remote location" is:

(A) An inspection location that is more than 60 miles one way using the most direct route, measured from the closest of the inspector's station, inspection office or the inspecting jurisdiction's primary offices; or

(B) An inspection location that requires more than one hour of normal driving, one way, using the most direct route from the closest point mentioned in paragraph (A) of this subsection.

(b) For the purposes of this section "within a reasonable time" means a response time that takes into account the time, distance and number of inspection requests, but shall not exceed seven consecutive calendar days including the date the request was received unless the time for inspection is extended to a set date by mutual agreement. If the seventh calendar day falls on a weekend or holiday this is extended to include the next business day.

(3) Reasonable procedures designed to provide actual notice of inspection results shall be used by all inspecting jurisdictions to notify the person requesting inspections, of the results of electrical inspection. "Reasonable procedures designed to provide actual notice" shall include posting at the job site and:

(a) Nothing more, when the installation is by an owner;

(b) Nothing more, when the installation is approved;

(c) Notification of any deficiencies on a specific permit by:

(A) FAX transmittal to the electrical contractor;

(B) Personal delivery to the electrical contractor or signing supervisor;

(C) Mailing, including electronic mailing; or

(D) Telephone followed by written notification.

(d) By written confirmation of inspection approval if a permit holder requests confirmation.

(4) If the inspection mentioned in sections (1) and (2) of this rule involved a cover inspection, the work cannot be covered unless:

(a) Inspection clearance is given; or

(b) The request for inspection is in writing communicated to the inspecting jurisdiction, with notice that a cover inspection is involved, no extensions are agreed to, and the maximum time for making the required inspection under sections (1) and (2) of this rule are exceeded. For the purposes of this subsection:

(A) Written request includes a letter, telegram or FAX transmittal; and

(B) The burden of proof is on the person requesting the electrical inspection to prove that a written request was communicated.

Stat. Auth.: ORS 479.730

Stats. Implemented: ORS 479.730

Hist.: BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96 BCD 23-2000, f. 9-29-00, cert. ef. 10-1-00

918-271-0030

Correction of Defects

(1) Defects in electrical installations noted by the electrical inspector shall be corrected and an inspection request made within 20 calendar days of the date of actual notice of deficiency. For the purpose of this rule, actual notice is given when the inspecting jurisdiction does everything required in OAR 918-271-0020.

(2) If corrections cannot reasonably be made within the specified time in section (1) of this rule, or an interpretation or written appeal has been requested, the permit holder shall contact the inspecting jurisdiction and request an extension of time to a specified date or until deficiency is resolved.

(3) Requests for inspection and requests for extension may be communicated in any way. However, if challenged, the burden of proof is on the requester to document the request was in fact communicated. Responses may also be communicated in any way, but if challenged, the burden of proof is on the inspecting jurisdiction.

Stat. Auth.: ORS 479.730

Stats. Implemented: ORS 479.730

Hist.: BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96

Inspection Protocols

918-271-0040

Mandatory Inspections

(1) Electrical inspectors shall inspect appropriateness of the size, placement, protection and termination of the following electrical installations, note discrepancies and require correction of code violations:

(a) Service entrance conductors;

(b) Service equipment;

(c) Grounding electrode and grounding electrode conductor;

(d) Bonding;

(e) Overcurrent protection;

(f) Branch circuits;

(g) Feeders;

(h) Ground-fault circuit interrupter devices (GFCI) and ground-fault protection systems (GFP); and

(i) Underground installations.

(2) A final inspection shall be requested and provided to verify all mandatory items in subsections (1)(a) to (i) of this rule are in compliance.

(3) A final inspection shall be performed by the inspecting jurisdiction as soon as practicable, but not later than five working days following the date on which it is requested.

Stat. Auth.: ORS 479.855

Stats. Implemented: ORS 455.160 & 479.855

Hist.: BCA 11-1988, f. & cert. ef. 7-20-88; BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96, Renumbered from 918-302-0020; BCD 16-1997, f. 9-30-97, cert. ef. 10-1-97; BCD 23-2000, f. 9-29-00, cert. ef. 10-1-00

918-271-0050

Inspection of Secondary Considerations

(1) Electrical installations not specified by OAR 918-271-0040 are secondary items.

(2) At least 30 percent of all secondary items at a job site shall be inspected using a sampling process that reviews all separate categories of secondary items. If code violations are found within the samples inspected, an additional ten percent of the secondary items shall be inspected.

(3) If additional violations are found, the inspector shall:

(a) Require the permit holder to check all other similar categories of installations on the job site;

(b) Advise of the correction of all defects; and

(c) If warranted, inspect all other similar categories of installations on the job site.

Stat. Auth.: ORS 479.855

Stats. Implemented: ORS 479.855

Hist.: BCA 11-1988, f. & cert. ef. 7-20-88; BCA 21-1993, f. 10-5-93, cert. ef. 12-1-93; BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96, Renumbered from 918-302-0030

DIVISION 281

CERTIFICATION OF ELECTRICAL INSPECTORS

918-281-0000

Scope

The rules in OAR 918-281-0000 to 918-281-0020 establish requirements for certification of electrical inspectors. OAR 918-281-0070 provides a certification endorsement for manufactured home electrical inspectors.

Stat. Auth.: ORS 455.720 & 479.810

Stats. Implemented: ORS 455.720 & 479.810

Hist.: DC 74, f. 5-21-76, ef. 8-1-76; DC 102, f. & ef. 11-1-77; DC 1-1979, f. & ef. 1-5-79; DC 5-1979(Temp), f. & ef. 3-5-79; DC 10-1979, f. & ef. 6-8-79; DC 12-1981, f. 9-29-81, ef. 10-1-81; DC 10-1982, f. & ef. 3-1-82; DC 7-1983, f. & ef. 3-11-83; Renumbered from 814-022-0108; BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96, Renumbered from 918-260-0010; BCD 16-2005(Temp), f. & cert. ef. 7-7-05 thru 12-31-05; Administrative correction 1-20-06; BCD 4-2006, f. 3-31-06, cert. ef. 4-1-06

918-281-0010

Continuing Education

Electrical inspectors must obtain continuing education as outlined in OAR 918-098-1450. Those with electrical licenses shall maintain their license. During electrical code-change years, the code-change credits shall be obtained prior to or no later than six months after the effective date of the applicable code.

Stat. Auth.: ORS 479.650

Stats. Implemented: ORS 455.720 & 479.810

Hist.: BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96; BCD 16-2005(Temp), f. & cert. ef. 7-7-05 thru 12-31-05; Administrative correction 1-20-06; BCD 4-2006, f. 3-31-06, cert. ef. 4-1-06

918-281-0020

Electrical Specialty Code Inspector Certification

(1) Scope: An Electrical Specialty Code inspector:

(a) Inspects electrical installations regulated by the Oregon Electrical Specialty Code;

(b) Inspects electrical installations regulated by the **Oregon Residential Specialty Code**; and

(c) May do electrical plan reviews as provided in OAR 918-311-0040.

(2) Qualifications: To qualify for the certification, the individual must have the following training or experience or both:

(a) Four years experience as a licensed general journeyman electrician and a current valid Oregon general supervising electrician license;

(b) A four-year Bachelor of Science degree in electrical engineering, plus three years approved experience in design, inspection or supervision of installations covered by the **National Electrical Code** or **Oregon Electrical Specialty Code**; or

(c) Equivalent experience or qualifications approved by the board.

(3) Application for Certification: A person seeking certification under this rule must apply for an Oregon Code Certification as provided in OAR 918-098-1025.

(4) All applicants must pass a board-approved examination with a minimum grade of 75 percent covering:

(a) The **Oregon Electrical Specialty Code** and electrical provisions of the **Oregon Residential Specialty Code**; and

(b) Electrical theory, design, installation and materials.

(5) A person who is certified after October 1, 2005 must also possess a valid Oregon Inspector Certification issued under OAR 918-098-1025 prior to performing electrical inspections or plan reviews.

(6) Persons qualifying under subsection (2)(b) or (2)(c) of this rule must pass the Oregon general supervising electrician license examination with a minimum grade of 75 percent. An Oregon general supervising electrician license may not be issued to applicants under these subsections.

(7) For purposes of this rule, one year of experience equals 2,000 hours.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 455.720

Stats. Implemented: ORS 455.720

Hist.: BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96; BCD 23-2000, f. 9-29-00, cert. ef. 10-1-00; BCD 16-2005(Temp), f. & cert. ef. 7-7-05 thru 12-31-05; BCD 24-2005, f. 9-30-05, cert. ef. 10-1-05; BCD 4-2006, f. 3-31-06, cert. ef. 4-1-06; BCD 19-2006, f. 12-29-06, cert. ef. 1-1-07

918-281-0070

Certification Extension

Manufactured Home Installation Inspectors. A certified manufactured home installation inspector who is certified in one or more specialty codes may have the inspector's certification indorsement authorizing inspection of electrical connections between the approved manufactured dwelling and approved service point without payment of additional certification fees if the applicant:

(1) Submits an application for certification indorsement as a manufactured home electrical installation inspector; and

(2) Passes an approved examination covering knowledge of the **Electrical Specialty Code** and practice applicable to manufactured home installations.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 455.720 & 479.730

Stats. Implemented: ORS 455.720 & 479.730

Hist.: DC 74, f. 5-21-76, ef. 8-1-76; DC 102, f. & ef. 11-1-77; DC 1-1979, f. & ef. 1-5-79; DC 5-1979(Temp), f. & ef. 3-5-79; DC 10-1979, f. & ef. 6-8-79; DC 12-1981, f. 9-29-81, ef. 10-1-81; DC 10-1982, f. & ef. 3-1-82; DC 7-1983, f. & ef. 3-11-83; Renumbered from 814-022-0108; BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96, Renumbered from 918-260-0160; BCD 16-2005(Temp), f. & cert. ef. 7-7-05 thru 12-31-05; Administrative correction 1-20-06

DIVISION 282

LICENSING

Electrical Contractors

918-282-0000

Electrical Contractors in General

(1) An electrical contractor license is a specialized license allowing a company to engage in the business of making electrical installations. This license is in addition to the licensing and bonding required by the Construction Contractors Board.

(2)(a) Generally, the contractor is required to have a full-time general supervising electrician to supervise the electrical work and sign permits; and

(b) Generally, the electrical installations are required to be made by individuals holding an appropriate electrical license.

(3) Exceptions to Sections (1) and (2). Certain statutory exemptions are in ORS 479.540. Different electrical contractor categories and requirements are in ORS 479.630 and this division of rules.

Stat. Auth.: ORS 479.730

Stats. Implemented: ORS 479.730

Hist.: BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96

918-282-0010

Electrical Contractor License

An electrical contractor:

(1) Shall continuously employ at least one full-time general supervising electrician except as otherwise exempted;

(2) Is not authorized to make, direct, supervise or control the making of an electrical installation, unless properly licensed; and

(3) Shall display its electrical license at each of the contractor's places of business. If the contractor has multiple places of business, a facsimile of the license may be posted. The object of this requirement is to display the scope of electrical authority held by the contractor.

Stat. Auth.: ORS 479.730

Stats. Implemented: ORS 479.730 & 479.820

Hist.: DC 15-1987, f. & cf. 5-15-87; Renumbered from 814-022-0850; BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96, Renumbered from 918-320-0060

918-282-0015

Electrical Contractor's Responsibilities

Electrical contractors engaged in the business of making electrical installations that require a signing supervising electrician shall assure that all electrical work is made by, or under the direct supervision or control of, a continuously employed full-time signing supervising electrician acting within the scope of their license.

(1) Signing supervising electricians shall perform supervisory duties for only one contractor for which they are registered. Registered signing supervising electricians shall provide direct supervision or control through one of the following:

- (a) Be on the job site;
- (b) Have on the job site a continuously employed full-time supervising electrician; or
- (c) Be available in person, or have a supervising electrician available to meet with the jurisdictional inspector at the job site within two business days following the request.

(2) Electrical contractors who have more than one designated continuously employed full-time signing supervising electrician shall assign only one signing supervising electrician responsibility for the work being performed under each valid permit.

(3) When an electrical contractor has only one designated signing supervising electrician, the electrical contractor may not use a different signing supervising electrician until the designated signing supervising electrician has discontinued the signing supervising electrician responsibilities and written notice has been provided to the division. The electrical contractor shall not continue electrical work until another signing supervising electrician is employed and written notification is provided to the division.

(4) Electrical contractors shall notify the division in writing who their signing supervising electrician(s) is. Notification shall be provided within five days of entering into or termination of that relationship.

(5) Worker leasing companies, as defined in ORS 656.850, shall notify the division within five business days of any contractual relationship or change in a contractual relationship with an electrical contractor. Notification shall include the name of the electrical contractor and a list of employed licensed electricians, including signing supervising electricians, leased to the electrical contractor. Electrical contractors and signing supervising electricians who utilize worker leasing companies are responsible for assuring compliance with the provisions of ORS Chapter 479 and the rules adopted thereunder.

Stat. Auth.: ORS 479.630
Stats. Implemented: ORS 479.730
Hist.: BCD 5-2001, f. 6-7-01, cert. ef. 7-1-01

918-282-0017

Elevator Contractor Electrical License

An elevator contractor licensed under this section:

(1) Shall continuously employ at least one full-time general supervising electrician or limited elevator journeyman to act as a signing supervisor to obtain and sign elevator plan approval permits;

(2) Is limited to electrical work associated with the installation, alteration, repair and maintenance of elevators. This work is limited to the wiring from the load side of the main disconnecting means for the elevator; and

(3) Is authorized to make, supervise, direct or control the making of an electrical installation only if properly licensed.

Stat. Auth.: ORS 479.630 & 479.840
Stats. Implemented: ORS 479.630
Hist.: BCD 21-2002(Temp), f. 8-30-02, cert. ef. 9-1-02 thru 2-27-03; BCD 34-2002, f. 12-20-02, cert. ef. 1-1-03; BCD 12-2004, f. 8-20-04, cert. ef. 10-1-04

918-282-0020

Limited Sign Contractor License

A limited sign contractor:

(1) Shall employ at least one full-time limited journeyman sign electrician;

(2) Is limited to the electrical work authorized by a limited journeyman sign electrician license; and

(3) Is authorized to make, direct, supervise or control the making of a sign installation only if the contractor is a sole proprietor who is also licensed as a limited journeyman, a general supervising or a general journeyman electrician.

Stat. Auth.: ORS 479.730
Stats. Implemented: ORS 479.730
Hist.: BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96; BCD 23-2000, f. 9-29-00, cert. ef. 10-1-00

918-282-0030

Limited Energy Contractor License

A limited energy contractor:

(1) Continuously employs at least one full-time Class "A" limited energy technician, Class "B" limited energy technician or general journeyman to act as a signing supervising electrician to obtain and sign permits;

(2) Is limited to electrical work on limited energy systems and the scope of work authorized under the employed signing supervisor's license; and

(3) Is authorized to make, direct, supervise or control the making of an electrical installation, only if properly licensed.

Stat. Auth.: ORS 479.730
Stats. Implemented: ORS 479.730
Hist.: BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96; BCD 23-2000, f. 9-29-00, cert. ef. 10-1-00, BCD 16-2001(Temp), f. & cert. ef. 11-26-01 thru 5-24-02; BCD 8-2002, f. 3-29-02, cert. ef. 4-1-02; BCD 23-2002, f. 9-13-02 cert. ef. 10-1-02

918-282-0033

Limited Renewable Energy Contractor

In addition to the requirements of OAR 918-282-0000, a limited renewable energy contractor:

(1) Engages in the business of or makes the limited types of electrical installations limited to 25 kva and 600 volts nominal or less, specified in ORS 479.630(17);

(2) Continuously employs at least one general supervising electrician, general journeyman electrician or limited renewable energy technician to act as signing supervising electrician to:

- (3) Obtain and sign permits; and
- (4) Supervise the electrical installations authorized by ORS 479.630(17).

Stat. Auth.: ORS 479.630
Stats. Implemented: ORS 479.630
Hist.: BCD 23-2001(Temp), f. 12-28-01, cert. ef. 1-1-02 thru 6-29-02; BCD 9-2002, f. 3-29-02, cert. ef. 4-1-02; BCD 13-2006, f. 9-29-06, cert. ef. 10-1-06

918-282-0040

Limited Maintenance Specialty Contractor-HVAC/R License

(1) A limited maintenance specialty contractor-HVAC/R (Heating, Ventilating, Air-conditioning and Refrigeration):

(a) May maintain, service, repair or replace commercial and industrial electrical products that use fuel or other forms of energy to produce heat, power, refrigeration or air conditioning;

(b) May maintain, service, repair or replace the equipment on the load side of the disconnect switch located at or on the electrical product; and

(c) Shall only make electrical modifications or install electrical products where the modification, the size or the type of the product installed is approved by the manufacturer for the equipment involved; and

(d) Shall install, maintain or repair 100 volt-ampere or less thermostat or associated control wiring beyond the electrical product in other than a one- or two-family dwelling only when the contractor employs one or more of the following to perform the work:

- (A) General journeyman electrician;
- (B) General supervising electrician;
- (C) Class "A" limited energy technician; or
- (D) Class "B" limited energy technician.

(2) License and Equivalent Requirements. This contractor:

(a) Shall provide proof of at least two years (4,000 hours) experience in installation, including set-up and testing, plus approved specialized training from a manufacturer, distributor, school, or apprenticeship program, or lawful on-the-job training in one or more of the following activities: Electrical repair, service, maintenance, installation or replacement of existing, built-in or permanently connected commercial or industrial heating, ventilation, air conditioning, dehumidifying, filtering or refrigeration equipment;

(b) Shall agree to create an electrical training record within 60 days of hiring for each employee who will do the electrical work and:

(A) Maintain the record for as long as the employee remains with the contractor;

(B) Represent that only employees with electrical training will be used for electrical transactions under this license;

(C) Agree that the training records will be provided or made available to the division upon request; and

(D) Submit a list of all trained persons employed, or to be employed, to do electrical work authorized by this rule at time of the application and renewal. The list shall include all Class “B” limited energy technicians employed by the contractor and be updated within 30 days of changes.

(3) Employment of 100 volt-ampere journeymen or technicians. A limited maintenance specialty contractor-HVAC/R may employ, or be a:

(a) Class “A” limited energy technician; or

(b) Class “B” limited energy technician allowing 100 volt-ampere or under thermostat, or associated control wiring involving any type of equipment on which the limited maintenance specialty contractor-HVAC/R is authorized to work.

Stat. Auth.: ORS 479.540(1), 479.550 & 479.730(5)

Stats. Implemented: ORS 479.730

Hist.: BCA 8-1992(Temp), f. 4-29-92, cert. ef. 7-1-92; BCA 17-1992, f. & cert. ef. 9-1-92; BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96; Renumbered from 918-320-0040; BCD 23-2000, f. 9-29-00, cert. ef. 10-1-00; BCD 23-2002, f. 9-13-02 cert. ef. 10-1-02

918-282-0050

Limited Maintenance Specialty Contractor License

(1) A limited maintenance specialty contractor:

(a) May connect replacement appliances to existing junction boxes;

(b) May repair by replacement, as defined in OAR 918-251-0090, ballasts, lamp holders and equipment that are a part of lighting fixtures; and

(c) Shall not make electrical installations involving services, feeders or branch circuits.

(2) A firm that holds a valid limited maintenance specialty contractor license shall provide and maintain a list of employees in accordance with ORS 479.630 and shall designate to the division an individual within the firm who shall be responsible for compliance with applicable codes and rules for obtaining permits and calling for inspections.

(3) The applicant shall provide verification of one year of experience in appliance repair or replacement work as defined in statute.

(4) This contractor can convert to a limited maintenance specialty contractor-HVAC/R by meeting the requirements of OAR 918-282-0040 and paying an additional fee.

(5) Limited maintenance specialty contractor employees need not be licensed.

Stat. Auth.: ORS 479.730

Stats. Implemented: ORS 479.730

Hist.: DC 15-1987, f. & ef. 5-15-87; Renumbered from 814-022-0860; BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96; Renumbered from 918-320-0070; BCD 4-1999, f. & cert. ef. 4-1-99; BCD 23-2000, f. 9-29-00, cert. ef. 10-1-00

918-282-0060

Restricted Energy Contractor License

(1) A restricted energy contractor is limited to HVAC activities only, unless the board approves additional indorsements, at which time the contractor shall file separate proof of qualification.

(2) Applicants for this license shall:

(a) Designate the applicable indorsement sought;

(b) Attach a copy of the identification card to be used for the licensing period; and

(c) Provide a list of employees covered by the license and proof of experience:

(A) For the contractor, if the contractor is an individual; a partner if the contractor is a partnership; or a designated person employed by the corporation who actively supervises the restricted energy electrical activities in the case of a corporate contractor;

(B) That the qualifying person has on-the-job training, training from a manufacturer, distributor or school, or completed an apprenticeship program under the relevant **Electrical Specialty Code** or **One and Two Family Dwelling Specialty Code**; and

(C) That the person had at least two years of experience in the trade.

(3) In addition to the statutory requirements for identity of the contractor, the contractor shall issue an identification card to employ-

ees covered by the license upon employment, and annually thereafter showing:

(a) Name of employee;

(b) Date of issue;

(c) Contractor’s name and the Construction Contractors Board identification number; and

(d) The expiration date coinciding with the contractor’s license expiration.

(4) When the contractor’s experience is based on a corporate supervisor or partner and that person leaves the entity, the contractor shall immediately amend the license and qualify another person or surrender the license for cancellation.

(5) The contractor shall maintain a current list of employees with the division.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 479.945

Stats. Implemented: ORS 479.945

Hist.: BCA 33-1991(Temp), f. & cert. ef. 9-30-91; BCA 44-1991, f. & cert. ef. 12-26-91; BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96; Renumbered from 918-320-0440; BCD 23-2000, f. 9-29-00, cert. ef. 10-1-00

918-282-0070

Limited Pump Installation Specialty Contractor License

(1) A limited pump installation specialty contractor:

(a) Makes the limited types of electrical installations specified in ORS 479.630;

(b) May direct, supervise or control these limited types of electrical installations;

(c) May make repairs or perform work on them without further license;

(d) Shall provide an updated list of employees annually;

(e) Shall designate to the division an individual within the firm responsible for compliance with applicable codes and rules; and

(f) Shall obtain permits and call for inspections.

(2) Installations under this license shall be limited to branch circuit wiring provided from the load side of a disconnect means external to panel boards.

(3) Employees of a limited pump installation specialty contractor need not be licensed.

(4) License and Equivalent Requirements. This license requires proof of one year of experience in residential pump installation, repair and maintenance or equivalent experience as approved by the board. If applicant is a business entity other than a sole proprietorship, the qualification shall be provided by a person designated by the entity. There is no examination for this license.

Stat. Auth.: ORS 479.730

Stats. Implemented: ORS 479.730

Hist.: DC 15-1987, f. & ef. 5-15-87; Renumbered from 814-022-0870; BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96; Renumbered from 918-320-0080

Electrical Licensing Requirements

918-282-0100

Electrical Licensing in General

(1) An electrical license is issued to an individual and allows the holder to make certain regulated electrical installations. Individual electrical licensing laws are in ORS 479.630. The following rules implement the individual electrical licensing laws. Application and examination requirements as well as continuing education and renewal requirements are located in OAR division 30.

(2) When the rules refer to a “valid” electrical license, this means a license issued by the Electrical and Elevator Board that has not expired, or been suspended or canceled.

Stat. Auth.: ORS 479.730, 183.335

Stats. Implemented: ORS 479.730, 183.335

Hist.: BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96; BCD 16-2006(Temp), f. 6-30-06, cert. ef. 7-1-06 thru 12-28-06; BCD 13-2006, f. 9-29-06, cert. ef. 10-1-06

918-282-0110

General Licensing Exemptions

In addition to the exceptions provided in ORS 479.540, electrical licenses are not required to:

(1) Replace light bulbs, fluorescent tubes or approved fuses, or to connect approved portable electrical equipment to permanently installed and properly wired receptacles;

(2) Do experimental electrical work or testing of electrical products in electrical shops, educational institutions, industrial plants or recognized testing laboratories;

(3) Operate, maintain, repair and replace broadcast equipment of commercial radio and television stations; or

(4) Install limited energy systems not exceeding 100 voltampere ("VA") in Class 2 and 3 systems limited to:

(a) Single station smoke or ionization detectors installed in buildings three stories or less in height;

(b) Closed circuit television systems installed in buildings three stories or less in height;

(c) Master Antenna Television ("MATV") systems installed in buildings three stories or less in height; or

(d) Intercom and audio systems installed in one- and two-family dwellings.

Stat. Auth.: ORS 479.730, 183.335

Stats. Implemented: ORS 479.730, 183.335

Hist.: DC 15-1987, f. & ef. 5-15-87; Renumbered from 814-022-0800; BCD 9-1996, f. 9-17-96, cert. ef. 10-1-96; Renumbered from 918-320-0010; BCD 18-1999, f. 12-30-99, cert. ef. 1-1-00; BCD 23-2000, f. 9-29-00, cert. ef. 10-1-00; BCD 26-2002, f. & cert. ef. 10-1-02; BCD 8-2005, f. & cert. ef. 4-1-05; BCD 16-2006(Temp), f. 6-30-06, cert. ef. 7-1-06 thru 12-28-06; BCD 13-2006, f. 9-29-06, cert. ef. 10-1-06

918-282-0120

Licensing Requirements for Electrical Work

(1) No person or entity shall allow any individual to perform electrical work for which the individual is not properly registered or licensed.

(2) Owners, managers or agents of facilities having electrical employees shall report in writing to the division and the authority having jurisdiction, the names and license numbers of limited supervising manufacturing plant or limited maintenance electricians employed.

Stat. Auth.: ORS 479.730

Stats. Implemented: ORS 479.730

Hist.: DC 10, f. 4-13-72, ef. 5-1-72; DC 12-1981, f. 9-29-81, ef. 10-1-81; DC 10-1982, f. & ef. 3-1-82; Renumbered from 814-022-0120; BCA 2-1992(Temp), f. 2-28-92, cert. ef. 3-18-92; BCA 11-1992, f. & cert. ef. 6-26-92; BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96, Renumbered from 918-260-0180; BCD 23-2000, f. 9-29-00, cert. ef. 10-1-00

918-282-0130

Fees

(1) The division shall charge licensing and examination fees as specified in ORS 479.840.

(2) An applicant failing to appear for an examination within 90 days from the date of application approval, forfeits the examination fee, even if the applicant notifies the division in advance of the failure to appear.

(3) The applicant must pay the required license fee no later than 90 days after the division notifies the applicant of a passing score on an examination. If the license fee is not received within 90 days, the application shall be denied and the applicant must reapply and retake the examination.

Stat. Auth.: ORS 479.730

Stats. Implemented: ORS 479.730

Hist.: DC 15-1987, f. & ef. 5-15-87; Renumbered from 814-022-0830; BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96, Renumbered from 918-320-0040

918-282-0140

General Supervising Electrician License

(1) A general supervising electrician when working for or as an electrical contractor requiring a signing supervisor may:

(a) Direct, supervise, make or control the making of any electrical installation;

(b) Design, plan and lay out work for the customers of the contractor with whom the supervising electrician is continuously employed; and

(c) Is the only individual authorized to direct, supervise or control the installation or alteration of an electrical service.

(2) The general signing supervising electrician shall:

(a) Sign all permits;

(b) Ensure all electrical installations meet minimum safety standards;

(c) Be continuously employed as a general supervising electrician on the electrical contractor's regular payroll and be available during working hours to carry out the duties of a supervising electrician under this section;

(d) Ensure proper electrical safety procedures are used;

(e) Ensure all electrical labels and permits required to perform electrical work are used and signed;

(f) Ensure electricians have proper licenses for the work performed;

(g) Comply with corrective notices issued by the inspecting authority;

(h) Notify the division in writing within five days if the signing supervising electrician terminates the relationship with the electrical contractor; and

(i) Shall not act as a supervising electrician for more than one employer.

(3) If the general supervising electrician leaves the employment of the general electrical contractor or employer, electrical work which requires a general supervising electrician shall not be conducted until a replacement general supervising electrician is employed and written notice designating the supervising electrician is given to the division.

(4) License and Equivalent Requirements:

(a) The licensing requirements for a general supervising electrician are set out in ORS 479.630.

(b) To comply with the experience requirements, a nonjourneyman applicant relying on equivalent experience shall provide proof that applicant had:

(A) Qualifying experience to become a journeyman electrician, that is at least 8,000 hours of work experience with sufficient minimum hours in each area set out in OAR 918-282-0170; and

(B) Additional qualifying experience as a journeyman, that is at least 8,000 hours of work experience that is equivalent to journeyman work.

(c) A licensed journeyman only needs to document 8,000 hours of experience as a journeyman.

Stat. Auth.: ORS 479.730

Stats. Implemented: ORS 479.730

Hist.: DC 15-1987, f. & ef. 5-15-87; Renumbered from 814-022-0880; BCA 28-1989, f. & ef. 12-7-89; BCD 8-1996(Temp), f. & cert. ef. 6-14-96; BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96, Renumbered from 918-320-0090

918-282-0150

Employment Requirements for Supervising Electricians Employed by Industrial or Manufacturing Plant

(1) Owners, managers or agents of an industrial or manufacturing plant, hospital, sewer plant, water plant, commercial office building, building occupied by the state or a local government entity or an institution employing individuals who install electrical wiring or equipment shall employ on regular payroll a registered professional electrical engineer, a general supervising electrician or a limited supervising electrician:

(a) To supervise, direct or control this work; and

(b) Who may also install, maintain, repair, or replace electrical wiring and electrical products as licensed.

(2) The general supervising electrician, limited supervising electrician or registered professional electrical engineer may be relieved from responsibility for future work under any permit signed by the supervising electrician or registered professional electrical engineer, if electrician or engineer has left or been discharged from the employ of a licensed electrical contractor or industrial plant, provided that notice in writing of termination is filed with the division within five days by the general supervising electrician, limited supervising electrician or registered professional electrical engineer.

(3) The license or authority of the employer to continue with the electrical work shall, without further order or action by the division, be suspended until another general supervising electrician, limited supervising electrician or registered professional electrical engineer is employed and written notice given to the division by the general supervising electrician, limited supervising electrician or registered professional electrical engineer.

Stat. Auth.: ORS 479.730

Stats. Implemented: ORS 479.730

Hist.: DC 10, f. 4-13-72, ef. 5-1-72; DC 12-1981, f. 9-29-81, ef. 10-1-81; DC 10-1982, f. & ef. 3-1-82; Renumbered from 814-022-0115; BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96, Renumbered from 918-260-0170

918-282-0160

Limited Supervising Electrician License

(1) A limited supervising electrician may:

(a) Direct, supervise, make or control the making of electrical installations limited to installation, maintenance, replacement and

repair of electrical wiring and electrical products on or in an existing, operable manufacturing or industrial plant, hospital, sewer plant, water plant, commercial office building, building owned or operated by the state or a local government facility designated by the board or an institution owned or operated by the licensee's employer; and

- (b) Design, plan and lay out work for the employer; and
- (c) Shall sign all permits;
- (d) Shall ensure electrical installations meet minimum safety standards; and
- (e) Is not authorized to install or perform work on service equipment.

(2) License and Equivalent Requirements. The four-year experience requirement can be met by four years of experience as a limited journeyman manufacturing plant electrician.

Stat. Auth.: ORS 479.730

Stats. Implemented: ORS 479.730

Hist.: DC 15-1987, f. & ef. 5-15-87; Renumbered from 814-022-0890; BCA 28-1989, f. & ef. 12-7-89; BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96, Renumbered from 918-320-0100

918-282-0170

General Journeyman License

(1) A general journeyman:

- (a) Is authorized to make any electrical installation; and
- (b) Shall work under the supervision, direction and control of a general supervising electrician unless doing the type of work that may be supervised, directed or controlled by a person holding a specific limited supervising electrician license, or the type of work requiring no supervision.

(2) A general journeyman working in a manufacturing or industrial plant without a supervising electrician or engineer is limited to maintenance work.

(3) License and Equivalent Requirements.

(a) Applicants for acceptance under equivalent requirements shall show proof of the following work categories and minimum hours of on-the-job training or experience:

(A) Stock room and material handling, 100 hours:

- (i) Shop;
- (ii) Service.

(B) Residential Wiring, 1,000 hours:

- (i) Service and panel;
- (ii) Conduit, flex, romex boxes, electric heating systems;
- (iii) Wire pulling and taps;
- (iv) Wiring devices and fixtures;
- (v) Remodel and finish work.

(C) Commercial Installations, 1,000 hours:

- (i) Services, switchboards and panels;
- (ii) Conduit, flex, metal moldings, floor duct and boxes;
- (iii) Wire pulling and taps;
- (iv) Wire devices;

(v) Lighting fixtures — high voltages, explosion proof, perimeter lighting.

(D) Industrial Installations, 1,000 hours:

- (i) Services, switchboards and panels;
- (ii) Conduit, tray and boxes;
- (iii) Wire pulling and taps;
- (iv) Motor and equipment installations;
- (v) Lighting fixtures — High voltage, explosion proof, security lighting.

(E) Intercommunication, Signal and Control Systems, 500 hours;

(F) Underground Construction, 100 hours:

- (i) Tunnel rack work;
 - (ii) Ditch digging and material handling;
 - (iii) Conduit preparation.
- (G) Trouble Shooting and Maintenance, 250 hours;
- (H) Finishing and Fixture Hanging, 50 hours;
- (I) Total Minimum Subject Hours, 4,000.

(b) Total Hours Required. Total electrical work experience shall be at least 8,000 hours. No more than 300 percent credit shall be allowed for subjects (A) through (H) for any one subject;

(c) Related Training Classes. Applicants shall submit transcripts with passing grades of "C" or better in graded classes and a "pass" in non-graded classes in the following related electrical training classes:

- (A) Electrical mathematics;
- (B) Safety and accident prevention;

- (C) Care and use of hand and power tools;
- (D) Blueprint reading and electrical symbols;
- (E) Introduction to National Electrical Code;
- (F) Electrical fundamentals and basic theory, including AC and

DC;

- (G) Electrical measuring devices;
- (H) Wiring methods;
- (I) Low voltage and limited energy circuits;
- (J) Residential, industrial and commercial calculations;
- (K) Motors, generators and transformers;
- (L) Practical circuit sketching;
- (M) Lighting circuits;
- (N) Fundamentals of electronics;
- (O) High voltage distribution and equipment.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 479.730

Stats. Implemented: ORS 479.730

Hist.: DC 15-1987, f. & ef. 5-15-87; Renumbered from 814-022-0900; BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96, Renumbered from 918-320-0110; BCD 23-2000, f. 9-29-00, cert. ef. 10-1-00

918-282-0180

Limited Residential Electrician License

(1) A limited residential electrician:

- (a) Makes electrical installations on one- or two-family or multi-family dwelling units, not exceeding three floors above grade; and
- (b) Shall work under the supervision, direction and control of a general supervising electrician.

(2) License and Equivalent Requirements.

(a) Applicants for acceptance under equivalent requirements shall show proof of the following work categories and minimum hours of on-the-job training or experience:

(A) Stock room and Material handling, 100 hours:

- (i) Shop;
- (ii) Service.

(B) New Residential Wiring, 2,000 hours:

- (i) Service and panel;
- (ii) Conduit, flex, romex boxes, electric heating systems;
- (iii) Wire pulling and taps.

(C) Intercommunication, Signal and Control System, 50 hours;

(D) Underground Installation, 100 hours:

- (i) Ditch digging;
- (ii) Material handling;
- (iii) Conduit preparation.

(E) Trouble shooting, 200 hours;

(F) Remodeling, 500 hours;

(G) Finishing and Fixture Hanging, 200 hours.

(b) Total Hours Required. Total electrical work experience shall be at least 4,000 hours. No more than 300 percent credit shall be allowed for subjects (A) through (G) for any one subject;

(c) Related Training Classes. Applicants shall submit transcripts with passing grades of "C" or better in graded classes and a "pass" in non-graded classes in the following related electrical training classes:

- (A) Electrical mathematics;
- (B) Safety and accident prevention;
- (C) Care and use of hand and power tools;
- (D) Blueprint reading and electrical symbols;
- (E) Introduction to **National Electrical Code**;
- (F) Electrical fundamentals and basic theory, including AC and

DC;

- (G) Electric measuring devices;
- (H) Wiring methods;
- (I) Low voltage and limited energy circuits;
- (J) Residential calculations;
- (K) Basics of motors, generators and transformers;
- (L) Practical circuit sketching;
- (M) Lighting circuits;
- (N) Fundamentals of electronics;
- (O) High voltage distribution and equipment.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 479.730

Stats. Implemented: ORS 479.730

Hist.: DC 15-1987, f. & ef. 5-15-87; Renumbered from 814-022-0910; BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96, Renumbered from 918-320-0120; BCD 23-2000, f. 9-29-00, cert. ef. 10-1-00

918-282-0185

Limited Elevator Journeyman License

- (1) A limited elevator journeyman:
 - (a) Shall be employed by an appropriately licensed electrical contractor under ORS chapter 479;
 - (b) Is limited to electrical and mechanical work on elevators. This work is limited to the wiring from the load side of the main disconnecting means for the elevator; and
 - (c) Shall not exceed the scope of work authorized by the employer's license.
- (2) License Requirements. Applicants shall:
 - (a) Have a minimum of 8,000 aggregate hours of lawfully obtained on-the-job training in the elevator industry installing, repairing, altering and maintaining elevator mechanical and electrical equipment; and
 - (b) Complete a Board approved limited elevator journeyman apprenticeship program.
- (3) Applicants are required to provide documentation of work categories and minimum hours in:
 - (a) Basic construction and maintenance safety and tools — 250 hours;
 - (b) Blue print reading — 250 hours;
 - (c) Material handling — hoisting and rigging — 500 hours;
 - (d) Guide rail systems installation and maintenance — 400 hours;
 - (e) Drive machines and systems; overhead equipment including beams and sheaves — 800 hours;
 - (f) Hydraulic systems and control valves — 800 hours;
 - (g) Car frames, platforms and enclosures — 500 hours;
 - (h) Doors, entrances and operators — 500 hours;
 - (i) Construction wiring and practices — 800 hours; and
 - (j) Adjusting elevator systems — 200 hours;
 - (k) Maintenance, circuit tracing, trouble-shooting, test equipment, periodic testing requirements — 1,000 hours;
 - (l) Alteration of existing equipment 1,000 hours;
 - (m) Structure and operation of escalators and moving walks — 500 hours; and
 - (n) Related industry equipment 500 hours.
- (4) Additionally applicants shall submit transcripts with passing grade of 70-percent or better in graded classes and a "pass" in non-graded classes in the following related training classes:
 - (a) Basic construction and maintenance safety;
 - (b) Blueprint reading;
 - (c) Code-related requirements;
 - (d) Equipment testing procedures;
 - (e) Guide rail systems installation and maintenance;
 - (f) Pit equipment and maintenance;
 - (g) Car frames, platforms and enclosures;
 - (h) Hoisting and rigging;
 - (i) Overhead equipment including beams and sheaves;
 - (j) Hoist ropes and roping procedures;
 - (k) Structure and operation of escalators and moving walks;
 - (l) Drive machines and components;
 - (m) Hydraulic systems and control valves;
 - (n) Traction machines and components;
 - (o) Basic electrical theory;
 - (p) Circuit tracing;
 - (q) Basic electronics and solid state theory;
 - (r) Construction wiring and practices; and
 - (s) Electrical code and safety training.

Stat. Auth.: ORS 479.630

Stats. Implemented: ORS 479.630

Hist.: BCD 21-2002(Temp), f. 8-30-02, cert. ef. 9-1-02 thru 2-27-03; BCD 34-2002, f. 12-20-02, cert. ef. 1-1-03; BCD 12-2004, f. 8-20-04, cert. ef. 10-1-04; BCD 13-2006, f. 9-29-06, cert. ef. 10-1-06

918-282-0190

Limited Journeyman Manufacturing Plant Electrician License

- (1) A limited journeyman manufacturing plant electrician:
 - (a) Installs, maintains, replaces and repairs electrical wiring and electrical products on or in an existing and operable manufacturing or industrial plant owned or used by the licensee's employer; and
 - (b) Is limited to repair and maintenance work if no supervising electrician or engineer is employed.
- (2) License and Equivalent Requirements.

(a) Applicants for acceptance under equivalent requirements shall show proof of the following work categories and minimum hours of on-the-job training or experience:

- (A) Installation of electrical circuits, 1,000 hours;
- (B) Motors and generators, 500 hours:
 - (i) Dismantling and checking physical conditions;
 - (ii) Assembly and testing;
 - (iii) Repair and maintenance;
 - (iv) Internal and external connections to change direction of rotation and speed and for change of supply of voltage;
 - (v) Motor setting, drives, pulley, gears, coupling devices;
 - (vi) Related mechanical equipment: Traction units, cranes, winches and hoists.
- (C) Manual and automatic controls, including magnetic and solid state, 1,000 hours;
- (D) Trouble Shooting, 500 hours:
 - (i) Circuit analysis;
 - (ii) Use of test equipment;
 - (iii) Emergency repairs for temporary maintenance of service.
- (E) Power distribution, 1,000 hours:
 - (i) Inside and outside, high and low voltage distribution systems, maintenance and replacement;
 - (ii) Transformer connecting, testing and repairing;
 - (iii) Switch gear and load centers, maintenance and repair;
 - (iv) Wiring, maintenance, repair and adjustment of control panels, instruments and relays.
- (b) Total Hours Required. Total experience shall be at least 8,000 hours. No more than 300 percent credit shall be allowed for subjects (A) through (E) for any one subject.
- (c) An applicant may substitute up to 1,000 hours of experience of any two or more of the following, provided the hours in any one subject are at least the minimum specified. Substituted experience shall be only for work experience beyond the 4,000-hour minimum category hours:
 - (A) Welders, welding, 100 hours:
 - (i) Soldering, brazing, welding (acetylene);
 - (ii) Welding (electric);
 - (iii) Maintenance and repair of welding equipment.
 - (B) Electric furnaces, 200 hours:
 - (i) Forming electrodes;
 - (ii) Mounting and connecting electrodes;
 - (iii) Operation of equipment;
 - (iv) Controls.
 - (C) Rectifiers, 100 hours:
 - (i) Installing, replacing and testing rectifier units;
 - (ii) Repairing related equipment.
 - (D) Meters, 100 hours:
 - (i) Testing meters;
 - (ii) Rebuilding meters;
 - (iii) Minor repairs;
 - (iv) Installation;
 - (v) Calibration.
 - (E) Batteries, 100 hours:
 - (i) Handling, testing, storing, maintenance;
 - (ii) Minor repairs, terminals, case electrolyte;
 - (iii) Rebuilding.
 - (F) Signal systems, 100 hours:
 - (i) Installations;
 - (ii) Testing;
 - (iii) Service (minor);
 - (iv) Overhaul.
 - (G) Lighting, 300 hours:
 - (i) Maintenance of indoor and outdoor lighting, general and special;
 - (ii) Set-up, operation, maintenance, dismantling, and storing of temporary and emergency lighting and portable power plants.
 - (d) Related Training Classes. Applicants shall submit transcripts with passing grades of "C" or better in graded classes and a "pass" in non-graded classes in the following related electrical training classes:
 - (A) Electrical mathematics;
 - (B) Safety and accident prevention;
 - (C) Care and use of hand and power tools;
 - (D) Blueprint reading and electrical symbols;
 - (E) Introduction to **National Electrical Code**;

(F) Electrical fundamentals and basic theory, including AC and DC;

- (G) Electric measuring devices;
- (H) Wiring methods;
- (I) Low voltage and limited energy circuits;
- (J) Industrial and commercial calculations;
- (K) Motors, generators and transformers;
- (L) Practical circuit sketching;
- (M) Lighting circuits;
- (N) Fundamentals of electronics;
- (O) Welding and cutting;
- (P) High voltage distribution and equipment.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 479.730

Stats. Implemented: ORS 479.730

Hist.: DC 15-1987, f. & ef. 5-15-87; Renumbered from 814-022-0920; BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96, Renumbered from 918-320-0130; BCD 23-2000, f. 9-29-00, cert. ef. 10-1-00

918-282-0200

Indorsement for Manufacturing Plant Electricians

(1) Scope and Authority. The purpose of this rule is to allow manufacturing plant electricians to be employed by a general electrical contractor only when necessary to allow the plant owner or operator to change their method of maintaining their plant and equipment. This rule is adopted under ORS 479.630.

(2) For the purposes of this rule a:

(a) "General electrical contractor" is an electrical contractor employing a general supervising electrician;

(b) "Manufacturing plant" is the owner or operator of a manufacturing or industrial plant;

(c) "Manufacturing plant electrician" is a limited supervising electrician, limited journeyman manufacturing plant electrician or limited maintenance electrician whose license is authorized by ORS 479.630 and an apprentice, training for an applicable manufacturing plant electrician license.

(3)(a) A licensed manufacturing plant electrician, having specialized training to repair and maintain electrical systems and equipment owned or operated by the manufacturing plant, may be issued an indorsement to the electrician's license. This indorsement authorizes employment by an identified general electrical contractor and performance of electrical work consistent with the manufacturing plant electrician's license only at the premises of the identified manufacturing plant if the requirements of subsection (c) of this section are met;

(b) An apprentice manufacturing plant electrician at a manufacturing plant may be issued an indorsement authorizing employment by a general electrical contractor for continuance of the apprenticeship training at the premises of the identified manufacturing plant if the requirements of subsection (c) of this section are met;

(c) The indorsement in subsections (a) and (b) of this section may be granted if:

(A) The manufacturing plant:

(i) Chooses to contract all plant maintenance to one or more contractors;

(ii) Provides electrical maintenance through a general electrical contractor; and

(iii) Agrees to inform the division if it decides to again provide its own electrical maintenance and offer reemployment to the manufacturing plant electricians.

(B) The electrical contractor:

(i) Hires all of the manufacturing plant electricians who receive indorsements under this rule who want to continue working at the same facility;

(ii) Uses those electricians for substantially the same work being done by them for the same manufacturing plant facilities, provided this is within the scope of the license;

(iii) Keeps on file with the division, with annual updates, the names and status of all manufacturing plant electricians employed by the contractor and assigned to the account of the plant;

(iv) Continues electrical apprenticeship undertakings of the manufacturing plant for all electrical apprentices indorsed under this rule; and

(v) Retains or assigns, as needed, a separate supervising electrician, general or limited as required, to the account of the specific

manufacturing plant for each plant or cluster of plants within a 20-mile area.

(4) This rule does not authorize a general electrical contractor to hire a manufacturing plant electrician who is not issued an indorsement under this rule.

(5) No indorsement shall be issued under this rule until after consultation with the board concerning the facts and circumstances of the proposed transaction by the manufacturing plant and receipt of an affirmative recommendation.

(6)(a) The indorsement terminates automatically, if:

(A) The underlying license is revoked, expires or is not timely renewed;

(B) The employment between the electrician and the contractor is terminated; or

(C) The agreement between the manufacturing plant and contractor is terminated.

(b) The indorsement does not terminate if the manufacturing plant hires electrical contractors in addition to the contractor covered under the indorsement.

(7) If a new electrical contractor is hired by the manufacturing plant to replace the electrical contractor covered by the indorsement, the manufacturing plant electricians are required to seek a new indorsement.

(8)(a) Notwithstanding any requirements to the contrary, any manufacturing plant apprentice who receives an indorsement and is transferred to a general electrical contractor under this rule is entitled to become a manufacturing plant electrician upon successful completion of apprenticeship training and passing relevant examinations;

(b) When the apprentice working under an indorsement becomes a manufacturing plant electrician, the prior indorsement continues; and

(c) The indorsement is continued for any other manufacturing plant electrician whose license is upgraded within the manufacturing plant electrician category.

Stat. Auth.: ORS 479.630

Stats. Implemented: ORS 479.730

Hist.: BCD 1-1995, f. & cert. ef. 2-9-95; BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96, Renumbered from 918-320-0185

918-282-0205

Limited Renewable Energy Technician

(1) In addition to the requirements of ORS 479.630(17), a limited renewable energy technician shall be employed by a limited renewable energy contractor or electrical contractor.

(2) Persons seeking to be licensed under this rule shall provide proof of completion of a board-approved apprenticeship program that includes:

(a) A minimum of 4,000 hours of on-the-job training in the following work areas:

(A) 1,500 hours total with a minimum of 1,000 hours in photovoltaics and a minimum of 500 hours in other renewable electrical energy system installations, including, but not limited to:

(i) Wire pulling and splices;

(ii) Conduit, flex, tray and duct;

(iii) Control panels and controls;

(iv) Wiring devices; and

(v) Removal and finish work of renewable electrical energy systems including wind, solar, micro-hydroelectricity, photovoltaic, fuel cells and engine generators for off-grid systems;

(B) 1,500 hours minimum in balance of system including, but not limited to, installation, removal and finish of inverters, batteries, regulation, metering, conditioning equipment and systems; and

(C) 1,000 hours in other related on-the-job training including, but not limited to:

(i) **National Electrical Code** requirements for design of system;

(ii) Troubleshooting;

(iii) Maintenance; and

(iv) Plan/blueprint reading; and

(b) A minimum of 288 hours of classroom or related training covering:

(A) Electrical mathematics;

(B) Safety and accident prevention;

(C) Care and use of hand and power tools;

(D) Blueprint reading and electrical symbols;

(E) Introduction to the **National Electrical Code**;

(F) Electrical fundamentals and basic theory, including alternating and direct current;
 (G) Electrical measuring devices;
 (H) Wiring methods;
 (I) Related electrical statutes and rules;
 (J) Fundamentals of electronics;
 (K) Renewable electrical energy systems including, but not limited to, systems and devices as set forth in ORS 479.630(17)(b)(A);
 (L) Class 2 and 3 circuits; and
 (M) Basic mechanics — applied physics and theory.
 [Publications: Publications referenced are available from the agency.]
 Stat. Auth.: ORS 479.730
 Stats. Implemented: ORS 479.630
 Hist.: BCD 9-2002, f. 3-29-02, cert. ef. 4-1-02; BCD 13-2006, f. 9-29-06, cert. ef. 10-1-06

918-282-0210

Limited Journeyman Railroad Electrician License

All limited journeyman railroad electrician licenses are converted to general journeyman licenses.

Stat. Auth.: ORS 479.730
 Stats. Implemented: ORS 479.730
 Hist.: DC 15-1987, f. & ef. 5-15-87; Renumbered from 814-022-0930; BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96, Renumbered from 918-320-0140

918-282-0220

Limited Journeyman Sign Electrician License

(1) A limited journeyman sign electrician:
 (a) Installs and services electrical signs and outline lighting;
 (b) Shall be employed by a limited sign contractor;
 (c) May extend a sign branch circuit not more than 15 feet if the dedicated branch circuit exists at that location; and
 (d) Is not permitted to:
 (A) Install a branch circuit from an electrical panel;
 (B) Install control equipment not located on the same wall or post, inside or outside the building;
 (C) Install branch circuits; or
 (D) Perform work on service equipment.
 (2) A licensed apprentice, after completing the sixth period of apprenticeship training, may service signs without supervision. "Servicing" is the replacement of incandescent, high intensity discharge and fluorescent lamps and cleaning and painting the sign interior.
 (3) This license is not required to install the footing or pole, or to operate the equipment required to access or set in place an electric sign, or to clean and paint the sign exterior.

(4) License and Equivalent Requirements. Applicants for acceptance under equivalent requirements shall show proof of the following work categories and minimum hours of on-the-job training or experience:

(a) Stock room and material handling, 200 hours;
 (b) Pattern and blueprints, 300 hours;
 (c) Layout design, 1,000 hours;
 (d) Assembly of display, 2,000 hours;
 (e) Display painting and component parts, 500 hours;
 (f) Display installation, service and maintenance, 2,500 hours; and
 (g) Transportation and hoisting equipment maintenance and repair, 1,500 hours.

(h) Related Training Classes. Applicants shall submit transcripts with passing grades of "C" or better in graded classes and "pass" in non-graded classes in the following related electrical training classes pertaining to sign installation:

(A) Electrical fundamentals and basic theory;
 (B) Wiring methods, under 600 volts nominal;
 (C) Wiring methods, over 600 volts nominal;
 (D) Conduit systems, raceways and boxes; and
 (E) Introduction to the **National Electrical Code**.

[Publications: Publications referenced are available from the agency.]
 Stat. Auth.: ORS 479.730
 Stats. Implemented: ORS 479.730
 Hist.: DC 15-1987, f. & ef. 5-15-87; Renumbered from 814-022-0940; BCD 119-1996, f. 9-17-96, cert. ef. 10-1-96; Renumbered from 918-320-0150; BCD 23-2000, f. 9-29-00, cert. ef. 10-1-00

918-282-0230

Limited Journeyman Stage Electrician License

(1) A limited journeyman stage electrician:

(a) Shall be employed by an electrical contractor;
 (b) Shall only install temporary feeders, branch circuits and equipment used for the production of shows, exhibits, displays, festivals, conventions, stage, theater, film or video productions;
 (c) Shall be authorized to perform maintenance on temporary equipment designed to be accessed by qualified personnel such as, but not limited to, electronic dimmers, pendant drops, cords, connectors, theatrical and film and video lighting fixtures operating at not more than 150 volts to ground; and
 (d) Is not authorized to install or extend permanent wiring of the structures involved, or install, maintain or repair service conductors or service equipment.

(2) License and Equivalent Requirements. Applicants for acceptance under equivalent requirements shall show proof of the following work categories and minimum hours of on-the-job training or experience:

(a) Stage/film and video/event lighting, 750 hours;
 (b) Stage/film and video/event dimmer distribution and applications, 250 hours;
 (c) Three-phase temporary power distribution and power sources including service disconnects and generators, 500 hours;
 (d) Stage/film and video lamp operator, 500 hours;
 (e) Set construction, installation, maintenance and repair, 1,000 hours, a minimum of which shall be:
 (A) Stockroom, 50 hours;
 (B) Troubleshooting, 50 hours;
 (C) Pre-rigging/rigging, 50 hours;
 (D) Transportation and hoisting, 50 hours;
 (E) Layout and design, 50 hours;
 (F) Pattern and blueprint, 50 hours.
 (f) Stage/film and video/event property, 1,000 hours, a minimum of which shall be:

(A) Repair of related equipment, 125 hours;
 (B) Troubleshooting, 125 hours;
 (C) Maintenance of related equipment, 125 hours.
 (g) A minimum of 150 electrical-related training hours during the course of an apprenticeship or approved training program.

Stat. Auth.: ORS 479.730
 Stats. Implemented: ORS 479.730
 Hist.: DC 15-1987, f. & ef. 5-15-87; Renumbered from 814-022-0950; BCA 11-1992, f. & cert. ef. 6-26-92; BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96, Renumbered from 918-320-0160; BCD 23-2000, f. 9-29-00, cert. ef. 10-1-00; BCD 22-2001, f. 12-28-01, cert. ef. 1-1-02; BCD 11-2005, f. 6-7-05, cert. ef. 7-1-05

918-282-0240

Limited Maintenance Electrician License

(1) A limited maintenance electrician:

(a) Repairs and maintains existing electrical installations on the premises of industrial plants, commercial office buildings and buildings owned or operated by the state or a local government entity, facility designated by the board or an institution, where the individual is employed; and
 (b) Is not authorized to make any new electrical installations or to perform any work on services.

(2) License and Equivalent Requirements. Applicants who did not complete an approved apprenticeship program shall verify 4,000 hours of on-the-job training or experience for the following work categories and minimum hours:

(a) Motors, generators and heating equipment, 500 hours;
 (A) Assembly and testing;
 (B) Repair and maintenance;
 (C) Internal and external connections to change direction of rotation, speed and supply voltage;
 (D) Motor setting, drives, pulleys, gears and coupling devices;
 (E) In-place motor cleaning (maximum 100 hours credit).
 (b) Controls, manual and automatic, including magnetic and solid state, 1,000 hours;
 (c) Trouble shooting, 1,000 hours;
 (d) Power distribution, inside and outside, high and low voltage distribution systems, maintenance and replacement, 500 hours;
 (e) Lighting, 500 hours;
 (f) Electrical oriented drawings, 100 hours;
 (g) Total Hours Required. The minimum work hours under each subject shall not be less than the hours specified. No more than 300

percent credit shall be allowed under subjects (a) through (f) for any one subject;

(h) The applicant's on-the-job training or work experience shall be supervised by a:

- (A) General supervising electrician;
- (B) Limited supervising manufacturing plant electrician;
- (C) General journeyman electrician;
- (D) Limited journeyman manufacturing plant electrician; or
- (E) Limited maintenance electrician.

(i) Required Educational Training. Applicants shall submit transcripts verifying successful completion, with passing grades of "C" or better in graded classes and a "pass" in non-graded classes, in the following subject areas:

- (A) Electricity and electronics;
- (B) Fundamental mechanical principles;
- (C) Mathematics of the trade;
- (D) Instrumentation and controls;
- (E) Federal, state and local electrical laws, codes and rules;
- (F) Blueprint reading, electrical drawing, pictorial, block, one-line and schematic drawings;
- (G) Industrial electrical safety; and
- (H) Certified cardiopulmonary resuscitation (CPR) course.

(3) On the effective date of this rule, all limited maintenance industrial electrician licenses are automatically converted to a limited maintenance electrician license.

Stat. Auth.: ORS 479.730

Stats. Implemented: ORS 479.630

Hist.: DC 15-1987, f. & ef. 5-15-87; Renumbered from 814-022-0970; BCD 8-1996(Temp), f. & cert. ef. 6-14-96; BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96, Renumbered from 918-320-0180; BCD 23-2000, f. 9-29-00, cert. ef. 10-1-00

918-282-0250

Limited Maintenance Manufactured Structures Electrician

(1) A limited maintenance manufactured structures electrician:

(a) Is authorized to repair or maintain electrical wiring and equipment used in manufactured structures (manufactured dwellings and recreational vehicles) as defined in ORS 446.003; and

(b) Is not authorized to make new electrical installations or alterations of electrical wiring or equipment.

(2) "Repair" as used in this rule includes replacement.

(3) License and Equivalent Requirements. Applicant shall provide verified experience of:

(a) Two years of experience consisting of at least 4,000 hours in repair and maintenance of electrical problems of the type and nature found in manufactured structures while in the employment of a manufactured structures manufacturer, or performing similar work regardless of employment status, under federal preemption by the Manufactured Home Construction and Safety Standards Act of 1974, **42 USC Section 5401** and following sections, and the Manufactured Home and Construction and Safety Standards in **24 CFR Section 3280.801** dated October 25, 1995, and following sections, and **3282.401** to **3282.416** dated January 15, 1992;

(b) Two years employment as a limited maintenance manufactured structures trainee with a licensee or employer of a licensee;

(c) A combination of subsections (a) and (b) of this section equaling two years; or

(d) Equivalent experience equaling two years.

(4) A person may be employed as a limited maintenance manufactured structures electrical trainee provided all of the following conditions are met:

(a) The person only performs electrical work in the physical presence of the licensee;

(b) The number of trainees does not exceed the number of full-time licensees;

(c) The employer and trainee enter into a training program where the employer commits to provide education, training and experience for the person to qualify; and

(d) The person submits a copy of the training program and name of trainee to the division.

(5) The examination shall cover applicant's knowledge of basic electrical principles of repair and maintenance of electrical wiring and equipment used in a manufactured structure.

(6) This license is not required to perform electrical work on manufactured structures federally preempted by the Manufactured Home Construction and Safety Standards Act of 1974, **42 USC Sec-**

tion 5401 and following sections and the Manufactured Home and Construction and Safety Standards in **24 CFR Section 3280.801** dated October 25, 1995, and following sections, and **3282.401** to **3282.416** dated January 15, 1992.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 446.210 & 479.730

Stats. Implemented: ORS 446.210

Hist.: BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96

918-282-0260

Limited Building Maintenance Electrician License

(1) A limited building maintenance electrician:

(a) Is authorized to maintain, repair and replace the following electrical installations required on the premises of commercial office buildings, buildings occupied by the state or a local government entity or facilities designated by the board in electrical systems not exceeding 300 volts to ground:

- (A) Electrical appliances;
- (B) Light switches;
- (C) Light fixtures;
- (D) Fans;
- (E) Receptacles; and
- (F) Fluorescent ballasts.

(b) May be employed by the owner of a commercial office building or the owner's agent, neither of whom need to be licensed.

(2) Qualification Based on Employment and Experience Gained Prior to July 1, 1995. Prior to August 1, 1998, an applicant can qualify by submitting independent documentation of at least one year of commercial office building maintenance experience, provided the experience was gained prior to July 1, 1995, and by passing a written examination. No applications shall be received under this section after August 1, 1998.

(3) License and Equivalent Requirements. The equivalent standards adopted by the board under ORS 479.630 include:

(a) Work Categories and Minimum Hours. Applicants who did not complete an approved training program must verify 2,000 hours of on-the-job training or experience in maintenance, repair and replacement for the following work categories and minimum hours:

- (A) Electrical appliances, 100 hours;
- (B) Light switches, 250 hours;
- (C) Light fixtures, 200 hours;
- (D) Fans, 100 hours;
- (E) Receptacles, 250 hours; and
- (F) Fluorescent ballasts, 300 hours.

(b) Total Hours Required. The minimum work hours under each subject shall not be less than the hours specified. No more than 300 percent credit shall be allowed for subjects (A) through (F) for any one subject.

(4) Required Educational Qualification by Training.

(a) Applicants shall attend 16 hours of approved electrical safety training before commencing any on-the-job activities or additional electrical training.

(b) Required Electrical Training. Applicants shall submit transcripts verifying successful completion, with passing grades, in the following subject areas:

- (A) Basic electricity;
- (B) Sources of electricity;
- (C) Building electrical service;
- (D) Measuring electrical energy consumption and electrical circuits;
- (E) Protective devices (fuses and circuit breakers) and electrical symbols;
- (F) Electrical conductors, insulation and raceways;
- (G) Electrical boxes, receptacles, switches and solenoids;
- (H) Motors and starters, maintenance and safety;
- (I) Electrical testing meters;
- (J) Basics of lighting;
- (K) Light sources, fixtures and maintenance;
- (L) Maintenance and safety;
- (M) Scope of work allowed; and
- (N) Applicable sections of the **Oregon Electrical Specialty Code**.

(c) Prior to performing any unsupervised electrical work as a trainee, applicant shall have a minimum of 80 hours of approved on-the-job training under the supervision of a competent licensed elec-

trician whose scope of license allows all of the electrical activities of a limited building maintenance electrician, provided the training covers each of the electrical installations in subsection (3)(a) of this section.

(d) For the purposes of this section the following licensees can be the training electrician: General supervising electrician, limited supervising electrician, general journeyman, limited manufacturing plant journeyman, limited maintenance electrician and limited building maintenance electrician which includes a person licensed under section (2) of this rule.

(5) Definitions.

(a) "Commercial Office Building" is a building of which 75 percent or more of the office area is used for professional or service transactions, including storage of records. For the purpose of determining "office area," stairways, hallways, rest rooms and vehicle parking are excluded;

(b) "Government Building" means a building, or portion thereof, which is owned, leased or rented and used by the state or any county, municipality or other political subdivision of the state; and

(c) "Owner's Agent" means the owner's employee, or other person or entity under contract, who oversees the daily maintenance of the owner's property.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 479.730

Stats. Implemented: ORS 479.630

Hist.: BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96; BCD 16-1997, f. 9-30-97, cert. ef. 10-1-97; BCD 23-2000, f. 9-29-00, cert. ef. 10-1-00

918-282-0270

Apprentices

(1) An apprentice:

(a) Shall meet the following minimum requirements:

(A) General journeyman, limited residential, Class A limited energy technician and Class B limited energy technician:

(i) Be 17 years of age to apply, 18 years of age to indenture;

(ii) Have a high school diploma, GED, or international equivalency; and

(iii) Have one-year high school algebra, integrated math 2 or its equivalent, with a grade of "C" or better, or equivalent community college mathematics placement test results.

(B) Limited journeyman manufacturing plant, limited maintenance, limited journeyman sign, limited journeyman stage and limited renewable energy technician:

(i) Be 17 years of age to apply, 18 years of age to indenture;

(ii) Have a high school diploma, GED or international equivalency; and

(iii) Have one-year high school mathematics with a passing grade, or equivalent community college mathematics placement test results.

(b) Shall be licensed;

(c) Assists a journeyman, general supervising electrician, limited renewable energy technician or limited residential electrician on the same job site and the same shift in performing electrical work authorized in the trade, or branch of the trade, in which the licensee is indentured; and

(d) Is not authorized to perform electrical work under a person holding a letter of authority card issued to State of Oregon employees.

(2) Apprentice licenses:

(a) Shall be issued to individuals enrolled in formal electrical apprenticeship programs recognized by the board and the Oregon Bureau of Labor and Industries under ORS Chapter 660; and

(b) May be issued to trainees enrolled in individually approved, employer-sponsored training programs leading to the limited journeyman license in OAR 918-282-0190. Individuals enrolled in these programs may be issued an electrical apprentice license only if the employer's program is approved by the board.

(3) Notwithstanding subsection (1)(c) of this rule, a final term apprentice with at least 6,500 hours of on-the-job training may work under indirect supervision at the discretion of the responsible supervisor on projects not exceeding eight hours duration and limited to 300 volts phase to phase or phase to ground.

Stat. Auth.: ORS 479.730

Stats. Implemented: ORS 479.730

Hist.: DC 15-1987, f. & ef. 5-15-87; Renumbered from 814-022-0980; BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96, Renumbered from 918-320-0190; BCD 23-2000, f. 9-29-

00, cert. ef. 10-1-00; BCD 23-2001(Temp), f. 12-28-01, cert. ef. 1-1-02 thru 6-29-02; BCD 9-2002, f. 3-29-02, cert. ef. 4-1-02; BCD 23-2002, f. 9-13-02 cert. ef. 10-1-02

918-282-0280

Temporary Apprentice License

(1) A temporary electrical apprentice:

(a) Performs electrical work as a helper, learner or trainee not licensed or required to be licensed;

(b) Assists journeymen or general supervising electricians in electrical work within the State of Oregon at a specific job location for a period not exceeding 180 days;

(c) Shall be currently indentured in an approved apprenticeship training program outside Oregon; and

(d) Has been recommended through the state apprenticeship reciprocal agreement dated April 20, 1996, adopted by the Oregon Bureau of Labor and Industries.

(2) Upon written authorization from the Oregon Bureau of Labor and Industries Apprenticeship and Training Division, the division shall issue a temporary apprentice license showing the dates of temporary employment expiring 180 days from the date of issuance.

Stat. Auth.: ORS 479.630(14) & 479.680

Stats. Implemented: ORS 479.630 & 479.680

Hist.: DC 15-1987, f. & ef. 5-15-87; Renumbered from 814-022-0990; BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96, Renumbered from 918-320-0200

918-282-0290

Elevator Apprenticeship Program

The National Elevator Industry Educational Program (NEIEP) approved by the Elevator Safety Board, now the Electrical and Elevator Board, is approved as an elevator apprenticeship program referred to in ORS 479.630 as a prerequisite for a limited journeyman elevator license.

Stat. Auth.: ORS 460.085 & 479.730

Stats. Implemented: ORS 460.085

Hist.: DC 13-1983, f. & ef. 6-17-83; Renumbered from 814-022-0030; BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96, Renumbered from 918-250-0040; BCD 23-2000, f. 9-29-00, cert. ef. 10-1-00; BCD 21-2002(Temp), f. 8-30-02, cert. ef. 9-1-02 thru 2-27-03; BCD 34-2002, f. 12-20-02, cert. ef. 1-1-03; BCD 12-2004, f. 8-20-04, cert. ef. 10-1-04

918-282-0300

Class I Oil Module Electrician License

(1) A Class I oil module electrician installs, maintains, replaces or repairs electrical wiring or electrical products on an oil module.

(2) An applicant shall:

(a) Submit written proof of at least 2,000 hours of experience gained during the past five years installing, maintaining, replacing or repairing electrical wiring or electrical products;

(b) Demonstrate continuous employment installing, maintaining, replacing or repairing electrical wiring or electrical products by an oil module manufacturer during the previous year; or

(c) Hold a valid limited journeyman manufacturing plant license, general journeyman electrician license or the equivalent of one of these licenses from another state.

(3) Individuals currently licensed as Oregon limited journeymen manufacturing plant or general supervising electricians qualify for a Class I oil module license without proof of further experience or additional testing.

(4) There is no fee for this license.

Stat. Auth.: ORS 479.630(14) & 479.680

Stats. Implemented: ORS 479.630

Hist.: BCA 14-1988(Temp), f. & cert. ef. 10-19-88; BCA 5-1989, f. & cert. ef. 5-5-89; Renumbered from 814-022-1000; BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96, Renumbered from 918-320-0210

918-282-0310

Class II Oil Module Electrician License

(1) A Class II oil module electrician performs electrical work as a helper, learner or trainee on an oil module assisting a Class I oil module electrician.

(2) The ratio of Class II oil module electricians at each job site shall not exceed three Class II oil module electricians to every Class I oil module electrician.

(3) There is no fee for this license.

Stat. Auth.: ORS 479.630(14) & 479.680

Stats. Implemented: ORS 479.630

Hist.: BCA 14-1988(Temp), f. & cert. ef. 10-19-88; BCA 5-1989, f. & cert. ef. 5-5-89; Renumbered from 814-022-1010; BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96, Renumbered from 918-320-0220

Limited Energy Licensing**918-282-0345****Class “A” Limited Energy Technician License**

Scope of work. A Class “A” limited energy technician:

- (1) Is allowed to install, alter and repair all limited energy systems; and
- (2) Shall also be licensed as an electrical contractor or shall work for a licensed electrical contractor, limited energy electrical contractor, or for one employer in an industrial plant.

Stat. Auth.: ORS 479.730

Stats. Implemented: ORS 479.905, 479.910 & 479.915

Hist.: BCD 23-2002, f. 9-13-02 cert. ef. 10-1-02

918-282-0355**Licensing Requirements for Class “A” Limited Energy Technician**

(1) License and Equivalent Requirements. Applicant shall have a minimum of 8,000 hours of lawfully obtained experience. Experience must be verified as established in OAR division 30. This experience shall be obtained as follows

(a) By successful completion of a board-approved Class “A” limited energy apprenticeship program; or

(b) Through limited energy electrical experience equivalent to a Class “A” board-approved limited energy apprenticeship program.

(2) Persons utilizing lawful experience may meet equivalent experience requirements by providing verification as required by OAR 918-030-0030 through 918-030-0050.

(3) Applicants for approval under equivalent requirements must show proof of the following work categories and minimum hours of on the job training or experience:

(a) Stock room and materials, 200 hours:

(A) Shop;

(B) Service;

(b) Limited energy wiring, 3,200 hours:

(A) Installation;

(B) Wire pulling;

(C) Splices;

(D) Conduit;

(E) Flex;

(F) Tray and duct;

(G) Control panels and controls;

(H) Wiring devices;

(I) Removal and finish work;

(c) Trouble shooting and maintenance, 500 hours;

(d) Outdoor installation, overhead and underground, 100 hours;

(e) Trade-specific installations, including life safety, 4,000 hours:

(A) Fire alarms;

(B) Protective signaling;

(C) Nurse call;

(D) Medical;

(E) Data and telecommunications;

(F) CCTV, paging and sound;

(G) Instrumentation and HVAC;

(H) Security.

(4) Total Hours Required. Total electrical work experience shall be at least 8,000 hours. No more than 300 percent credit shall be allowed in work categories (a) through (d) in Section (3) of this rule.

(5) Related Training Classes. Additionally, applicants shall have a minimum of 576 hours of related classroom training as outlined in the following:

(a) Electrical mathematics;

(b) Safety and accident prevention;

(c) Care and use of hand and power tools;

(d) Blueprint reading and electrical symbols;

(e) Introduction to the National Electrical Code;

(f) Electrical fundamentals and basic theory, including AC and

DC;

(g) Electrical measuring devices;

(h) Wiring methods;

(i) Related electrical statutes and rules;

(j) Fundamentals of electronics;

(k) Transformers;

(l) Lighting circuits;

(m) Basic mechanics — applied physics and theory.

Stat. Auth.: ORS 479.730, 183.335

Stats. Implemented: ORS 479.905, 479.910, 479.915 & 183.335

Hist.: BCD 23-2002, f. 9-13-02 cert. ef. 10-1-02; BCD 16-2006(Temp), f. 6-30-06, cert.

ef. 7-1-06 thru 12-28-06; BCD 13-2006, f. 9-29-06, cert. ef. 10-1-06

918-282-0360**Class “B” Limited Energy Technician**

Scope of work:

(1) A Class “B” limited energy technician is allowed to perform limited energy electrical activity that does not include protective signaling as defined in ORS 479.905.

(2) A Class “B” limited energy technician shall also be licensed as an electrical contractor, work for a licensed electrical contractor, or for one employer in an industrial plant. The scope of limited energy electrical work cannot exceed either that which the signing supervisor is authorized to perform, or that work which the individual is licensed to perform.

Stat. Auth.: ORS 479.730

Stats. Implemented: ORS 479.905, 479.910 & 479.915

Hist.: BCD 23-2002, f. 9-13-02 cert. ef. 10-1-02

918-282-0365**Licensing Requirements for Class “B” Limited Energy Technician**

(1) License and Equivalent Requirements. Applicant shall have a minimum of 4,000 hours of lawfully obtained experience. Experience must be verified as established in OAR division 30. This experience shall be obtained as follows:

(a) As an apprentice in a board-approved limited energy electrical activity apprenticeship program; or

(b) Through limited energy activity equivalent to an apprenticeship program, and the completion of a board-approved 32 hour training program.

(2) Persons utilizing lawful experience may meet equivalent experience requirements by providing verification as required by OAR 918-030-0030 through 918-030-0050.

(3) Applicants for approval under equivalent requirements must show proof of the following work categories and minimum hours of on the job training or experience:

(a) Stock room and materials, including shop and service: 100 hours;

(b) Limited energy installations, including cables and supports, wire pulling and splices, conduit, flex, tray and duct, control panels and controls, wiring devices, removal and finish work: 1,650 hours;

(c) Trouble shooting and maintenance: 250 hours; and

(d) Occupation specific applications including 2,000 hours in any of the following:

(A) Communications systems, including data telecommunications, intercom, paging;

(B) Specialized control systems, including HVAC, medical, boiler, clock, instrumentation, or other limited energy systems; and

(C) Limited energy electrical activity defined in ORS 479.905(4).

(4) Total Hours Required. Total electrical work experience shall be at least 4,000 hours. No more than 300 percent credit shall be allowed in work categories (a) through (d) in Section (3) of this rule.

(5) Applicants shall also have a minimum of 288 hours of class or related training covering:

(a) Electrical mathematics;

(b) Safety and accident prevention;

(c) Care and use of hand and power tools;

(d) Blueprint reading and electrical symbols;

(e) Introduction to the National Electrical Code;

(f) Electrical fundamentals and basic theory, including alternating and direct current;

(g) Electrical measuring devices;

(h) Wiring methods;

(i) Related electrical statutes and rules;

(j) Fundamentals of electronics;

(k) Transformers;

(l) Lighting circuits; and

(m) Basic mechanics — Applied physics and theory.

Stat. Auth.: ORS 479.730 & 183.335

Stats. Implemented: ORS 479.905, 479.910, 479.915 & 183.335

Hist.: BCD 23-2002, f. 9-13-02 cert. ef. 10-1-02; BCD 12-2005(Temp), f. & cert. ef. 6-10-05 thru 12-6-05; Administrative correction 12-20-05; BCD 16-2006(Temp), f. 6-30-06, cert. ef. 7-1-06 thru 12-28-06; BCD 13-2006, f. 9-29-06, cert. ef. 10-1-06

DIVISION 283

CONTINUING EDUCATION AND
TRAINING PROGRAM REQUIREMENTSIn-Plant Training Programs for Limited
Journeyman Manufacturing Plant Electricians

918-283-0100

Procedures for Submitting Training Proposals

The employer shall submit to the board a detailed description of the electrical training program in a recognized branch of the electrical trade the employer will conduct.

Stat. Auth.: ORS 479.730

Stats. Implemented: ORS 479.730

Hist.: DC 10, f. 4-13-72, ef. 5-1-72; Renumbered from 814-022-0002; BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96, Renumbered from 918-250-0010

918-283-0110

Program Description

Program description shall include:

- (1) The term of on-the-job training including any procedures for evaluating and crediting prior electrical experience of the trainee;
- (2) A breakdown of work categories and the number of hours of on-the-job training to be devoted to each category;
- (3) Provisions for related instructional training, including:
 - (a) The total hours or related training in addition to the on-the-job training;
 - (b) A breakdown of the related training into the segments of instruction and hours to be devoted to each segment;
 - (c) The location and hours of the related training; and
 - (d) The name of the related training instructor and the instructor's qualifications in subject matter or the name of the correspondence course, together with any supplemental material to be used; and
- (4) The type and degree of on-the-job supervision of the trainee, including provision for assigning trainees to work under the supervision of a licensed electrical journeyman or supervising electrician to insure the safety of all employees.
- (5) The employer shall establish:
 - (a) Procedures for periodic evaluation and reporting of the trainee's progress and records which shall be made available to the division upon request;
 - (b) Methods of evaluating the trainee and reporting the evaluations at least annually to the division. Evaluations on division forms shall include rating the trainee's on-the-job progress by the instructor or through a correspondence course; and
 - (c) Criteria for disciplining, reassigning, or terminating the trainee for failure to progress in training.

Stat. Auth.: ORS 479.730

Stats. Implemented: ORS 479.730

Hist.: DC 10, f. 4-13-72, ef. 5-1-72; Renumbered from 814-022-0005; BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96, Renumbered from 918-250-0015

918-283-0120

Standards for Approval of Electrical Training Programs

The following training standards for approval of programs are established. When the training program appears to prepare the trainee for the limited journeyman manufacturing plant license, the division may waive any of the following minimum requirements and approve the employer's training program. The division shall consider the terms and conditions of any collective bargaining agreement covering work to be performed.

- (1) The term of training shall be for at least four years and not more than five years including any credit given for prior experience.
- (2) The on-the-job experience for a limited journeyman manufacturing plant electrician license shall provide at least 4,000 hours in the following classifications:
 - (a) Installation of electrical circuits, 1,000 hours;
 - (b) Motors and generators, 500 hours;
 - (c) Manual and automatic controls, including magnetic and solid state, 1,000 hours;
 - (d) Trouble shooting, 500 hours; and
 - (e) Power distribution, 1,000 hours.
- (3) In addition to the 4,000 hours, the balance of the hours of on-the-job training shall be in training appropriate for the license.

(4) Related Training Classes. Classes of at least 96 classroom hours per year shall be given until a total of 384 hours is completed, or its rated equivalent in a correspondence course. Related training shall:

(a) Include fundamental electricity, electrical mathematics, the **National Electrical Code**, electrical theory, safety and accident training, electrical nomenclature, industrial electronics, materials, tools and equipment, layout and blueprint reading; and

(b) Be given by a qualified instructor, or through a division-approved correspondence course.

(5) The ratio of trainees employed by each employer at each plant shall not exceed one trainee to the first journeyman and one trainee to each additional two journeymen. Trainees employed on any work shift shall be under the direct supervision of a journeyman or supervising electrician on the same shift at the same plant.

(6) The trainee shall receive at least 50 percent of the journeyman's wage paid by the employer when starting this program.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 479.730

Stats. Implemented: ORS 479.730

Hist.: DC 10, f. 4-13-72, ef. 5-1-72; Renumbered from 814-022-0010; BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96, Renumbered from 918-250-0020

918-283-0130

Responsibilities of the Employer

The employer is responsible to see the trainee receives the necessary on-the-job training experience and related technical instruction.

(1) The employer shall register all trainees with the division and make annual trainee progress reports on division forms. No later than at the end of five years, the employer shall notify the division and the trainee of trainee's eligibility to take the examination.

(2) The division shall furnish each registered trainee in an approved program an identification card semi-annually. The identification card, signed by the Chief Electrical Inspector, shall be mailed to the employer. The employer and the trainee shall sign the card. The trainee shall keep the card in trainee's possession while a registered trainee. The identification card serves as the trainee's license, permitting the trainee to perform appropriate electrical work while in training and under the direct supervision of a properly licensed journeyman or supervising electrician on the same shift at the same plant. If the trainee is terminated or removed from the training program, the employer shall return the identification card to the division or notify the division in writing.

(3) The identification card shall be furnished free until the trainee passes the examination or for the maximum period allowed to complete training. If the trainee fails the examination after completion of the maximum training period, trainee's license shall be renewed for not more than two six-month periods of training, and the trainee shall be given one opportunity during each period to pass the examination. If the trainee fails to pass the last examination, trainee's name shall be removed from the employer's training program, the trainee license shall be canceled, and the employer shall cease to employ the trainee on any electrical work for which trainee does not have a license.

Stat. Auth.: ORS 479.730

Stats. Implemented: ORS 479.730

Hist.: DC 10, f. 4-13-72, ef. 5-1-72; Renumbered from 814-022-0015; BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96, Renumbered from 918-250-0025

918-283-0140

Compliance with Approved Programs

The division may:

(1) Make periodic inspections of any employer conducting an approved electrical training program to insure the program is proceeding in the manner approved by the division and that the trainee is making satisfactory progress;

(2) Examine the training records of registered trainees, discuss the training program and the trainee's progress with the trainee's supervisor and related training instructor, observe the trainee in on-the-job or related training situations and interview the trainee;

(3) Investigate any evidence of an employer's failure to register trainees in an approved electrical training program;

(4) Suspend the training program if an employer fails to submit required periodic training reports; and

(5) Investigate failures by an employer's trainees to pass the examination.

Stat. Auth.: ORS 479.730

Stats. Implemented: ORS 479.730
Hist.: DC 10, f. 4-13-72, ef. 5-1-72; Renumbered from 814-022-0020; BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96, Renumbered from 918-250-0030

918-283-0150

Procedures to Revoke Programs and Licenses of Trainees

(1) When the division has evidence the employer is not conducting approved training, the division shall notify the employer in writing of employer's right to a hearing to present evidence in support of the training program.

(2) After hearing, the division shall determine whether the employer has failed to conduct an adequate program.

(3) If the division rules that the employer has failed to conduct an adequate program, the training program may be suspended until the employer brings the program up to approved standards.

(4) If the employer continues to fail to meet basic standards for training, the division may revoke approval of the employer as a training facility and the training licenses of those trainees registered with the employer.

Stat. Auth.: ORS 479.730
Stats. Implemented: ORS 479.730
Hist.: DC 10, f. 4-13-72, ef. 5-1-72; Renumbered from 814-022-0025; BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96, Renumbered from 918-250-0035

DIVISION 305

CODES AND STANDARDS

The Electrical Specialty Code — In General

918-305-0000

Existing Electrical Installations

Wiring installation in existing buildings in the State of Oregon that complied with the minimum electrical safety code standards, **National Electrical Code** or **Oregon Electrical Specialty Code** in effect at the time of installation shall not be considered in violation of the current minimum **Electrical Specialty Code** standards, unless the use or occupancy of the building is changed requiring different methods, alterations, or additions.

[Publications: Publications referenced are available from the agency.]
Stat. Auth.: ORS 479.730
Stats. Implemented: ORS 479.730
Hist.: DC 10, f. 4-13-72, ef. 5-1-72; DC 12-1981, f. 9-29-1981, ef. 10-1-81; Renumbered from 814-022-0135; BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96, Renumbered from 918-260-0280; BCD 19-2002, f. 8-1-02, cert. ef. 10-1-02

918-305-0005

Interpretations

All interpretations and advisories dated prior to April 1, 2005, issued by the Building Codes Division, Electrical Safety Section, are withdrawn.

Stat. Auth.: ORS 479.730
Stats. Implemented: ORS 479.730
Hist.: BCD 19-2002, f. 8-1-02, cert. ef. 10-1-02; BCD 23-2004, f. 12-15-04, cert. ef. 4-1-05

918-305-0010

Scope of the Electrical Specialty Code

The **Electrical Specialty Code** applies to all nonexempt electrical installations except as covered by the electrical provisions of the **Oregon Residential Specialty Code** and is inspected by an **Electrical Specialty Code** inspector.

[Publications: Publications referenced are available from the agency.]
Stat. Auth.: ORS 479.730
Stats. Implemented: ORS 479.730
Hist.: BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96; BCD 19-2002, f. 8-1-02, cert. ef. 10-1-02; BCD 23-2004, f. 12-15-04, cert. ef. 4-1-05

918-305-0020

Governing Codes

The applicable **Electrical Specialty Code** for electrical installations and alterations is:

(1) The **Electrical Specialty Code** provisions in effect at the earlier of a request for plan review or application for a permit; or

(2) At the option of the applicant, the current **Electrical Specialty Code**.

[Publications: Publications referenced are available from the agency.]
Stat. Auth.: ORS 479.730
Stats. Implemented: ORS 479.730
Hist.: BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96

918-305-0030

Other Codes or Publications that Impact Electrical Installations

The responsibility for complying with all applicable requirements rests with the permit holder. Examples are listed below:

(1) Chapter 9 of the **Oregon Structural Specialty Code** (OSSC) as adopted in OAR 918, division 460 relating to fire protection systems and Chapter 3 of the **Oregon Residential Specialty Code** as adopted in OAR 918, division 480 relating to smoke alarm installations.

(2) ORS 455.420 requiring individual electric meters for dwelling units.

(3) Chapter 13 of the **Oregon Structural Specialty Code** as adopted in OAR 918, division 460 which addresses the energy efficiency issues of motors, electric lighting and other electric equipment; and

(4) Chapter 16 and 17 of the **Oregon Structural Specialty Code** as adopted in OAR 918, division 460 which addresses the seismic requirements of nonstructural components and special inspection requirements.

(5) Publications and requirements of the serving utility.

(6) Public Law 101-336, the Americans with Disabilities Act, Part III; Department of Justice Regulations of Friday, July 26, 1991; 28 CFR Part 36, as amended January 1, 1995, including Americans with Disabilities Act Accessibility Guidelines (ADAAG) and Public Law 100-430, the Fair Housing Act and the regulations adopted thereunder.

(7) Chapter 11 of the **Oregon Structural Specialty Code** which relates to the Americans with Disabilities Act for mounting height requirements for electrical and communication receptacles located in affected buildings and structures.

(8) The interconnection of all net-metering facilities and solar photovoltaic systems operated as interconnected power production sources shall comply with the **Oregon Electrical Specialty Code** as adopted in OAR 918-305-0100. In addition, the interconnection of all net-metering facilities utilizing solid-state inverters and up to 25 kW peak generating capacity shall comply with the requirements of the Institute of Electrical and Electronic Engineers (IEEE) Recommended Practice P929-2000. The interconnection of all net-metering facilities utilizing solid-state inverters shall use inverters listed in accordance with Underwriters Laboratories Standard 1741-2005 (UL 1741).

(9) **Oregon Manufactured Dwelling and Park Specialty Code** as adopted in OAR 918, division-500. The electrical installations shall be in accordance with the requirements of the **Oregon Electrical Specialty Code**.

(10) The electrical portions of the installation or product standards identified in OAR 918-306-0005. These standards are informational only and are to be used to clarify code intent. They may be used as installation guides when not specifically referenced or covered in the **Oregon Electrical Specialty Code**. Examples include, but are not limited to, the electrical sections of NFPA 20, NFPA 99, NFPA 101, NFPA 110 and NFPA 820.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 479.730
Stats. Implemented: ORS 479.730 & 757.262
Hist.: DC 13-1987, f. & ef. 5-1-87; Renumbered from 814-022-0610; BCA 17-1990, f. 6-27-90, cert. ef. 7-1-90; BCA 12-1993, f. 6-23-93, cert. ef. 7-1-93; BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96, Renumbered from 918-290-0020; BCD 1-2000, f. 1-6-00, cert. ef. 4-1-00; BCD 12-2000, f. 6-3-00, cert. ef. 7-1-00; BCD 23-2000, f. 9-29-00, cert. ef. 10-1-00; BCD 19-2002, f. 8-1-02, cert. ef. 10-1-02; BCD 23-2004, f. 12-15-04, cert. ef. 4-1-05; BCD 29-2005, f. 12-30-05, cert. ef. 1-1-06

Components of the Electrical Specialty Code

918-305-0100

Code Adoption of Electrical Specialty Code

(1) The **Electrical Specialty Code** shall consist of the following, adopted by this reference:

(a) **NFPA 70-2005, National Electrical Code (NEC), 2005 Edition**, effective April 1, 2005, subject to the amendments adopted in OAR 918-305-0105 to 918-305-0320;

(b) **IEEE C2-2002, National Electrical Safety Code (NESC), 2002 Edition**; and

(c) **Oregon Elevator Specialty Code** adopted by the Electrical and Elevator Board in OAR 918-400-0520.

(2) In the event of a conflict between the NEC and NESC requirements, the NEC requirement, as amended in subsection (1)(a) of this rule, shall apply.

(3) The electrical code requirements for residential dwellings are adopted under the **Oregon Residential Specialty Code** in OAR 918, division 480.

(4) As used in this rule:

- (a) “ANSI” is the American National Standards Institute;
- (b) “ASME” is the American Society of Mechanical Engineers;
- (c) “IEEE” is the Institute of Electrical and Electronics Engineers; and

(d) “NFPA” is the National Fire Protection Association.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 479.730

Stats. Implemented: ORS 479.730

Hist.: DC 13-1987, f. & ef. 5-1-87; Renumbered from 814-022-0600; BCA 17-1990, f. 6-27-90, cert. ef. 7-1-90; BCA 12-1993, f. 6-23-93, cert. ef. 7-1-93; BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96, Renumbered from 918-290-0010; BCD 1-2000, f. 1-6-00, cert. ef. 4-1-00; BCD 19-2002, f. 8-1-02, cert. ef. 10-1-02; BCD 23-2004, f. 12-15-04, cert. ef. 4-1-05

Amendments to the NEC

918-305-0105

Amend Article 90 — Introduction

Amend **Section 90.4** Enforcement by inserting the following after **Section 90.4**. Section 90.4(A) Electrical products sold or disposed of in conjunction with a persons business must either be certified or exempt under ORS 479.760. Where the **2005 NEC** requires electrical products to be “listed” or “labeled,” the words “listed” or “labeled” shall have the same meaning as “certified electrical product” under ORS 479.530.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 479.730

Stats. Implemented: ORS 479.730

Hist.: BCD 23-2004, f. 12-15-04, cert. ef. 4-1-05

918-305-0110

Amend Article 100 — Definitions

(1) Replace the definitions of “Building,” “Labeled” and “Listed” in Article 100, with the definitions of “Building,” “Labeled” and “Listed” in OAR 918-251-0090.

(2) Replace the definition of “Dwelling, Multifamily” in Article 100, with the definition of “Multifamily Dwelling” in ORS 479.530.

(3) Amend Article 100 by adding the definition for “Certified electrical product” means an electrical product that is certified under ORS 479.760 and is not de-certified.

(4) Amend Article 100 by adding the definition for “Fire protection system” means approved devices, equipment and systems or combinations of systems used to detect a fire, activate an alarm, extinguish a fire, control or manage smoke and products of a fire or any combination thereof.

Stat. Auth.: ORS 479.730

Stats. Implemented: ORS 479.730

Hist.: BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96; BCD 1-2000, f. 1-6-00, cert. ef. 4-1-00; BCD 19-2002, f. 8-1-02, cert. ef. 10-1-02; BCD 23-2004, f. 12-15-04, cert. ef. 4-1-05; BCD 29-2005, f. 12-30-05, cert. ef. 1-1-06

918-305-0120

Amend Article 110 — Requirements for Electrical Installations

(1) Insert the following after Section 110.8:

(a) For the purpose of this article, “schools” are buildings used for education purposes, excluding administrative offices, dormitories or detached utility buildings not used for education or training.

(b) Raceway systems, type MI, MC and AC cable or manufactured metallic wiring assemblies shall be the wiring method in the following:

(A) Schools, universities, colleges, child care centers and correctional facilities as defined by the Oregon Structural Specialty Code;

(B) Hospitals as defined in NEC Article 517; and

(C) Group I-2 Occupancies and Group E Occupancies as defined in Chapter 3 of the adopted Oregon Structural Specialty Code; and

(D) SR Occupancies classified as SR 2 as defined in Appendix SR of the adopted Oregon Structural Specialty Code.

(2) The requirements of subsection (1)(b) of this rule do not apply to:

(a) Spaces in a retail center used for adult training or educational purposes;

(b) SR Occupancies classified as SR 1, SR 3 or SR 4 as defined in Appendix SR or R occupancies classified in Chapter 3 of the adopted Oregon Structural Specialty Code;

(c) Foster homes providing family-type care only;

(d) Class 2 and 3 systems installed in conformity with Articles 725, 727, 760, 770, 780 and Chapter 8 of the **2005 National Electrical Code**; and

(e) Power limited fire protection alarm systems.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 479.730

Stats. Implemented: ORS 479.730

Hist.: DC 13-1987, f. & ef. 5-1-87; Renumbered from 814-022-0620; BCA 17-1990, f. & cert. ef. 6-27-90; BCA 12-1993, f. 6-23-93, cert. ef. 7-1-93; BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96, Renumbered from 918-290-0030; BCD 1-2000, f. 1-6-00, cert. ef. 4-1-00; BCD 19-2002, f. 8-1-02, cert. ef. 10-1-02; BCD 23-2004, f. 12-15-04, cert. ef. 4-1-05; BCD 29-2005, f. 12-30-05, cert. ef. 1-1-06

918-305-0130

Amend Article 210 — Branch Circuits

(1) Amend Section 210.8 Ground-Fault Circuit-Interrupter Protection for Personnel by inserting the following after Section 210.8(A)(2) Exception No. 2: “Exception No. 3: Receptacle ground fault protection shall not be required for a dedicated branch circuit serving a single receptacle for sewage or sump pumps.” Amend Section 210.8(A)(5) by inserting the following after exception No. 3: “Exception No. (4) to (5) Receptacle ground fault protection shall not be required for a dedicated branch circuit serving a single receptacle for sewage or sump pumps.”

(2) Amend Section 210.8 Ground-Fault Circuit-Interrupter Protection for Personnel by inserting the following after Section 210.8(A) (7) “Exception No. 1: A single receptacle or a duplex receptacle for one or two appliances located within dedicated space for each appliance that, in normal use, is not easily moved from one place to another and that is cord-and-plug connected in accordance with 400.7(A)(7), or (A)(8).”

Stat. Auth.: ORS 479.730

Stats. Implemented: ORS 479.730

Hist.: BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96; BCD 15-2001(Temp), f. & cert. ef. 11-26-01 thru 5-24-02; BCD 19-2002, f. 8-1-02, cert. ef. 10-1-02; BCD 23-2004, f. 12-15-04, cert. ef. 4-1-05; BCD 29-2005, f. 12-30-05, cert. ef. 1-1-06

918-305-0150

Amend Article 230 — Services

(1) Amend Section 230.40 Number of Service-Entrance Conductor Sets, Exception No. 3 by adding: “when there are continuous metallic paths bonded to the grounding system in the buildings involved, a disconnect, a separate grounded conductor and equipment grounding conductor shall be installed to meet the provisions of Article 225.”

(2) Amend Section 230.43 Wiring Methods for 600 Volts, Nominal, or Less by adding the following to the end of the first paragraph: “Exception: Items (13) and (15) are limited to traffic control devices and highway lighting poles.”

(3) Amend Section 230.70(A)(1), Readily Accessible Location by adding an exception: “Exception: In existing installations where only the service panel or meter base is changed and the existing service conductors meet the ampacity requirements, or the existing conduit is of sufficient size to install new conductors, the panel may remain at the present location providing all requirements of Sections 110.26 and 240.24 are met. This exception does not require a main disconnect located nearest the point of entry.”

(4) Amend Section 230.95(C) Performance Testing to read: “The ground-fault protection system shall be performance tested when first installed on the site. The test shall be conducted in accordance with instructions provided with the equipment. This test shall be performed by persons having proper training and experience required to perform and evaluate the results of such performance testing. A written record of this test shall be made available to the authority having jurisdiction. This report shall be signed by the person(s) performing this test.”

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 479.730

Stats. Implemented: ORS 479.730

Hist.: DC 13-1987, f. & ef. 5-1-87; BCA 13-1989, f. & cert. ef. 5-24-89; Renumbered from 814-022-0630; BCA 17-1990, f. & cert. ef. 6-27-90; BCA 12-1993, f. 6-23-93, cert. ef. 7-1-93; BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96, Renumbered from 918-290-0040; BCD 1-2000, f. 1-6-00, cert. ef. 4-1-00; BCD 19-2002, f. 8-1-02, cert. ef. 10-1-02; BCD 23-2004, f. 12-15-04, cert. ef. 4-1-05; BCD 29-2005, f. 12-30-05, cert. ef. 1-1-06

918-305-0160

Amend Article 250 — Grounding

The following provisions of Article 250 are amended:

(1) Section 250.24(A) — System Grounding Connections. Insert the following after Section 250.24(A)(1): “Exception: When the electric utility has installed a ground fault protection system ahead of the customer’s service equipment, no bonding or electrical connection from the grounding electrode system shall be made to the grounded service conductor on the load side of the utility ground fault sensing device. The neutral or grounded service conductor, however, shall be grounded on the line side of the first ground fault sensor in a manner otherwise required at the customer’s service equipment. The grounding electrode conductor shall be run to an equipment grounding bus or terminal at the service equipment as long as the equipment grounding conductor and the grounded neutral conductor are not connected to each other at this point. The on-site ground fault test required by Section 230.95 shall not be performed prior to the above installation requirements. Warning signs shall be installed.”

(2) Section 250.24(B) — Main Bonding Jumper. Insert the following after Section 250.24(B) Exception No. 2: “Exception No. 3. When the electric utility has installed a ground fault protection system ahead of the customer’s service equipment and if the operation of the ground fault system relies on the absence of the main bonding jumper at the service equipment but includes an otherwise satisfactory main bonding jumper as a part of its sensing device, the main bonding jumper shall not be installed at the service equipment which would otherwise bond the grounded service conductor to the equipment ground. The on-site ground fault test required by Section 230.95 shall not be performed prior to the above installation requirements. Warning signs shall be installed.”

(3) Section 250.30(A) — Grounded Systems. Insert the following after Section 250.30(A)(1) Exception No. 3: “Exception No. 4: A premises’ electrical system with an alternate source of power, such as an emergency or standby generator, connected to the normal system via a transfer switch, shall have the alternate source neutral grounded only when the transfer switch causes the neutral conductor to be switched between the normal and the emergency sources. The on-site ground fault test required by Sections 215.10, 230.95 and 517.17 shall not be performed prior to the above installation requirements. Warning signs shall be installed.”

(4) Section 250.52(A)(3) — Concrete-Encased Electrode. Insert the following at the end of Section 250.52(A)(3), as follows: “In new construction with steel reinforced concrete footings, a concrete-encased grounding electrode connected to the grounding electrode system is required. The installation shall meet the requirements of Section 250.50. When a concrete encased electrode system is used, a minimum size of 1/2-inch reinforcing bar or rod shall be stubbed up at least 12 inches above the floor plate line or floor level, whichever is the highest, near the service entrance panel location.”

(5) Section 250.52(B) — Electrodes Not Permitted for Grounding. Insert the following after Section 250.52(B)(2), as follows “(3) In existing electrical installations, when a service change or upgrade occurs, an existing metal underground water pipe shall not be used unless the metal underground water pipe has been verified as suitable for continued use as a grounding electrode. An existing metal underground water pipe shall be bonded to the new grounding electrode system as required by 250.52 and 250.58.”

(6) Section 250.56 — Resistance of Rod, Pipe, and Plate Electrodes. Insert the following at the end of the first sentence: “For permanent installations where the only grounding electrode is a single ground rod, pipe or plate, documented verification of 25 ohms or less shall be provided. Documented verification shall be done by a recognized method, provided by the installer, and made available for the electrical inspector.”

(7) Section 250.118 — Types of Equipment Grounding Conductors. Insert the following after Section 250.118(14): “Where metallic conduit is installed on roof tops, an equipment grounding conductor shall be provided within the raceway and sized per Section 250.122.”

(8) Section 250.184(B) — Multiple Grounding. Change Sections 250.184(C)(a), (b) and (c) to: “(1) Services (2) Underground circuits where a bare copper neutral is exposed (3) Overhead circuits installed outdoors.”

Stat. Auth.: ORS 479.730

Stats. Implemented: ORS 479.730

Hist.: DC 13-1987, f. & ef. 5-1-87; Renumbered from 814-022-0660; BCA 17-1990, f. & cert. ef. 6-27-90; BCA 12-1993, f. 6-23-93, cert. ef. 7-1-93; BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96, Renumbered from 918-290-0070; BCD 1-2000, f. 1-6-00, cert.

ef. 4-1-00; BCD 19-2002, f. 8-1-02, cert. ef. 10-1-02; BCD 23-2004, f. 12-15-04, cert. ef. 4-1-05; BCD 29-2005, f. 12-30-05, cert. ef. 1-1-06

918-305-0165

Amend Article 334 — Nonmetallic-Sheathed Cable: Types NM, NMC, and NMS

(1) Amend Section 334.10 Uses Permitted, (2), (3), and (4) by deleting current language and replacing with the following:

“(2) Multifamily dwellings and other structures, except as prohibited in Section 334.12.”

“(3) Cable trays, where the cables are identified for the use.”

(2) Amend Section 334.12(A)(1) Types NM, NMC, and NMS by deleting current language and replacing with the following: “In any multifamily dwelling or other structure exceeding three floors above grade. For the purposes of this article, the first floor of a building shall be that floor that has 50 percent or more of the exterior wall surface area level with or above finished grade. One additional level, that is the first level and not designed for human habitation and used only for vehicle parking, storage or similar use, shall be permitted.”

(3) Amend Section 334.15(B) Protection from Physical Damage by adding: “Exposed nonmetallic sheathed cable shall be protected where it is installed horizontally below 8 feet above the floor. Exposed nonmetallic sheathed cable below 8 feet above the floor that enters the top or bottom of a panelboard shall be protected from physical damage by conduit, raceway, 1/2” plywood or 1/2” drywall.”

Stat. Auth.: ORS 479.730

Stats. Implemented: ORS 479.730

Hist.: BCD 19-2002, f. 8-1-02, cert. ef. 10-1-02; BCD 23-2004, f. 12-15-04, cert. ef. 4-1-05

918-305-0180

Amend Article 394 — Concealed Knob-and-Tube Wiring

Add the following to the end of Section 394.12 Uses Not Permitted: “Exception: The provisions of Section 394.12 shall not be construed to prohibit the installation of loose or rolled thermal insulating materials in spaces containing existing knob-and-tube wiring, provided all the following conditions are met:

(1) The visible wiring shall be inspected by a certified electrical inspector or a general supervising electrician employed by a licensed electrical contractor.

(2) All defects found during the inspection shall be repaired prior to the installation of insulation.

(3) Repairs, alterations or extensions of or to the electrical systems shall be inspected by a certified electrical inspector.

(4) The insulation shall have a flame spread rating not to exceed 25 and a smoke density not to exceed 450 when tested in accordance with ASTM E84-91A 2005 Edition. Foamed in place insulation shall not be used with knob-and-tube wiring.

(5) Exposed splices or connections shall be protected from insulation by installing flame resistant, non-conducting, open top enclosures which provide three inches, but not more than four inches side clearances, and a vertical clearance of at least four inches above the final level of the insulation.

(6) All knob-and-tube circuits shall have overcurrent protection in compliance with the 60 degree C column of Table 310-16 of NFPA 70-2005. Overcurrent protection shall be either circuit breakers or type S fuses. The type S fuse adapters shall not accept a fuse of an ampacity greater than permitted in Section 240.53.”

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 479.730

Stats. Implemented: ORS 479.730

Hist.: BCA 12-1993, f. 6-23-93, cert. ef. 7-1-93; BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96, Renumbered from 918-290-0085; BCD 1-2000, f. 1-6-00, cert. ef. 4-1-00; BCD 19-2002, f. 8-1-02, cert. ef. 10-1-02; BCD 23-2004, f. 12-15-04, cert. ef. 4-1-05; BCD 29-2005, f. 12-30-05, cert. ef. 1-1-06

918-305-0190

Amend Article 410 — Luminaires (Lighting Fixtures), Lampholders, and Lamps

Insert following Section 410.66(B): “(C) Only Type IC recessed fixtures shall be permitted to be installed in cavities intended to be insulated.”

Stat. Auth.: ORS 479.730

Stats. Implemented: ORS 479.730

Hist.: DC 13-1987, f. & ef. 5-1-87; Renumbered from 814-022-0680; BCA 17-1990, f. & cert. ef. 6-27-90; BCA 12-1993, f. 6-23-93, cert. ef. 7-1-93; BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96, Renumbered from 918-290-0090; BCD 1-2000, f. 1-6-00, cert. ef. 4-1-00; BCD 19-2002, f. 8-1-02, cert. ef. 10-1-02

918-305-0205**Amend Article 422 — Appliances**

Add to the first paragraph of **Section 422.34** Unit Switch(es) as Disconnection Means: “Unit switches on ranges, ovens and dishwashers shall not be considered the disconnect required by this section.”

Stat. Auth.: ORS 479.730

Stats. Implemented: ORS 479.730

Hist.: f. 8-1-02, cert. ef. 10-1-02; BCD 19-2002, f. 8-1-02, cert. ef. 10-1-02

918-305-0210**Amend Article 424 — Fixed Electric Space-Heating Equipment**

In **Section 424.3(A)** Branch Circuit Requirements add the following to the end of the subsection: “New equipment may be connected to an existing circuit that does not serve fixed electric space-heating equipment. The new equipment may be reconnected to that circuit, provided the equipment being installed has an ampere rating of not more than 50 percent of the branch circuit rating.”

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 479.730

Stats. Implemented: ORS 479.730

Hist.: BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96; BCD 1-2000, f. 1-6-00, cert. ef. 4-1-00; BCD 19-2002, f. 8-1-02, cert. ef. 10-1-02

918-305-0250**Amend Article 620 — Elevators, Dumbwaiters, Escalators, Moving Walks, Wheelchair Lifts and Stairway Chair Lifts**

(1) Amend **Section 620.1** Scope by replacing FPN No. 1 with “FPN No.1: For further information, see the **Oregon Elevator Specialty Code** as adopted in OAR 918, division 400.”

(2) Amend **Section 620.2** Definitions by adding: “Separate Branch Circuit. A circuit dedicated solely for the purpose intended without other devices, systems or equipment connected to the circuit.”

(3) Amend **Section 620.5** Working clearances by adding: “Where machine room doors swing inward, the arc of the door shall not encroach on those clearances required by **Section 110.26(A)**.”

(4) Amend **Section 620.11(A)** Hoistway Door Interlock Wiring to read: “The conductors of the hoistway door interlocks from the hoistway riser shall be flame-retardant and suitable for a temperature of not less than 200° C (392°F). Conductors shall be Type SF or equivalent except where not required by the Elevator Safety Code (ASME A17.1).”

(5) Amend **Section 620.21(A)(1)(a)** by adding: “The length of flexible metal conduit shall not exceed 6 feet (1.83 m).”

(6) Amend **Section 620.37(A)** Uses Permitted by adding: “Conduits and raceways necessary for the connection of such devices shall only enter hoistways and machine rooms to the extent necessary to connect the device(s) attached thereto.”

(7) Amend **Section 620.51(B)** Operation by adding to the end of the paragraph: “When provided, this disconnecting means shall be located in the elevator control room or control space. The installation shall comply with the requirements of NFPA 72 as adopted in OAR 918-306-0005.”

(8) Amend **Section 620.51(C)** Location by adding: “Where machine rooms are provided, the disconnecting means required by **Section 520.51** shall be located within 24 inches (610 mm) of the open side of the machine room access door. Where more than one disconnect is required for a multi-car group, the disconnects shall be adjacent to each other with the first disconnect located within 24 inches (610 mm) of the open side of the machine room access door. Measurement shall be taken from the edge of the disconnect nearest the machine room door.”

(9) Amend **Section 620.51(C)(4)** On Wheelchair Lifts and Stairway Chair Lifts to read: “On wheelchair lifts and stairway chair lifts, the disconnecting means shall be located within sight of the motor controller or lift and within six feet (1.83 m) of the motor controller. The disconnecting means shall not be located in the runway enclosure and a means shall be provided to lock the door or cover in the closed position.”

(10) Amend **Section 620.51(C)** by adding: “(5) Residential installations. A disconnecting means shall be required to be placed within sight of the controller or lift. Where such devices are supplied with flexible plug type connectors, the supply receptacle shall be switched by the disconnecting means. The disconnecting means does not require overcurrent protection, provided such protection is supplied by the branch circuit overcurrent device. In all other respects the disconnecting means shall comply with the requirements of this section.”

(11) Add new section: “**Section 620.86** Flexible Metal Conduit. Where flexible metal conduit is utilized between the disconnecting means specified in **Section 620.51** and the elevator controller, an equipment grounding conductor shall be provided within the raceway and sized per **Section 250.122** and **Table 250.122**.”

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 479.730

Stats. Implemented: ORS 479.730

Hist.: BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96; BCD 1-2000, f. 1-6-00, cert. ef. 4-1-00; BCD 19-2002, f. 8-1-02, cert. ef. 10-1-02; BCD 23-2004, f. 12-15-04, cert. ef. 4-1-05

918-305-0270**Amend Article 692 — Fuel Cell Systems**

Amend **Section 692.6** Listing Requirement to read: “The fuel cell system shall be certified for its intended application prior to final approval.”

Stat. Auth.: ORS 479.730

Stats. Implemented: ORS 479.730

Hist.: BCD 19-2002, f. 8-1-02, cert. ef. 10-1-02; BCD 23-2004, f. 12-15-04, cert. ef. 4-1-05

918-305-0280**Amend Article 725 — Class 1, Class 2 and Class 3 Remote-Control, Signaling, and Power-Limited Circuits**

Amend **Section 725.8** Mechanical Execution of Work by replacing the last sentence with “This installation shall also conform with 300.4 and 300.11.”

Stat. Auth.: ORS 479.730

Stats. Implemented: ORS 479.730

Hist.: BCD 23-2004, f. 12-15-04, cert. ef. 4-1-05

918-305-0290**Amend Article 760 — Fire Alarm Systems**

Amend **Section 760.8** Mechanical Execution of Work by replacing the last sentence with “The installation shall also conform with 300.4 and 300.11.”

Stat. Auth.: ORS 479.730

Stats. Implemented: ORS 479.730

Hist.: BCD 23-2004, f. 12-15-04, cert. ef. 4-1-05

918-305-0300**Amend Article 770 — Optical Fiber Cables and Raceways**

Amend **Section 770.24** Mechanical Execution of Work by replacing the last sentence with “The installation shall also conform with 300.4 and 300.11.”

Stat. Auth.: ORS 479.730

Stats. Implemented: ORS 479.730

Hist.: BCD 23-2004, f. 12-15-04, cert. ef. 4-1-05

918-305-0310**Amend Article 800 — Communications Circuits**

Amend **Section 800.24** Mechanical Execution of Work by replacing the last sentence with “The installation shall also conform with 300.4 and 300.11.”

Stat. Auth.: ORS 479.730

Stats. Implemented: ORS 479.730

Hist.: BCD 23-2004, f. 12-15-04, cert. ef. 4-1-05

918-305-0320**Amend Article 820 — Community Antenna Television and Radio Distribution Systems**

Amend **Section 820.24** Mechanical Execution of Work by replacing the last sentence with “The installation shall also conform with 300.4 and 300.11.”

Stat. Auth.: ORS 479.730

Stats. Implemented: ORS 479.730

Hist.: BCD 23-2004, f. 12-15-04, cert. ef. 4-1-05

Electrified Fixed Guideway Passenger Railway Systems**General****918-305-0400****Scope**

(1) The rules contained in 918-305-0400 to 918-305-0700 shall apply to all electrified fixed guideway passenger railway systems and electrical products associated with such systems installed in the State of Oregon. Any related structure or system that is not an electrified

fixed guideway passenger railway system shall be governed by the state building code as defined in ORS 455.010.

(2) Except as otherwise provided in these rules, the **National Electrical Code** as adopted by Oregon shall apply to all installations or repairs of all electrified fixed guideway rail systems. Installation shall be made by licensed electricians under ORS 479.630.

(3) Nothing in these rules shall be construed to:

(a) Alter or change the laws or rules applicable to persons licensed to perform installation of electrical systems or products;

(b) Exempt any electrical wiring used for general lighting or general power purposes, such as heating, cooling, ventilating, elevators or pumping equipment; or

(c) Exempt any feeder, service, switchboard, branch circuit panel board or standby power generator used in whole or in part for general building operation purposes.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 479.950

Stats. Implemented: ORS 479.950

Hist.: BCD 7-2000, f. 3-15-00, cert. ef. 4-1-00

918-305-0410

Definitions

(1) For the purposes of OAR 918-305-0400 to 918-305-0470, unless otherwise specified, the following shall apply:

(a) "Electrified Fixed Guideway Passenger Railway" means any train, trolley, car, streetcar or other vehicle that is designed to operate on fixed rails for public transportation of passengers and is powered by service voltage equaling or exceeding 600 volts AC and less than 100,000 volts AC;

(b) "Substation" means the building or facility that houses the system or systems; and

(c) "System" or "Systems" means the electrical equipment, components and products used for traction electrification, signals, communications and fare collection equipment, or any combination thereof, used for the operation of an electrified fixed guideway passenger railway and installed, or to be installed, on the load side of the electrical utility service point, including any medium voltage AC service and distribution equipment.

(2) Unless terms are specifically defined by these rules, terms shall have a meaning as defined by the **National Electrical Code (NEC)**, or if no NEC definition, their ordinary meaning.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 479.950

Stats. Implemented: ORS 479.950

Hist.: BCD 7-2000, f. 3-15-00, cert. ef. 4-1-00

Administration

918-305-0420

Electrified Fixed Guideway Passenger Railway System Permits

(1) The signature of a general supervising electrician or limited supervising electrician shall be required on each permit to aid inspections by the division and indicate responsibility under ORS 479.950.

(2) A permit is required prior to start of any electrical work. Expansion of work under a permit may be added to an existing permit prior to final inspection.

(3) A permit must be posted in a conspicuous place near the main electrical panel location. If there is no main panel installed, the permit shall be posted in a conspicuous place on the job site.

(4) An electrical permit issued to one person or firm is not transferable and shall not permit any other person or firm to perform any electrical work thereunder.

(5) Any permittee holding an unexpired permit may apply for an extension of the time within which work may be completed.

(6) Permit fees shall be charged at \$69 per hour including travel and office time with a minimum charge of one hour for any and all inspections performed on that permit.

Stat. Auth.: ORS 479.950

Stats. Implemented: ORS 479.950

Hist.: BCD 7-2000, f. 3-15-00, cert. ef. 4-1-00

918-305-0430

Requests for Inspection and Notice of Results

(1) All persons who take out an electrical permit shall request an inspection within 24 hours of:

(a) The completion of any electrical installation intended to be covered or concealed or that is intended to be placed into service before the final electrical inspection; and

(b) The completion of all electrical installations for the job site covered by a particular permit.

(2) Except as provided in Section (3) of this rule, an inspecting jurisdiction, shall inspect within 48 hours of a written request for inspection unless the time for inspection is extended to a set date by mutual agreement. The 48 hours excludes Saturdays, Sundays and holidays.

(3) The inspecting jurisdiction shall inspect an installation at a remote location within a reasonable time of the request.

(a) For the purpose of this section, a "remote location" is:

(A) An inspection location that is more than 60 miles one way using the most direct route, measured from the closest of the inspector's station, inspection office or the inspecting jurisdiction's primary offices; or

(B) An inspection location that requires more than one hour of normal driving, one way, using the most direct route from the closest point mentioned in paragraph (A) of this subsection.

(b) For the purposes of this section, "within a reasonable time" means a response time that takes into account the time, distance and number of inspection requests, but shall not exceed seven consecutive calendar days including the date the request was received, unless the time for inspection is extended to a set date by mutual agreement. If the seventh calendar day falls on a weekend or holiday, this is extended to include the next business day.

(4) Reasonable procedures designed to provide actual notice of inspection results shall be used by all inspecting jurisdictions to notify the person requesting inspections, of the results of electrical inspection. "Reasonable procedures designed to provide actual notice" shall include posting at the job site and:

(a) Nothing more, when the installation is by an owner;

(b) Nothing more, when the installation is approved;

(c) Notification of any deficiencies on a specific permit by:

(A) FAX transmittal to the electrical contractor;

(B) Personal delivery to the electrical contractor or signing supervisor;

(C) Mailing; or

(D) Telephone followed by written notification.

(d) By written confirmation of inspection approval if a permit holder requests confirmation.

(5) If the inspection mentioned in Sections (1) and (2) of this rule involves a cover inspection, the work cannot be covered unless:

(a) Inspection clearance is given; or

(b) The request for inspection is in writing communicated to the inspecting jurisdiction, with notice that a cover inspection is involved, no extensions are agreed to and the maximum time for making the required inspection under Sections (1) and (2) of this rule are exceeded. For the purposes of this subsection:

(A) Written request includes a letter, telegram or FAX transmittal; and

(B) The burden of proof is on the person requesting the electrical inspection to prove that a written request was communicated.

Stat. Auth.: ORS 479.950

Stats. Implemented: ORS 479.950

Hist.: BCD 7-2000, f. 3-15-00, cert. ef. 4-1-00

918-305-0440

Correction of Defects

(1) Defects in electrical installations noted by the electrical inspector shall be corrected and an inspection request made within 20 calendar days of the date of actual notice of deficiency. For the purpose of this rule, actual notice is given when the inspecting jurisdiction does everything required in OAR 918-271-0020.

(2) If corrections cannot reasonably be made within the specified time in section (1) of this rule, or an interpretation or written appeal has been requested, the permit holder shall contact the inspecting jurisdiction and request an extension of time to a specified date or until deficiency is resolved.

(3) Requests for inspection and requests for extension may be communicated in any way. However, if challenged, the burden of proof is on the requester to document the request was in fact communicated. Responses may also be communicated in any way, but if challenged, the burden of proof is on the inspecting jurisdiction.

Stat. Auth.: ORS 479.730
 Stats. Implemented: ORS 479.730
 Hist.: BCD 7-2000, f. 3-15-00, cert. ef. 4-1-00

918-305-0450

Electrical Products

(1) The service equipment of a system substation powered by AC shall be certified by an electrical testing laboratory or field evaluation firm approved by the State of Oregon.

(2) The DC transformation, rectification and distribution equipment within a system substation, including the traction power transformer, shall meet **ANSI** standards where applicable. Compliance shall be demonstrated by the operating entity by:

(a) Furnishing the required **ANSI** test reports upon request;

(b) Demonstrating the equipment is certified by an electrical testing agency approved by this state; or

(c) Having the equipment otherwise approved by the division as meeting applicable standards. Where there are no applicable **ANSI** standards for such electrical products, an exception may be granted by the division. All DC distribution equipment outside a substation is exempt from product certification.

(3) All electrical products and components installed for signaling systems are exempt from electrical product certification, the **Electrical Specialty Code** and the **National Electrical Code**. The main power supplies shall be certified by an electrical testing agency approved by this state as meeting applicable **ANSI** standards or otherwise be approved by the division. Where there are no applicable **ANSI** standards for such electrical products, an exception may be granted by the division.

(4) All electrical products installed for communications systems or components to such systems are exempt from regulation under this rule, the **Electrical Specialty Code** and the **National Electrical Code**. The main power supply shall be certified by an electrical testing agency approved by this state, or otherwise be approved by the division as meeting applicable **ANSI** standards. Where there are no applicable **ANSI** standards for such electrical products, an exception may be granted by the division.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 479.950

Stats. Implemented: ORS 479.950

Hist.: BCD 7-2000, f. 3-15-00, cert. ef. 4-1-00

918-305-0460

Grounding

(1) System substations shall be installed with a grounding grid to limit touch and step potentials to safe levels as recommended by **IEEE 80, "Guide for Safety in Substation Grounding."** AC and low-voltage equipment shall be bonded or grounded to this grid, except as otherwise provided for the utility neutral or ground. Calculations and ground resistance test reports for every substation shall be furnished to the division prior to final inspection and maintained by the operating entity.

(2) The service neutral conductor is not required to be bonded to the substation grounding grid, provided that:

(a) A warning sign is posted on the service equipment to provide notice of potential hazards to technical persons who may have access to the service equipment. The notice shall clearly indicate that the neutral is isolated and not grounded;

(b) An isolation barrier is installed over the neutral termination within the service equipment; and

(c) The ground grid is installed in a manner that will demonstrate a ground resistance of 5 ohms or less when tested in accordance with **IEEE 81, "Guide for Testing Grounding Systems."**

(3) Free-standing signal system cabinets, bungalows or buildings shall be separately grounded by means of a driven ground electrode or electrodes to obtain ground resistance of 25 ohms or less when tested in accordance with **IEEE 81**.

(4) 60 Hz, 120-volt AC systems for accessory power or lighting located within station platforms or substations shall meet the requirements of the **Electrical Specialty Code**.

(5) All service equipment receiving service voltage from the utility shall be posted with warning signs to provide notice of potential hazards to technical persons who may have access to the panel. The notice shall clearly indicate that the neutral is isolated and not grounded.

(6) All fencing located within 10 feet of a metallic railway substation, building, ground grid, bungalow or other structure shall be constructed of nonmetallic material.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 479.950

Stats. Implemented: ORS 479.950

Hist.: BCD 7-2000, f. 3-15-00, cert. ef. 4-1-00

918-305-0470

Appeals

(1) Appeals of decisions recommended by a deputy inspector in relation to the application of the **Oregon Electrical Specialty Code** shall be to the chief electrical inspector in accordance with OAR 918, division 251, provided that no notice needs to be given to any local jurisdiction.

(2) The chief electrical inspector's determination may be appealed to the director who may consult with the Electrical and Elevator Board or other consultants on any technical issues deemed necessary by the director.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 479.950

Stats. Implemented: ORS 479.950

Hist.: BCD 7-2000, f. 3-15-00, cert. ef. 4-1-00

Plan Review

918-305-0500

Standards for Electrical Plan Submissions

A plan review shall be performed prior to the issuance of a permit. Fees shall be based on an hourly rate of \$69 per hour. The plan review under these rules shall be limited to the review of the electrified fixed guideway railway system(s) being installed. Other permits and plan reviews may be required by the jurisdiction administering the state building code as defined in ORS 455.010.

Stat. Auth.: ORS 479.950

Stats. Implemented: ORS 479.950

Hist.: BCD 7-2000, f. 3-15-00, cert. ef. 4-1-00

918-305-0510

Standards for Electrified Fixed Guideway Railway Plan Review

A person performing electrical plan review shall be certified under OAR 918-311-0030 and do the following as a minimum when performing plan reviews:

(1) Load Calculations. Check load calculations for appropriateness, completeness and accuracy.

(2) Equipment. Check and determine if the equipment is:

(a) Suitable for the environment; and

(b) Properly sized and rated to meet the minimum code requirements.

(3) Service and Feeder. Check service and feeder installations for code compliance related to:

(a) Wiring method;

(b) Conduit and box fill;

(c) Conductor size and ampacity rating;

(d) Clearances;

(e) Locations;

(f) Accessibility; and

(g) Service grounding conductor size.

Stat. Auth.: ORS 479.950

Stats. Implemented: ORS 479.950

Hist.: BCD 7-2000, f. 3-15-00, cert. ef. 4-1-00

918-305-0520

Time Limit for Plan Review

(1) Plan reviews shall be approved or denied within ten working days from receipt of the complete electrified fixed guideway railway system plans by the jurisdiction requiring plan review. A reviewed set of plans shall be returned to the plan applicant:

(a) If a plan is rejected, the deficiencies must be set out in writing. Upon resubmission of the necessary items, the ten-day requirement starts again;

(b) If, because of the complexity or size of the installation, additional time beyond the ten working days is required to complete the review, the jurisdiction shall notify the person taking out the electrical permit of the reasons for the delay and the date the review will be completed.

(2) Nothing in this rule shall prohibit a jurisdiction from issuing a complete or partial permit before the entire plans and specifications are submitted or approved, provided adequate information is provided showing compliance with pertinent portions of the code. The permittee proceeds at risk, without assurance that the permit for the entire installation will be granted, or that corrections will not be required including those portions permitted.

Stat. Auth.: ORS 479.950
Stats. Implemented: ORS 479.950
Hist.: BCD 7-2000, f. 3-15-00, cert. ef. 4-1-00

Inspectors

918-305-0600

Role of an Electrical Inspector When Inspecting Electrified Fixed Guideway Railway Systems

An electrical inspector certified under OAR 918-281-0020 shall inspect all electrified fixed guideway rail installations as provided in these rules and provide public information on the meaning or application of an electrical code provision, but shall not lay out work or act as a consultant for electrical contractors, property owners or users.

Stat. Auth.: ORS 479.950
Stats. Implemented: ORS 479.950
Hist.: BCD 7-2000, f. 3-15-00, cert. ef. 4-1-00

Enforcement

918-305-0700

Electrified Fixed Guideway Railway Systems — Penalty Guidelines

(1) Scope and authority. This rule sets guidelines for civil penalties for violations of any provision of the rules relating to electrified fixed guideway railway systems.

(2) “Continuing Offense” means violation of a code, rule or law on one or more additional days after having been notified that the act in question, or failure to act, is a violation.

(a) An additional day is any day, other than the first day, an offense takes place; however, defects noted by an inspector in an element of assembly or construction shall not be considered an offense if the defect is corrected and an inspection request made in no more than 20 calendar days.

(b) Notification is not dependent upon a penalty having been assessed.

(c) “Continuing Violation” has the same meaning as “continuing offense.”

(3) Amount of penalty that may be assessed by the administrator:

(a) Not more than \$1,000 for each violation; or

(b) Not more than \$1,000 for each day of a continuing violation.

(4) In determining the penalty amount, any appropriate factors may be taken into account, including but not limited to, prior history of violations, extent to which corrective action was taken and the element of risk or danger to any person caused by the violation.

(5) Civil penalties may be reached by stipulation or consent and may be stayed in whole or in part according to the terms of a stipulation or consent order.

(6) Civil penalties may be assessed in addition to, or in lieu of, the suspension or revocation of a license, certificate of competency or similar authority issued by the division.

(7) Procedures:

(a) Civil penalties shall be brought by staff and assessed by the administrator.

(b) If a dispute concerning the application of the rules relating to electrified fixed guideway railway systems is appealed to the director under ORS Chapter 455 or 479, or:

(A) No civil penalty shall be sought or assessed for violation of the code provision that was appealed, until after the appeal or interpretation is resolved and if corrections are necessary, they are made in not more than 30 calendar days.

(B) Notwithstanding an administrative appeal, civil penalties can be brought or assessed for failure to obtain a permit if the issues on appeal do not involve the question of whether a permit was necessary.

(C) The obligation is on the person charged, or about to be charged, with a violation to advise of an appeal under this subsection.

(c) The division shall adopt operating procedures to promote equity and uniformity in proposing the amount and terms of civil

penalties and conditions under which the penalties may be modified based on the circumstances in individual cases.

Stat. Auth.: ORS 455.895 & 479.950
Stats. Implemented: ORS 455.895 & 479.950
Hist.: BCD 7-2000, f. 3-15-00, cert. ef. 4-1-00; BCD 33-2000, f. 12-27-00, cert. ef. 1-1-01

DIVISION 306

QUALIFYING ELECTRICAL PRODUCTS FOR SALE OR DISPOSAL IN OREGON

General

918-306-0000

Scope and Authority for Rule

(1) The rules in OAR 918-306-0000 to 918-306-0530 deal with the different ways to qualify an electrical product for sale, disposal and installation in Oregon.

(2) Authority for rules.

(a) ORS 479.540 authorizes partial and complete product exemptions;

(b) ORS 479.610 requires products for sale in Oregon to be certified; and

(c) ORS 479.730 authorizes creation of procedures for product certifications, administration and enforcement and field evaluation of electrical products.

Stat. Auth.: ORS 479.730
Stats. Implemented: ORS 479.540, 479.610, 479.730 & 479.760
Hist.: BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96; Suspended by BCD 12-2003(Temp), f. & cert. ef. 6-24-03 thru 10-31-03; BCD 15-2003, f. & cert. ef. 10-1-03

918-306-0005

Standards for Product Evaluations

The following standards shall be adopted for use when completing product evaluation:

(1) NFPA standards on list dated April 1, 2005, maintained by the division titled “NFPA Standards”; and

(2) UL standards on list dated April 1, 2005, maintained by the division titled “UL Standards.”

Stat. Auth.: ORS 479.730
Stats. Implemented: ORS 479.730
Hist.: BCD 19-2002, f. 8-1-02, cert. ef. 10-1-02; BCD 23-2004, f. 12-15-04, cert. ef. 4-1-05

918-306-0010

Overview

(1) ORS 479.610 establishes certification requirements for electrical products.

(2) The certification process generally involves inspection, testing and evaluation of the product. This is done through:

(a) Listing and application of listing label by a Nationally Recognized Testing Laboratory (NRTL);

(b) Special Deputy Evaluation and Certification. A product can be submitted to the division for certification under ORS 479.760. The special deputy procedures, rules and limitations are located in OAR 918-306-0510 to 918-306-0530; or

(c) Field Evaluation of Products. Field evaluation involves inspection, testing, evaluation and application of an evaluation label utilizing Recommended Practice and Procedures for Unlabeled Electrical Equipment Evaluation dated June 2003 and published by the American Council of Independent Laboratories (ACIL).

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 479.730
Stats. Implemented: ORS 479.730
Hist.: BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96; BCD 23-2000, f. 9-29-00, cert. ef. 10-1-00; Suspended by BCD 12-2003(Temp), f. & cert. ef. 6-24-03 thru 10-31-03; BCD 15-2003, f. & cert. ef. 10-1-03; BCD 4-2004, f. 3-31-04, cert. ef. 4-1-04

Approval of Field Evaluation Firms

918-306-0340

General Requirement for Approval of Field Evaluation Firms

Approval of a field evaluation firm requires:

(1) The firm to meet Oregon approval standards in these rules for each type of product for which it seeks approval and be approved according to OAR 918-306-0350;

- (2) Examination and continued approval under OAR 918-306-0360;
- (3) Payment of actual expenses of examination and evaluation; and
- (4) The address and contact person representing the field evaluation firm be provided.

Stat. Auth.: ORS 479.730

Stats. Implemented: ORS 479.730

Hist.: BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96; BCD 23-2000, f. 9-29-00, cert. ef. 10-1-00; BCD 4-2004, f. 3-31-04, cert. ef. 4-1-04

918-306-0350

Checklist for Applicants

The application for approval as a field evaluation firm shall require proof that the firm:

- (1) Is an independent, third-party inspection company with no direct or indirect affiliation with manufacturers, suppliers or vendors of the products it evaluates;
- (2) Is primarily engaged in the business of testing electrical products, equipment and systems;
- (3) Does not engage in the promotion or design of the product being evaluated;
- (4) Has sufficient diversity of clients or activity and financial net worth, so loss or award of an evaluation contract would not be a material factor in the financial well-being of the firm;
- (5) Operates in accordance with generally accepted professional and ethical business practices; and
- (a) Performs inspections, tests and evaluations required under the field evaluation programs in accordance with the referenced recommended practice in OAR 918-306-0010;
- (b) Assures that reported values accurately reflect the inspection measurement data and final evaluation assessment; and
- (c) Limits its work to that for which it has the competence and capacity to fulfill.
- (6) Provides in its client agreement that it may report to appropriate jurisdictions information concerning safety hazards and failures to meet applicable product safety standards and to provide any information requested by regulatory agencies;
- (7) Maintains a consumer complaint file dealing with written complaints and resolve complaints contesting test results and evaluations fairly and promptly;
- (8) Is able to do all examinations, tests, evaluations and inspections for field evaluating and labeling of products for which it is approved;
- (9) Maintains an independent relationship between its clients, client affiliates or other organizations so the firm's ability to issue reports and certifications objectively and without bias is not adversely affected;
- (10) Has a quality control manual as provided in OAR 918-306-0380;
- (11) Has personnel meeting the requirements of OAR 918-306-0390;
- (12) Has test and measurement equipment meeting the requirements of OAR 918-306-0400;
- (13) Maintains records according to OAR 918-306-0410; and
- (14) Maintains an up-to-date library of all product safety standards as defined in OAR 918-306-0005 relating to each product being evaluated.

Stat. Auth.: ORS 479.730

Stats. Implemented: ORS 479.730

Hist.: BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96; BCD 23-2000, f. 9-29-00, cert. ef. 10-1-00; BCD 4-2004, f. 3-31-04, cert. ef. 4-1-04

918-306-0360

Examination Schedule for Field Evaluation Firms

- (1) Approved field evaluation firms shall be examined under the following schedule:
- (a) Firms initially approved shall be examined at the end of two years; and
 - (b) Firms in good standing shall be examined every three years.
- (2) Firms examined shall make all arrangements and pay all fees in advance of the re-examination.
- (3) Field evaluation firms shall provide submittals to the division for the initial examination and re-examinations according to the schedule in Section (1) for review of the company's field evaluation program including procedures, processes, equipment calibration program, per-

sonnel qualifications and training, controls and record keeping as specified in OAR 918-306-0340 to 918-306-0410. Approval of field evaluation firms shall be for all company locations.

(4) On re-examination, field evaluation firms shall be specifically examined for corrections in prior examinations and to determine whether the firm continues to meet Oregon requirements.

Stat. Auth.: ORS 479.730

Stats. Implemented: ORS 479.730

Hist.: BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96; BCD 23-2000, f. 9-29-00, cert. ef. 10-1-00; BCD 4-2004, f. 3-31-04, cert. ef. 4-1-04

Operating Equipment and Procedures

918-306-0380

Quality Control Manual

The firm shall:

- (1) Maintain a quality control system to assure accuracy and technical integrity;
- (2) Have a quality control manual or a firm operations control manual with written procedures, references and information covering evaluation of each product for which approval is sought. The contents must be adequate to guide a testing technician or inspector through the required tests and inspection; and
- (3) Keep an updated copy of all applicable manuals and standards at the work site for use by firm personnel and make manuals available to the division for review and audit.

Stat. Auth.: ORS 479.730

Stats. Implemented: ORS 479.730

Hist.: BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96; BCD 4-2004, f. 3-31-04, cert. ef. 4-1-04

918-306-0390

Field Evaluation Firm Personnel

- (1) Firm personnel shall be competent to perform the tests, examinations, reevaluations and inspections for field evaluation of each product for which approval is sought.
- (2) Staff competency shall be verified at least annually by observations and/or examinations by qualified persons selected by the manager having technical responsibility for the firm's field evaluation operations.
- (3) A training program to assure new or untrained staff will be able to perform tests and inspections properly and uniformly to the requisite degree of precision and accuracy shall be maintained.
- (4) The firm shall maintain records, including dates of training, observation or examination of personnel performance.

Stat. Auth.: ORS 479.730

Stats. Implemented: ORS 479.730

Hist.: BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96; BCD 4-2004, f. 3-31-04, cert. ef. 4-1-04

918-306-0400

Electrical Evaluation Equipment

The firm shall calibrate, verify and maintain its test and measurement equipment used to conduct any field evaluation. It shall maintain:

- (1) A description of the procedures used in calibrating, verifying and maintaining the test equipment, including as applicable:
 - (a) Calibration and verification equipment or services used;
 - (b) Reference standards and materials used;
 - (c) Measurement assurance, corroborative references, or other programs in which the laboratory participates;
 - (d) Specified maintenance practices.
- (2) Calibration and verification records, including as applicable:
 - (a) Equipment description or name;
 - (b) Name of manufacturer;
 - (c) Model, style and serial number, or other identification;
 - (d) Equipment variables subject to calibration and verification;
 - (e) Statement of the instrument's allowable error and tolerances of readings;
 - (f) Calibration and verification schedules (intervals);
 - (g) Dates and results of last calibrations including "as received" results or verifications and schedule of future calibrations or verifications;
 - (h) Name of laboratory person or outside contractor providing the calibration or verification service;
 - (i) Traceability to National Institute of Standards and Technology or other standard reference authority as required.

Stat. Auth.: ORS 479.730

Stats. Implemented: ORS 479.730
Hist.: BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96; BCD 4-2004, f. 3-31-04, cert. ef. 4-1-04

918-306-0410

Records

(1) The firm shall maintain reports and supporting data as records of evaluation activities associated with each product inspected and tested for which approval is sought. The firm shall make available to the division, upon request, a typical completed test or inspection report deleting the name of the client and installation location.

(2) Test and inspection reports shall be retained for at least three years and contain as applicable:

- (a) Name and address of the evaluation firm;
- (b) Pertinent dates and identification of tests or inspections;
- (c) Name of client;
- (d) An appropriate title;
- (e) Identification of the test, inspection or procedure as specified for the field evaluation program;

(f) Known deviations, additions to or exclusions from testing, inspection and evaluation activities to be appropriate to new or innovative products not contemplated by the standard;

(g) Measurements, examinations, derived results and identification of test anomalies;

(h) A statement whether or not the results comply with the requirements of the standard;

(i) Name of the person completing the inspections, testing and evaluation and the signature of the person having responsibility for the report;

(j) Data generated during testing if not included in the test report, such as raw data, calculations, table, graphs, sketches and photographs;

(k) Records of its quality control checks and audits for monitoring its test work associated with its evaluation programs.

Stat. Auth.: ORS 479.730
Stats. Implemented: ORS 479.730
Hist.: BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96; BCD 4-2004, f. 3-31-04, cert. ef. 4-1-04

Certification through Special Deputies

918-306-0510

Special Deputy Certification Procedures

When a product is accepted for special deputy certification under ORS 479.760:

(1) A division inspector determines if the product meets applicable minimum safety standards adopted by the board by:

(a) Examining the product and its components for compliance with applicable board-approved standards;

(b) Reviewing the assembly of labeled, listed, recognized or non-certified components for correct and applicable application, installation and circuit protection. Noncertified components are subject to the requirements of ORS 479.760(2); and

(c) Reviewing code compliance.

(2) A certification label is attached by the special deputy inspector on the product, or placement of a certification label is authorized.

Stat. Auth.: ORS 479.760
Stats. Implemented: ORS 479.760
Hist.: BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96; BCD 12-2003(Temp), f. & cert. ef. 6-24-03 thru 10-31-03; BCD 15-2003, f. & cert. ef. 10-1-03

918-306-0520

Submission Requirements for Product Approval by Special Deputy

Applications for:

(1) Product approval by a special deputy shall be accompanied by a specimen, sample or prototype, or advice on the location of a site-specific or use-specific product that was field assembled, and engineering data, wiring diagrams and other test data available to evaluate the product; and

(2) Certification of production produced in volume shall, in addition to section (1) of this rule, provide documentation of the quality control process proposed to be used in the manufacturing, assembly or production of the product.

Stat. Auth.: ORS 479.760
Stats. Implemented: ORS 479.760
Hist.: BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96

918-306-0530

Fees and Procedures

(1) Applicants requesting product approval by special deputies shall pay hourly fees in OAR 918-309-0070 for "other inspections" or any successor rule. If it is determined by the division testing or evaluation through a laboratory or engineering firm is needed, the person requesting special deputy certification shall pay the company doing the testing or evaluation directly.

(2) Inspection fees shall be paid prior to inspection. If the exact amount cannot be determined in advance, an amount sufficient to pay the estimated fee shall be deposited with the division prior to inspection. Any portion of the deposit not required for the fee shall be refunded to the applicant upon written request.

Stat. Auth.: ORS 479.760
Stats. Implemented: ORS 479.760
Hist.: BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96

DIVISION 308

MUNICIPAL ADMINISTRATION

Delegation and Oversight

918-308-0000

Electrical Delegation Rules

The rules in OAR 918-308-0000 to 918-308-0430 shall be referred to as the Electrical Delegation Rules.

Stat. Auth.: ORS 479.855
Stats. Implemented: ORS 479.855
Hist.: BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96

918-308-0010

Standards for Delegation

Administration and enforcement of the electrical program shall only be delegated under ORS 479.855 to municipalities meeting the following minimum performance standards:

(1) The municipality shall be ready, willing and able to fully operate the electrical program on the effective date of delegation, July 1.

(2) The municipality shall create and maintain minimum services which are at least reasonably the same level of electrical administrative, enforcement and inspection services presently provided to the area. Minimum administrative, enforcement and inspection services include the "Ongoing Requirements" in the Electrical Delegation Rules.

(3) Operation of the program shall be financially feasible without unduly increasing short-term and long-term cost of electrical inspection services to the public, both in the areas delegated and, if applicable, the remaining program to the surrounding area.

(4) The municipality shall demonstrate its ability to carry out the proposed electrical program.

(5) The requirements in the Electrical Delegation Rules are in addition to rules adopted by the Department in OAR 918-020-0070 through 918-020-0220 for municipalities that apply to undertake inspection programs.

Stat. Auth.: ORS 479.855
Stats. Implemented: ORS 479.855
Hist.: BCA 21-1993, f. 10-5-93, cert. ef. 12-1-93; BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96, Renumbered from 918-300-0100

918-308-0020

Check List for Application for Delegation of Electrical Program

A municipality seeking delegation or renewal of delegation of the electrical program shall:

(1) Comply with ORS 455.148 and 455.150; and

(2) If the municipality is applying for delegation for the first time, it shall file an application for delegation of the electrical program under the Electrical Delegation Rules. The application shall:

(a) Be filed by the governing body of the municipality by October 1 prior to the year for which delegation is sought;

(b) Be based on a resolution of the municipality formally authorizing the application, and representing if the application is granted, the municipality and all persons under it will comply with and be bound by the Electrical Delegation Rules;

(c) Include a proposed ordinance for administration and enforcement of the electrical program;

(d) Include an operating plan showing it meets the minimum standards for delegation in the Electrical Delegation Rules; and

(e) Note any differences in service or inspections from present services and inspections to be provided on delegation.

(3) If the municipality is requesting its first renewal, it shall file relevant amendments or updates to its initial application and note this is its first renewal application.

Stat. Auth.: ORS 479.855

Stats. Implemented: ORS 479.855

Hist.: BCA 21-1993, f. 10-5-93, cert. ef. 12-1-93; BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96, Renumbered from 918-300-0130; BCD 28-2002(Temp), f. & cert. ef. 10-1-02 thru 3-29-03; BCD 36-2002, f. 12-31-02, cert. ef. 1-1-03

918-308-0030

Check List for Proposed Ordinance

The proposed ordinance establishing the municipal electrical program shall, among other things, adopt:

(1) The **Electrical Specialty and One and Two Family Dwelling Specialty Codes** by reference;

(2) Identical or compatible administrative provisions for the electrical programs including requirements for permits and authority to issue stop work and correction orders;

(3) Enforcement authority dealing with persons who start work without permits, fail to call for inspections, fail to make corrections or otherwise violate the electrical requirements;

(4) Plan review requirements, if any;

(5) Minor label and bulk label procedures, as applicable;

(6) Temporary permit procedures; and

(7) Electrical fees.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 479.855

Stats. Implemented: ORS 479.855

Hist.: BCA 21-1993, f. 10-5-93, cert. ef. 12-1-93; BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96, Renumbered from 918-300-0140

918-308-0040

Check List for Operating Plan and Documentation

An “operating plan” is the municipality’s strategy for carrying out the goals and objectives for its electrical inspection program commencing on July 1 of the year for which delegation is sought. “Strategy” means what, how and when it will be done. The operating plan shall include:

(1) Strategies and written agreements, where relevant, for handling the transition from the losing jurisdiction to applicant including arrangements made for:

(a) Open permits and inspections ongoing as of July 1;

(b) Enforcement actions pending on July 1;

(c) Being fully operational on July 1 including staffing and training of permit and other personnel;

(d) Informing contractors and others of the changeover of inspecting jurisdictions, jurisdictional boundaries and requirements covering permits and procedures, inspection procedures, temporary permit procedures, plan review requirements and fees; and

(e) Employees presently providing the electrical inspection services in the area covered by the application and how applicant will deal with ORS 236.605:

(A) If the matter was resolved by the applicant and losing jurisdiction, or with the jurisdiction and the inspector, provide a copy of the agreement and a statement by applicant’s municipal counsel that all employee rights under ORS 236.605 were preserved;

(B) Any assertion that ORS 236.605 is not applicable to the transaction must be from applicant’s municipal counsel.

(2) Strategies for electrical operations including:

(a) Inspectors and inspections:

(A) When will certified electrical inspectors be hired, how will applicant be operational by July 1 and how will inspectors be used to carry out the program;

(B) Where more than one inspection office is involved, how will inspectors be deployed;

(C) If the electrical program is offered jointly with another municipality or parts of another municipality, the agreement between municipalities, which ordinances will apply in the different areas, what offices and staff assignments will be made and what boundaries are involved; and

(D) If electrical services will be provided by a contractor, the operating plan to be followed including inspection, coverage of pro-

longed absences and administration and an agreement by the contractor to be bound by the Electrical Delegation Rules.

(b) Code interpretations. How will code interpretations be provided and when will electrical inspectors be available to provide them. This should cover each office;

(c) Conflict resolution. How will conflicts in electrical code interpretations between inspectors or inspectors and the public be resolved at the local level, what rights of appeal will the public be advised of, and how will conflicts of interest involving staff be resolved;

(d) Plan review. Will plan review be required and if so which installations require plan review;

(e) Turn-around time. What will be the response time to inspection requests, what correction notices will be used, when will reinspection be required, and how and where will permit and inspection records be kept. If a contractor is used, will contractor records be made available at the municipality’s offices in the event of a review of electrical operations. Attach related forms to be used;

(f) Enforcement. How and when will license checks and permit and code compliance be monitored, who will be involved and how will violations be enforced. If the electrical inspector is not full time with the municipality, who will do license checks and other enforcement during the inspector’s absence;

(g) Use of labels. What labels will be used and what internal procedures will be followed for minor installation labels and bulk labels if the municipality uses bulk labels;

(h) Temporary permits. What temporary permit procedures are adopted by the municipality to deal with OAR 918, division 309 or for days during a regular work week the municipality is not open for permit sales;

(i) Forms and records. What electrical permit application, appeal and other forms will be used and where will formal permit and inspection records be kept. Attach forms;

(j) Accounting. How will electrical revenues, direct and indirect including interest earned, be segregated from other revenues and accounted for; how will payments from and charges to that account be accounted for; and if there are electrical surpluses, will these be carried over for the electrical program between fiscal years. How will overhead, including all administrative costs, be allocated;

(k) Projections. What is applicant’s projection for electrical income and expenses for the fiscal period for which the application is filed and what assumptions, such as growth or increased inspections, are relied on. What are the projections for following periods if losses are projected for the first period. If losses are projected, how these will be funded. If a contractor is used, show projections for the municipality and the contractor.

(l) Contingency plan. A plan for “back-up” inspection services.

Stat. Auth.: ORS 479.855

Stats. Implemented: ORS 479.855

Hist.: BCA 21-1993, f. 10-5-93, cert. ef. 12-1-93; BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96, Renumbered from 918-300-0150

918-308-0050

Effect on Losing Municipality

(1) The division shall request the municipality losing inspection territory to provide:

(a) Projected revenue loss if the area involved is delegated, strategies for operations and advice if fee increases will be necessary to sustain its electrical program;

(b) Estimates of impact on staffing and continuity of services on remaining territory;

(c) Comments concerning assertions made by the applicant regarding enforcement and services presently provided; and

(d) Estimated monthly number of calls for electrical inspections and days per week required to serve the area.

(2) Responses from the losing municipality shall also be provided to applicant.

Stat. Auth.: ORS 479.855

Stats. Implemented: ORS 479.855

Hist.: BCA 21-1993, f. 10-5-93, cert. ef. 12-1-93; BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96, Renumbered from 918-300-0160

918-308-0060

Review and Approval Process

(1) The division shall, after review of the application, submit the application to the board for comments and recommendations and grant or deny the application, or seek clarification or corrections. If addition-

al information or technical corrections are necessary, comments may be provided and the municipality may be allowed to submit changes.

(2) If a complete and acceptable plan is not on file by January 1, the request for delegation shall be denied for that year. An extension may be granted if agreed to by the municipality, division and county involved, if the municipality is a city.

(3) If a municipality whose authority was previously revoked reapplies for delegation of the electrical program, it shall, in addition to its application, show how past deficiencies were corrected and how they will be prevented in the future.

(4) A new delegation of authority shall be provisional for a year. A municipality receiving a provisional delegation shall amend its application, if necessary, to reflect desired changes. If no amendments are filed by January 1, the prior application shall be used. The division shall make site visitations as necessary to inform itself of how the electrical program is being administered and how the operating plan is being followed and file its report with the application. Once the application is renewed no new applications are necessary unless the delegation is revoked or yielded by the municipality.

Stat. Auth.: ORS 479.855

Stats. Implemented: ORS 479.855

Hist.: BCA 21-1993, f. 10-5-93, cert. ef 12-1-93; BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96, Renumbered from 918-300-0170; BCD 28-2002(Temp), f. & cert. ef. 10-1-02 thru 3-29-03; BCD 36-2002, f. 12-31-02, cert. ef. 1-1-03

Follow-Through Requirements

918-308-0070

Filing of Municipal Ordinance and Review of Operations

Within 60 days of delegation of the electrical program, the municipality shall file its electrical program ordinance, including adoption of local fees, with the division.

Stat. Auth.: ORS 479.855

Stats. Implemented: ORS 479.855

Hist.: BCA 21-1993, f. 10-5-93, cert. ef 12-1-93; BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96, Renumbered from 918-300-0200

918-308-0080

Updating by Existing Municipalities

(1) If a municipality is unable to implement the program following delegation, the municipality shall notify the division explaining why and outlining how enforcement will be accomplished.

(2) Municipalities with ongoing electrical programs shall update their ordinances and operating plans, to reflect current operations according to the Electrical Delegation Rules.

Stat. Auth.: ORS 479.855

Stats. Implemented: ORS 479.855

Hist.: BCA 21-1993, f. 10-5-93, cert. ef 12-1-93; BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96, Renumbered from 918-300-0210

Ongoing and Minimum Requirements

918-308-0090

Employment of Electrical Specialty Code Electrical Inspector

(1) Each municipality shall employ at least one certified electrical inspector certified to inspect under the **Electrical Specialty Code**. This requirement may be satisfied by contracting with another municipality having a qualified inspector. Regardless of how the staffing is provided the minimum operating requirements in these rules shall also be met.

(2) The municipality shall provide the division with names and qualifications of its certified inspectors for general electrical and for one and two family dwelling inspections in time to include in the Directory of Responsibilities.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 479.855

Stats. Implemented: ORS 479.855

Hist.: BCA 21-1993, f. 10-5-93, cert. ef 12-1-93; BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96, Renumbered from 918-300-0250

918-308-0100

Public Contact Procedure

Each office having electrical inspectors shall publicize and post regular office hours providing at least one hour per day when electrical inspectors are available to take calls and provide interpretations.

Stat. Auth.: ORS 479.855

Stats. Implemented: ORS 479.855

Hist.: BCA 21-1993, f. 10-5-93, cert. ef 12-1-93; BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96, Renumbered from 918-300-0260

918-308-0110

Code Interpretation Dispute Resolution

Municipalities shall provide:

(1) A reasonable method to resolve conflicts in code interpretation within the municipality; and

(2) Information concerning appeal rights to the division under ORS 479.853.

Stat. Auth.: ORS 479.855

Stats. Implemented: ORS 479.855

Hist.: BCA 21-1993, f. 10-5-93, cert. ef 12-1-93; BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96, Renumbered from 918-300-0270; Suspended by BCD 16-2005(Temp), f. & cert. ef. 7-7-05 thru 12-31-05

Permits and Permit Issuance

918-308-0120

Permit Sales Office

A municipality shall establish at least one office within each non-contiguous service area where electrical permits can be obtained directly or have self-issuing or temporary permit procedures for all regular work days, which excludes weekends and holidays.

Stat. Auth.: ORS 479.855

Stats. Implemented: ORS 479.855

Hist.: BCA 21-1993, f. 10-5-93, cert. ef 12-1-93; BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96, Renumbered from 918-300-0280

918-308-0130

Electrical Permits

Notwithstanding OAR 918-309-0010 which requires uniform permit forms and procedures, a municipality may include legal descriptions of the property where the electrical installation will be made or other information on the electrical permit application as long as the permit applicant is not required to provide the information.

Stat. Auth.: ORS 479.855

Stats. Implemented: ORS 479.855

Hist.: BCA 21-1993, f. 10-5-93, cert. ef 12-1-93; BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96, Renumbered from 918-300-0290

918-308-0140

Internal Operations

The municipality shall have written handouts or instructions on:

(1) Whether electrical plan review is required and when plan review is required; and

(2) How the municipality will deal with the temporary permit requirements.

Stat. Auth.: ORS 479.855

Stats. Implemented: ORS 479.855

Hist.: BCA 21-1993, f. 10-5-93, cert. ef 12-1-93; BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96, Renumbered from 918-300-0300

918-308-0150

Plan for Inspection Operations

The municipality shall:

(1) Offer and provide inspection services within its service area excluding weekends and holidays, to meet the electrical 48-hour inspection notice requirements in the inspection section of the electrical rules.

(2) Establish a written policy showing estimated response time for inspection requests, how and when correction notices will be used, when reinspection will be required and how and where permit and inspection records will be kept.

(3) Provide inspections normally between 7 a.m. and 6 p.m. unless otherwise agreed to by the inspecting authority and the permit holder.

Stat. Auth.: ORS 479.855

Stats. Implemented: ORS 479.855

Hist.: BCA 21-1993, f. 10-5-93, cert. ef 12-1-93; BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96, Renumbered from 918-300-0320

918-308-0160

Plan for Compliance

The municipality shall have a plan on how electrical permit and code violations will be handled. It shall have an ordinance allowing enforcement actions for violations.

Stat. Auth.: ORS 479.855

Stats. Implemented: ORS 479.855

Hist.: BCA 21-1993, f. 10-5-93, cert. ef 12-1-93; BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96, Renumbered from 918-300-0330

918-308-0170

Accounting Plan

The municipality shall have an accounting system which segregates electrical revenues, shows the source of electrical income including interest earned on held funds, shows charges and where electrical revenues were spent. If overhead charges to the inspecting organization are based on allocations the allocations must be supportable under general accounting principles.

Stat. Auth.: ORS 479.855
 Stats. Implemented: ORS 479.855
 Hist.: BCA 21-1993, f. 10-5-93, cert. ef. 12-1-93; BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96, Renumbered from 918-300-0340

918-308-0180

Formation of Municipal Program

(1) Municipalities combining electrical programs shall, to the extent practicable, centralize administration and use similar procedures, regulations, permit application and permit fees within the area served.

(2) Nothing in this rule prevents a municipality from being served by more than one combination of municipalities.

Stat. Auth.: ORS 479.855
 Stats. Implemented: ORS 479.855
 Hist.: BCA 21-1993, f. 10-5-93, cert. ef. 12-1-93; BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96, Renumbered from 918-300-0350

Maintenance and Amendment of Plans

918-308-0190

Review and Update of Plans and Ordinances

Each municipality shall annually review and update its electrical ordinance and operating plan to meet the requirements of the Electrical Delegation Rules.

Stat. Auth.: ORS 479.855
 Stats. Implemented: ORS 479.855
 Hist.: BCA 21-1993, f. 10-5-93, cert. ef. 12-1-93; BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96, Renumbered from 918-300-0400

918-308-0200

Amendment of Plans by All Municipalities with Electrical Programs

All municipalities providing electrical inspections shall submit:

(1) Ordinance amendments and intended effective dates and change of electrical fees, regardless of whether fees are adopted by ordinance, at least 45 days prior to the adoptive date.

(2) Amendments and intended effective dates regarding the operating plan at least 30 days prior to implementation.

Stat. Auth.: ORS 479.855
 Stats. Implemented: ORS 479.855
 Hist.: BCA 21-1993, f. 10-5-93, cert. ef. 12-1-93; BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96, Renumbered from 918-300-0410; BCD 28-2002(Temp), f. & cert. ef. 10-1-02 thru 3-29-03; BCD 36-2002, f. 12-31-02, cert. ef. 1-1-03

918-308-0210

Automatic Renewal

(1) A municipality finishing its first term of operations under its delegation must reapply for delegation the second term as provided in the Electrical Delegation Rules.

(2) Subject to OAR 918-020-0070 through 918-020-0220, once a municipality receives a renewal of delegation when it provides subsequent timely notice prior to January 1 as required by ORS 455.148 and 455.150, the electrical delegation is continued without further action by the division, unless during the interim the division revokes the delegation.

Stat. Auth.: ORS 479.855
 Stats. Implemented: ORS 479.855
 Hist.: BCA 21-1993, f. 10-5-93, cert. ef. 12-1-93; BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96, Renumbered from 918-300-0420; BCD 28-2002(Temp), f. & cert. ef. 10-1-02 thru 3-29-03; BCD 36-2002, f. 12-31-02, cert. ef. 1-1-03

Program Review

918-308-0300

Review of Municipality Program

(1) The division shall conduct a comprehensive review of each municipality delegated administration of the electrical program at least every five years.

(2) A comprehensive review shall be conducted by a minimum team of:

- (a) One local building official;
- (b) One electrical contractor or contractor's representative;
- (c) Division chief electrical inspector or state **Electrical Specialty Code** inspector if the chief inspector is unable to serve; and
- (d) One division representative;
- (e) Optionally, a general contractor registered with the Construction Contractors Board, if nominated by the municipality involved;
- (f) Optionally, additional persons, depending on the size and complexity of the municipality involved, as determined and selected by the division.

(3) A single-purpose review shall be conducted by the division chief electrical inspector or designee and others selected by the division if the operations of the municipality are at variance with its approved operating plan.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 479.855
 Stats. Implemented: ORS 479.855
 Hist.: BCA 11-1988, f. & cert. ef. 7-20-88; BCA 21-1993, f. 10-5-93, cert. ef. 12-1-93; BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96, Renumbered from 918-303-0010

918-308-0310

Notice of Review

(1) The division shall notify a municipality 60 days in advance of a comprehensive review.

(2) The division shall notify a municipality at least 48 hours in advance of a single purpose review.

Stat. Auth.: ORS 479.855
 Stats. Implemented: ORS 479.855
 Hist.: BCA 11-1988, f. & cert. ef. 7-20-88; BCA 21-1993, f. 10-5-93, cert. ef. 12-1-93; BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96, Renumbered from 918-303-0020

918-308-0320

Initial Interview

(1) The division shall conduct an initial interview with the building official or designated representative as the first step in the comprehensive review process.

(2) The initial interview shall give the building official or representative an understanding of the manner in which the review will be performed.

Stat. Auth.: ORS 479.855
 Stats. Implemented: ORS 479.855
 Hist.: BCA 11-1988, f. & cert. ef. 7-20-88; BCA 21-1993, f. 10-5-93, cert. ef. 12-1-93; BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96, Renumbered from 918-303-0030

918-308-0330

Review of Records

(1) The municipality shall maintain and make records available for division review. For the purpose of this rule except where the context requires otherwise, a "previous year" is the last full fiscal year for the municipality. The required records are:

- (a) Electrical permits issued during the previous two years;
- (b) Minor installation labels issued during the previous year;
- (c) Inspections performed by electrical inspectors during the previous fiscal year;
- (d) Written code interpretations made during the previous two years;
- (e) Written or recorded complaints about the program lodged with the municipality and disposition of the matters for the previous fiscal year; and
- (f) Records of revenues from electrical permits, inspections, and penalties and expenses incurred in the administration and enforcement of the electrical program for the previous fiscal year.

(2) The municipality shall report the number of electrical, structural, mechanical, plumbing and manufactured structures set-up permits issued, the number of minor labels issued and the number of electrical inspections performed by the municipality during the previous fiscal year.

(3) The program review team:

(a) Will review the operating plan for program delegation submitted to the division under these rules to determine if the municipality is following the plan;

(b) May require additional financial information if municipal records do not satisfactorily show application of permit and inspection funds, including interest, to the electrical program or shows charges not related to the electrical program.

Stat. Auth.: ORS 479.855
 Stats. Implemented: ORS 479.855

Hist.: BCA 11-1988, f. & cert. ef. 7-20-88; BCA 21-1993, f. 10-5-93, cert. ef. 12-1-93;
BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96, Renumbered from 918-303-0040

918-308-0340

Inspection Review

The division shall reinspect jobs previously inspected by municipality inspectors and accompany municipality inspectors on inspections.

Stat. Auth.: ORS 479.855

Stats. Implemented: ORS 479.855

Hist.: BCA 11-1988, f. & cert. ef. 7-20-88; BCA 21-1993, f. 10-5-93, cert. ef. 12-1-93;
BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96, Renumbered from 918-303-0050

918-308-0350

Inspector Performance Ratings

(1) During a comprehensive review, the division shall review selected electrical inspections.

(2) The reviewer shall assess points for any electrical violation not noted by the inspector on the following basis:

(a) Ten points for each mandatory item in OAR 918, division 271;

(b) One-tenth point for each secondary item in OAR 918, division 271.

(3) An individual performance rating for selected municipality inspectors shall be determined by dividing the total points assessed for all inspection items missed by the number of inspections reviewed.

Stat. Auth.: ORS 479.855

Stats. Implemented: ORS 479.855

Hist.: BCA 11-1988, f. & cert. ef. 7-20-88; BCA 21-1993, f. 10-5-93, cert. ef. 12-1-93;
BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96, Renumbered from 918-303-0060

918-308-0360

Program Inspection Rating

An inspection rating for the municipality program shall be determined by dividing the combined points assigned for all inspections reviewed pursuant to these rules by the total number of inspections reviewed.

Stat. Auth.: ORS 479.855

Stats. Implemented: ORS 479.855

Hist.: BCA 11-1988, f. & cert. ef. 7-20-88; BCA 21-1993, f. 10-5-93, cert. ef. 12-1-93;
BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96, Renumbered from 918-303-0070

918-308-0370

Exit Interview

(1) Immediately following completion of a comprehensive review, the division shall conduct an exit interview with the building official or designated representative.

(2) The exit interviewer shall provide:

(a) The general result of the review;

(b) Formal notification of any items requiring immediate attention; and

(c) Specific information to the extent such is available.

Stat. Auth.: ORS 479.855

Stats. Implemented: ORS 479.855

Hist.: BCA 11-1988, f. & cert. ef. 7-20-88; BCA 21-1993, f. 10-5-93, cert. ef. 12-1-93;
BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96, Renumbered from 918-303-0080

918-308-0380

Program Report

The division shall provide the municipality a written report of its findings within 60 days of completion of a comprehensive review or within 15 days of completion of a single-purpose review.

Stat. Auth.: ORS 479.855

Stats. Implemented: ORS 479.855

Hist.: BCA 11-1988, f. & cert. ef. 7-20-88; BCA 21-1993, f. 10-5-93, cert. ef. 12-1-93;
BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96, Renumbered from 918-303-0090

Deficiency Citation

918-308-0400

Deficiency Citation

(1) Notice of deficiencies shall only be issued following a comprehensive or single-purpose review of the municipal electrical program.

(2) A notice of deficiency shall be served on the building official by certified mail when:

(a) The municipality has an inspection rating of over 6.0;

(b) Any inspector has an inspection rating over 8.0;

(c) The municipality fails to provide minimum services as outlined in its plan; or

(d) The municipality fails to comply with the the Electrical Delegation Rules.

(3) Within 30 days from the date of receipt of the deficiency notice, the municipality shall file with the division a written proposal for correcting the deficiencies noted in the audit report. The proposal shall include:

(a) Specific methods by which the municipality intends to correct the deficiencies; and

(b) A proposed timeline for completing the corrections.

(4) The division shall review the proposed correction plan and notify the municipality in writing of any items in the plan found to be unsatisfactory. The division shall set a date for submission of the final correction plan.

(5) Subject to OAR 918-308-0410 providing for a contested case hearing, if no objection is made, it will be presumed that the municipality agrees to the terms of the deficiency notice or correction requirements.

Stat. Auth.: ORS 479.855

Stats. Implemented: ORS 479.855

Hist.: BCA 11-1988, f. & cert. ef. 7-20-88; BCA 21-1993, f. 10-5-93, cert. ef. 12-1-93;
BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96, Renumbered from 918-304-0010

918-308-0410

Appeal of Deficiency Citations

A municipality aggrieved by a notice of deficiency or the denial of proposed correction procedures may ask for a contested case hearing under ORS Chapter 183 and the Attorney General's Model Rules of Procedure.

Stat. Auth.: ORS 479.855

Stats. Implemented: ORS 479.855

Hist.: BCA 11-1988, f. & cert. ef. 7-20-88; BCA 21-1993, f. 10-5-93, cert. ef. 12-1-93;
BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96, Renumbered from 918-304-0020

918-308-0420

Notice of Program Revocation

(1) A municipality shall be considered to be failing to comply with standards adopted by the board or as not effectively carrying out duties assumed by the municipality under ORS 479.855 if it:

(a) Receives an inspection rating that exceeds 6.0 and fails to submit an acceptable correction plan; or

(b) Fails to submit a corrective plan after receiving a notice of deficiency.

(2) The provisions of section (1) of this rule are not intended to limit the conditions when the division can seek revocation under ORS 479.855.

Stat. Auth.: ORS 479.855

Stats. Implemented: ORS 479.855

Hist.: BCA 11-1988, f. & cert. ef. 7-20-88; BCA 21-1993, f. 10-5-93, cert. ef. 12-1-93;
BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96, Renumbered from 918-304-0030

918-308-0430

Appeal of Program Revocation

A municipality served with a notice of proposed program revocation under ORS 479.855 may ask for a contested case hearing under ORS Chapter 183 and the Attorney General's Model Rules of Procedure.

Stat. Auth.: ORS 479.855

Stats. Implemented: ORS 479.855

Hist.: BCA 11-1988, f. & cert. ef. 7-20-88; BCA 21-1993, f. 10-5-93, cert. ef. 12-1-93;
BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96, Renumbered from 918-304-0040

DIVISION 309

PERMITS AND FEES

918-309-0000

Electrical Permits

(1) Except as provided by OAR 918, division 282, dealing with restricted energy transactions, limited maintenance specialty contractor-HVAC/R, and registered telecommunications service provider, the signature of a signing supervising electrician or limited supervising electrician shall be required on each permit to aid inspections by the division and indicate responsibility under ORS 479.710. Any person providing false or incorrect information or false or an incorrect

signature to obtain a permit may be subject to compliance action by the board.

(2) The following may purchase electrical permits:

(a) Electrical contractors; and

(b) Registered telecommunications service provider (TSP) as defined in ORS 759.005, including competitive carriers, competitive local exchange carriers (CLEC) and telecommunications utilities. These telecommunications service providers are listed as such by the Public Utilities Commission (PUC).

(3) A permit is required prior to start of electrical work. See OAR 918-309-0080 for temporary permit criteria. Expansion of work under a permit may be added to an existing permit prior to final inspection.

(4) A permit shall be posted in a conspicuous place near the main electrical panel location. If there is no main panel installed, the permit shall be posted in a conspicuous place on the job site.

(5) An electrical permit, other than a restricted energy electrical permit as provided in OAR 918-309-0400, issued to one person or firm is not transferable and shall not permit any other person or firm to perform any electrical work thereunder.

(6) Any permittee holding an unexpired permit may apply for an extension of the time within which work may be completed.

(7) Permits issued by an inspection jurisdiction under the provisions of the Electrical Specialty Code and these rules shall expire and become null and void if the work authorized by the permit is:

(a) Not started within 180 days from the date of permit issuance; or

(b) Suspended or abandoned for a period of 180 days after the work is started.

(8) Corrections to electrical installations must be completed regardless of 180-day suspension or abandonment of work. All corrections to electrical installations must be completed within 20 calendar days of notice of deficiency. See OAR 918-271-0030 for requirements.

(9) In addition to other signing supervising electricians, the following are authorized to sign permits:

(a) A person whose qualifications are relied upon for licensing under OAR 918-282-0140 is a "supervisor" under ORS 479.560 and can sign for electrical permits or labels for work under a limited maintenance specialty contractor-HVAC/R license;

(b) A Class "A" or Class "B" limited energy technician can sign permits or labels for 100 volt-ampere or less electrical installations performed by those licensees;

(c) A "supervisor" as used in ORS 479.630 who can sign restricted energy permits includes:

(A) A Class "A" or "B" limited energy technician when the electrical installation is within the scope of the person's license;

(B) Persons whose qualifications are relied upon for the issuance of a restricted energy electrical contractor license under OAR 918-282-0060; and

(C) Any other electrical licensee authorized to sign a permit provided the work is within the scope of the person's license.

(10) No electrical permit is required:

(a) To replace light bulbs, fluorescent tubes, or approved fuses, or to connect approved portable electrical equipment to permanently installed and properly wired receptacles;

(b) For experimental electrical work or testing of electrical products in testing laboratories of electric shops, educational institutions, industrial plants, or recognized testing laboratories;

(c) For those minor electrical installations for which the board has authorized an installation label;

(d) To install components exempted by OAR 918, division 261;

(e) To replace an existing garbage disposal, dish washer, electric water heater or similar appliance of 30 amps or less, single phase; or

(f) To install cord and plug connected Class 2 irrigation control systems.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 479.560

Stats. Implemented: ORS 479.560 & 479.870

Hist.: DC 10, f. 4-13-72, ef. 5-1-72; DC 41, f. 1-20-75, ef. 2-11-75; DC 49(Temp), f. 6-30-75, ef. 7-1-75; DC 54, f. 9-5-75, ef. 10-1-75; DC 12-1981, f. 9-29-81, ef. 10-1-81; DC 10-1982, f. & ef. 3-1-82; DC 20-1982, f. & ef. 9-21-82; DC 12-1983(Temp), f. 6-10-83, ef. 7-1-83; DC 17-1983, f. & ef. 7-21-83; DC 5-1984, f. & ef. 2-24-84; Renumbered from 814-022-0125; BCA 16-1988, f. & cert. ef. 7-20-88; BCA 2-1992(Temp), f. 2-28-92, cert. ef. 3-18-92; BCA 11-1992, f. & cert. ef. 6-26-92; BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96, Renumbered from 918-260-0190; BCD 7-1997, f. & cert. ef. 4-1-97; BCD 16-1997, f. 9-30-97, cert. ef. 10-1-97; BCD 23-2000, f. 9-29-00, cert. ef.

10-1-00; BCD 23-2002, f. 9-13-02 cert. ef. 10-1-02; BCD 5-2003, f. 3-14-03, cert. ef. 4-1-03; BCD 4-2004, f. 3-31-04, cert. ef. 4-1-04

918-309-0010

Electrical Permit Form and Format

The division has adopted a:

(1) Standardized statewide electrical permit application format; and

(2) Uniform statewide method for calculating permit fees:

(a) Fees can only be charged for the categories and under the procedures and requirements established in OAR 918, division 309.

(b) The fees set out in OAR 918-309-0070 are for state permits. Local jurisdictions may set different fees as authorized by ORS 479.845.

(c) The fees established for the various categories adopted in this rule shall be inserted in the permit application form for local jurisdictions.

(d) The surcharge required by ORS 455.210 and 455.220 shall be added to the fees established.

Stat. Auth.: ORS 479.560

Stats. Implemented: ORS 479.870

Hist.: DC 5-1984, f. & ef. 2-24-84; DC 8-1986, f. & ef. 5-5-86; BCA 8-1987, f. & cert. ef. 9-18-87; Renumbered from 814-022-0126; BCA 11-1990(Temp), f. & cert. ef. 5-11-90; BCA 16-1990, f. 6-27-90, cert. ef. 7-1-90; BCA 6-1991(Temp), f. 3-21-91, cert. ef. 7-1-91; BCA 10-1991, f. 4-26-91, cert. ef. 7-1-91; BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96, Renumbered from 918-260-0200; BCD 23-2000, f. 9-29-00, cert. ef. 10-1-00

918-309-0020

State Electrical Permit Fees

The Building Codes Division electrical fees and method of computation of electrical permit fees are established in OAR 918-309-0030 to 918-309-0070.

Stat. Auth.: ORS 455.020 & 479.870

Stats. Implemented: ORS 455.020 & 479.870

Hist.: DC 74, f. 5-21-76, ef. 8-1-76; DC 102, f. & ef. 11-1-77; DC 1-1979, f. & ef. 1-5-79; DC 5-1979(Temp), f. & ef. 3-5-79; DC 10-1979, f. & ef. 6-8-79; DC 12-1981, f. 9-29-81, ef. 10-1-81; DC 10-1982, f. & ef. 3-1-82; DC 7-1983, f. & ef. 3-11-83; Renumbered from 814-022-0108; BCA 10-1991, f. 4-26-91, cert. ef. 7-1-91; BCA 16-1990, f. & cert. ef. 6-27-90; BCA 6-1991(Temp), f. 3-21-91, cert. ef. 7-1-91; BCA 10-1991, f. 4-26-91, cert. ef. 7-1-91; BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96, Renumbered from 918-260-0210

918-309-0025

Phased Permitting

(1) During the plan review process, an electrical contractor may request a complete or partial permit before the entire plans and specifications are submitted or approved, if adequate information is provided showing compliance with pertinent portions of the code. The permittee proceeds at his or her own risk, without assurance that the permit for the entire installation will be granted, or that corrections will not be required, including those portions permitted. The partial permit shall allow the electrical contractor to proceed with work pertaining to the electrical system of the structure.

(2) Any inspections performed by the local jurisdiction on the site or of the ground work shall be counted toward the number of electrical inspections allowed by the full permit once plan review is complete and the permit is issued.

Stat. Auth.: ORS 479.730

Stats. Implemented: ORS 479.730

Hist.: BCD 9-2003, f. 6-13-03, cert. ef. 7-1-03

918-309-0030

Permits for Residential Wiring

(1) Fee based on square footage for each dwelling unit (including attached garage) for residential wiring, allowing up to four inspections per unit:

(a) Wiring of not more than 1,000 square feet, \$106;

(b) Each additional 500 square feet or portion thereof, \$19.

(2) Permit fee for Manufactured Home or Modular Dwelling including service or feeder to unit served, up to two inspections only, \$63.

(3)(a) Permit fee for Limited Energy:

(A) One and Two Family Residential, \$25;

(B) This permit fee covers all limited energy type systems in residential occupancies when installed at the same time by the permittee. Installations such as antenna wire, stereo wire, computer wire, and alarm wire done by other contractors require separate permits and fees. No limited energy permit is required if the original permittee installs

wiring for doorbells, garage door opener and heating and air conditioning wiring. This permit allows up to two inspections.

(b) Multi-family residential:

(A) Multi-family residential, \$45;

(B) Compute this permit fee as provided in OAR 918-309-0070 Special Fees.

(4) Items Covered in this Section:

(a) When computing the area, include the square footage of attached garages;

(b) The residential fee covers services, feeders and all branch circuits on and inside each dwelling unit and includes garages that are attached to the dwelling unit, including the limited energy systems for the doorbell, garage door opener, and the heating and air conditioning control wiring in one and two family dwellings only;

(c) New Construction. Use this fee in connection with new construction;

(d) Remodels, Additions, Alterations or Repairs. Compute the fee under this section using the square footage of the area remodeled or added, then compute the fee under OAR 918-309-0060 "branch circuits." Use the lower fee;

(e) Reconnection only. See OAR 918-309-0040.

(5) Application of Fees:

(a) One- or Two-Family Dwellings. To calculate the fee for a one- or two-family dwelling, obtain the square footage of each unit. Include the garage if it is attached to any unit. There is an exception in subsection (c)(A) of this section if a detached garage or accessory building is built at the same time as the dwelling unit. Compute the fee using the procedure shown for each dwelling unit. Record the number of units under "Items" in the permit and multiply this with the fee shown;

(b) Multi-family Building. In the case of a multi-family building containing three or more apartments, determine the square footage of the largest apartment in the building and compute the fee. For each additional apartment in the building, a fee of one-half of the first unit fee may be used. The house panel fee for general service equipment such as apartment unit lights, washer-dryer, outdoor lighting and the like is calculated using OAR 918-309-0060(1) services and feeders, and OAR 918-309-0060(2)(b) dealing with branch circuits. When inspection is requested, if the entire building is not ready and additional visits are required, additional inspection fees may be charged;

(c) Detached Garages. Detached garages and accessory buildings are not considered part of the residential unit. The permit fee is based on the method of supplying power to the unit:

(A) Exception — Simultaneous Construction with Single Branch Circuit. If the structure receives power through a branch circuit from the house panel with a single branch circuit, include the square footage of the garage with the living unit, provided the garage is built at the same time as the dwelling unit. If a separate construction is involved, use the fee for a single circuit under branch circuits. OAR 918-309-0060(1)(a). If more than one branch circuit is involved, use OAR 918-309-0070;

(B) Sub-Panel. If the detached structure has a sub-panel powered from the house service, the fee is computed using the "feeder" section, OAR 918-309-0040 and branch circuits, OAR 918-309-0060(1);

(C) If the detached structure is built first, the fee is based on service, feeder and branch circuits;

(D) Separate Service. If the structure has a separate service, the fee is based upon service, feeder and branch circuits.

(d) Reconnect Only. See OAR 918-309-0060(6);

(e) House Moves. In most instances, the fee will only involve a service reconnect:

(A) If changes to the service are made, a new service charge is made under OAR 918-309-0040;

(B) For each new, extension or alteration of branch circuits, use OAR 918-309-0060;

(C) If the building was moved in sections and there is no upgrading of the service, use the fees in this section using square footage.

(f) Manufactured Dwellings and Modular Homes. Manufactured dwellings and modular homes usually require a service and a feeder from the service to the home. In mobile home parks, usually only the feeder is necessary because the service already exists. Where there is a detached garage or accessory building, refer to subsection (5)(c) of this rule dealing with detached structures.

Stat. Auth.: ORS 455.030 & 479.870

Stats. Implemented: ORS 455.030 & 479.870

Hist.: DC 74, f. 5-21-76, ef. 8-1-76; DC 102, f. & ef. 11-1-77; DC 1-1979, f. & ef. 1-5-79; DC 5-1979(Temp), f. & ef. 3-5-79; DC 10-1979, f. & ef. 6-8-79; DC 12-1981, f. 9-29-81, ef. 10-1-81; DC 10-1982, f. & ef. 3-1-82; DC 7-1983, f. & ef. 3-11-83; Renumbered from 814-022-0108; BCA 10-1991, f. 4-26-91, cert. ef. 7-1-91; BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96, Renumbered from 918-260-0220; BCD 9-1998(Temp), f. 6-2-98, cert. ef. 7-1-98 thru 12-27-98; BCD 18-1998, f. 9-30-98, cert. ef. 10-1-98; BCD 23-2000, f. 9-29-00, cert. ef. 10-1-00; BCD 9-2001(Temp), f. 8-15-01, cert. ef. 9-4-01 thru 3-3-02; BCD 10-2001, f. 9-28-01, cert. ef. 10-1-01; BCD 10-2003(Temp), f. 6-2-03, cert. ef. 7-1-03 thru 12-27-03; BCD 16-2003, f. & cert. ef. 10-1-03

918-309-0040

Permit for the Installation, Alteration, or Relocation of an Electrical Service or Feeder

Permanent service or feeder.

(1) Each service or feeder of 200 amps or less, \$79.

(2) Each service or feeder in excess of 200 amps but not more than 400 amps, \$94.

(3) Each service or feeder in excess of 400 amps but not more than 600 amps, \$156.

(4) Each service or feeder in excess of 600 amps but not more than 1,000 amps, \$204.

(5) Each service or feeder over 1,000 amps or volts, \$469.

(6) General Procedure for a Separate Service. If a structure has a separate service, the fee is based on the service size (amps), plus feeders, if any, plus the number of branch circuits.

(7) Fees in this rule are:

(a) In addition to any other fees required under ORS 479.510 to 479.855; and

(b) For up to two inspections per unit except for section (6) of this rule that covers one inspection only.

(8) Where the service constitutes a load center, the permit fee shall be calculated the same as any service panel. The charges shall be for the size of the service and the branch circuits or feeders to the load center.

(9) Reconnect Only. This rule applies to reconnection where the service was disconnected for repair or by the serving utility company and no change in service capacity or location is made. This allows the replacement of a meter base, a service mast, a service panel, a sub-panel, the feeder to one of the items listed or the repair or replacement of damaged service mast and meter on the exterior of a building. The \$63 fee covers one inspection for this item.

(a) If a major violation of the service exists, a new service and new permit fee shall be required;

(b) It may also be used for house moves. If a major violation of the code or a dangerous condition exists in a house move, repair or replacement and a permit are required.

(10) Fees charged under this rule may not be charged both for amps and volts.

(11) In commercial and industrial buildings, separately metered premises that are divided from each other by walls are classified as a separate building for the purpose of computing permit fees. A different permit is required for each separate building:

(a) Master Service. For buildings with a master service, such as an office building, compute fees by the service (amps), the feeders (amps) and branch circuits. If there is more than one service, each service is charged separately along with its related feeders and branch circuits;

(b) Single Occupant. In single occupant buildings, the fee is based on the service (amps), the number of feeders (by amps) and branch circuits;

(c) Tenants. Where tenants are involved, the shell receives a permit for any service, feeders and branch circuits that involve only the shell. Each tenant space requires a separate permit. Each tenant space is charged for service (amps), the number of feeders by amps and branch circuits.

Stat. Auth.: ORS 455.020 & 479.870

Stats. Implemented: ORS 455.020 & 479.870

Hist.: DC 74, f. 5-21-76, ef. 8-1-76; DC 102, f. & ef. 11-1-77; DC 1-1979, f. & ef. 1-5-79; DC 5-1979(Temp), f. & ef. 3-5-79; DC 10-1979, f. & ef. 6-8-79; DC 12-1981, f. 9-29-81, ef. 10-1-81; DC 10-1982, f. & ef. 3-1-82; DC 7-1983, f. & ef. 3-11-83; Renumbered from 814-022-0108; BCA 10-1991, f. 4-26-91, cert. ef. 7-1-91; BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96, Renumbered from 918-260-0230; BCD 9-1998(Temp), f. 6-2-98, cert. ef. 7-1-98 thru 12-27-98; BCD 18-1998, f. 9-30-98, cert. ef. 10-1-98; BCD 23-2000, f. 9-29-00, cert. ef. 10-1-00; BCD 9-2001(Temp), f. 8-15-01, cert. ef. 9-4-01 thru 3-3-02; BCD 10-2001, f. 9-28-01, cert. ef. 10-1-01; BCD 4-2004, f. 3-31-04, cert. ef. 4-1-04

918-309-0050

Permits for the Temporary Service or Temporary Feeder

(1) Permit for each temporary construction service or temporary feeder for light and power:

- (a) 200 amps or less, \$63;
- (b) 201 amps to 400 amps, \$86;
- (c) 401 to 600 amps, \$125;
- (d) Temporary service or temporary feeder of over 600 volts or

amps use fee schedule in OAR 918-309-0040(4), (5) and (6).

(2) OAR 918-309-0040(7) to (12) are applicable.

(3) The fee used in this section includes the branch circuits.

Stat. Auth.: ORS 455.020 & 479.870

Stats. Implemented: ORS 455.020 & 479.870

Hist.: DC 74, f. 5-21-76, ef. 8-1-76; DC 102, f. & ef. 11-1-77; DC 1-1979, f. & ef. 1-5-79; DC 5-1979(Temp), f. & ef. 3-5-79; DC 10-1979, f. & ef. 6-8-79; DC 12-1981, f. 9-29-81, ef. 10-1-81; DC 10-1982, f. & ef. 3-1-82; DC 7-1983, f. & ef. 3-11-83; Renumbered from 814-022-0108; BCA 10-1991, f. 4-26-91, cert. ef. 7-1-91; BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96, Renumbered from 918-260-0240; BCD 9-1998(Temp), f. 6-2-98, cert. ef. 7-1-98 thru 12-27-98; BCD 18-1998, f. 9-30-98, cert. ef. 10-1-98; BCD 23-2000, f. 9-29-00, cert. ef. 10-1-00; BCD 9-2001(Temp), f. 8-15-01, cert. ef. 9-4-01 thru 3-3-02; BCD 10-2001, f. 9-28-01, cert. ef. 10-1-01

918-309-0060

Branch Circuits

Branch circuits, alterations or extensions with not more than two inspections per panel or feeder.

(1)(a) The fee for branch circuits with purchase of service or feeder fee;

(b) Each branch circuit, \$4.

(2) The fee for branch circuits without purchase of service or feeder fee:

- (a) The first branch circuit, \$54;
- (b) Each additional branch circuit, \$4.

(3) For signs and outline lighting refer to OAR 918-309-0070(1)(b).

Stat. Auth.: ORS 455.020 & 479.870

Stats. Implemented: ORS 455.020 & 479.870

Hist.: DC 74, f. 5-21-76, ef. 8-1-76; DC 102, f. & ef. 11-1-77; DC 1-1979, f. & ef. 1-5-79; DC 5-1979(Temp), f. & ef. 3-5-79; DC 10-1979, f. & ef. 6-8-79; DC 12-1981, f. 9-29-81, ef. 10-1-81; DC 10-1982, f. & ef. 3-1-82; DC 7-1983, f. & ef. 3-11-83; Renumbered from 814-022-0108; BCA 10-1991, f. 4-26-91, cert. ef. 7-1-91; BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96, Renumbered from 918-260-0250; BCD 9-1998(Temp), f. 6-2-98, cert. ef. 7-1-98 thru 12-27-98; BCD 18-1998, f. 9-30-98, cert. ef. 10-1-98; BCD 23-2000, f. 9-29-00, cert. ef. 10-1-00; BCD 9-2001(Temp), f. 8-15-01, cert. ef. 9-4-01 thru 3-3-02; BCD 10-2001, f. 9-28-01, cert. ef. 10-1-01

918-309-0070

Miscellaneous

Special fees are established for the following items in lieu of fees set under OAR 918-309-0060.

(1) Permit for each domestic water or sewage pump, irrigation pump or circle and its associated controls, excluding service fee, \$63;

(a) Single Circuit. If a well pump or sewage pump and its associated controls are serviced from the house main service, and the pump is installed and ready for inspection, no additional fee is charged. If the pump is installed by another contractor or later, an additional pump fee and a new permit is necessary under this part;

(b) Feeder. If the well has a subpanel, there is a fee for the feeder from the main service to the subpanel and a fee for branch circuits. If the pump is installed later, or by another contractor, a new permit and pump fee is required;

(c) Separate Service. If the well has separate service the fee is based on the service (amps) and the number of branch circuits. If the pump is installed later, or by a different contractor, a new permit and pump fee is required.

(2) Permit for the installation of each electrical sign or outline lighting system supplied by a single branch circuit, \$63.

(3) Each limited energy circuit panel, one or more air-conditioning or heater thermostats installed at a job site, multiple circuit terminal board or installation or extension of limited energy circuits, \$63.

(4) The permit fees in this section are for up to two inspections and are charged in addition to other fees for electrical service.

(5) Note the exception under OAR 918-309-0030(3)(a)(A) dealing with residential limited energy.

(6) Installation of signal circuits in buildings over three floors. Each floor in excess of three shall be considered a separate panel for the purpose of calculating fees.

(7) Fees for Inspections in Excess of Those Allowed Under OAR 918-309-0030 through 918-309-0060. Charge for each additional inspection to be paid in advance unless requested by a bonded electrical contractor using the bulk label system, \$55.

(8) Fees for Other Inspections not Covered by This Rule. All inspections not provided in this rule shall be charged at \$86 per hour including travel and office time with a minimum charge of one hour.

(9) Fees for Bulk Labels:

(a) Bulk labels sold only to electrical contractors, \$25 per label;

(b) Contractors working under a bulk label system are billed for any difference in the cost of the bulk label and the cost of the permit fees required in this rule.

(10) The fee for swimming pools shall be permitted as provided in OAR 918-309-0040 and 918-309-0060. The inspection of the grounding of the pool shall be included in the permit for the pool and counted as one of the number of allowed inspections under the permit.

(11) Permit fees for renewable electrical energy systems. For renewable electrical energy permit applications, see OAR 918-309-0410. For repairs and maintenance of renewable electrical energy systems, see OAR 918-309-0220(5).

(a) 5 KVA or less: \$79;

(b) 5.01 KVA to 15 KVA: \$94;

(c) 15.01 KVA to 25 KVA: \$156.

Stat. Auth.: ORS 479.870

Stats. Implemented: ORS 479.870

Hist.: BCA 16-1990, f. 6-27-90, cert. ef. 7-1-90; BCA 6-1991(Temp), f. 3-21-91, cert. ef. 7-1-91; BCA 10-1991, f. 4-26-91, cert. ef. 7-1-91; BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96, Renumbered from 918-260-0260; BCD 9-1998(Temp), f. 6-2-98, cert. ef. 7-1-98 thru 12-27-98; BCD 18-1998, f. 9-30-98, cert. ef. 10-1-98; BCD 19-1999, f. 12-30-99, cert. ef. 1-1-00; BCD 23-2000, f. 9-29-00, cert. ef. 10-1-00; BCD 9-2001(Temp), f. 8-15-01, cert. ef. 9-4-01 thru 3-3-02; BCD 10-2001, f. 9-28-01, cert. ef. 10-1-01; BCD 23-2001(Temp), f. 12-28-01, cert. ef. 1-1-02 thru 6-29-02; BCD 4-2002, f. 3-8-02, cert. ef. 4-1-02; BCD 9-2002, f. 3-29-02, cert. ef. 4-1-02

918-309-0080

Temporary Electrical Permit Rule

(1) Authority and Scope of Rule. This rule:

(a) Is required by ORS 479.550;

(b) Applies to the Building Codes Division and all municipalities that enforce the electrical laws;

(c) Can only be used by a licensed electrical contractor.

(2) Definitions. For the purposes of this rule only, the following definitions are adopted:

(a) "Emergency Electrical Work" is an acute, unplanned and immediate need for electrical repair or replacement involving an existing electrical installation or product or both;

(b) "Licensed Electrical Contractor" or "Contractor" means any type of electrical contractor licensed by the Building Codes Division;

(c) "Jurisdiction" means the Building Codes Division, a municipality enforcing the electrical laws or municipality issuing electrical permits having authority over the electrical work;

(d) "Unanticipated Electrical Work" is electrical work, including a new installation, requested by a customer where the timing of a request for commencement of work does not reasonably allow the contractor time to obtain an electrical permit before starting the work:

(A) This includes, but is not limited to, additional work assigned at the work site as well as preassigned work when the customer requests service at an unplanned date or time;

(B) This does not include electrical work where a permit already exists covering all or part of the work.

(3) Temporary Permit. A jurisdiction shall recognize the existence of a temporary electrical permit when the contractor encounters "emergency electrical work" or "unanticipated electrical work," complies with section (4) of this rule and does electrical work.

(4) Temporary Permit Procedures. The contractor must comply with subsection (a) of this section and with one of the requirements of subsections (b) to (d) of this section:

(a) Prior to commencing work, the contractor shall fill out a standard form electrical permit application for any jurisdiction, identify the proper jurisdiction, identify the contractor, and provide the electrical contractor and Construction Contractors Board identifications;

(A) The standard permit application form covering electrical installations can be used in any transaction, except the fees shall be that of the jurisdiction where the work is done;

(B) A restricted energy electrical application can only be used if the work is strictly covered by that permit;

(C) The temporary permit must be signed by the journeyman or technician that does the work or by a supervising electrician;

(D) A copy must be posted at the job site marked "temporary permit," showing the starting work date and the ending date of the temporary permit. The ending date shall not be more than seven days from the starting date.

(b) FAX a copy to the jurisdiction and mail the original with proper payment to the jurisdiction all within seven days of the start of the work;

(c) If the jurisdiction does not have a FAX machine, telephone the jurisdiction informing it of the time, place and type of work that was started within 24 hours of the opening for business by the jurisdiction, and mail a copy of the completed application and payment within seven days of the start of the work; or

(d) If the jurisdiction has a recording device, call in the time, place and type of work within 12 hours of the start of work and complete the electrical permit application and payment within seven days of the start of the work.

(5) If bulk label or minor label procedures are appropriate for the electrical installation and are allowed by the jurisdiction, those procedures may be followed in lieu of the requirements of this rule.

(6) An inspection shall be requested at any time following the temporary permit procedures. A jurisdiction may, but is not required to, require permit fees before providing an inspection.

(7) Burden of Proof and Assumed Risks. The contractor who uses this rule has:

(a) The burden of proving that an "emergency" or "unanticipated electrical work" existed which justified using this rule; and

(b) Assumes all risks that are inherent with starting electrical installations before review and approval by the jurisdiction.

(8) In addition to civil penalties that may be assessed for violation of this rule, the use of this rule may be suspended, restricted or denied to a contractor who violates this rule more than once.

Stat. Auth.: ORS 479.540(1), 479.550 & 479.730(5)

Stats. Implemented: ORS 479.550

Hist.: BCA 17-1992, f. & cert. ef. 9-1-92; BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96, Renumbered from 918-260-0265

918-309-0090

Rules for Electrical Contractors Desiring to Make Electrical Installations Under Working Permits

Any electrical contractor who elects to use a working permit authorized by ORS 479.840 shall:

(1) Submit to the division a \$2,000 corporate surety bond or a cash bond on a division-approved form guaranteeing the payment of all fees provided for under ORS 479.510 to 479.850.

(2) Apply to the division for the working permit and affix at the job site before any electrical installation is commenced.

(3) Submit the supplementary permit application and the total permit fee as soon as the fees for that job can be determined and in no case, more than three months from the date work commenced on the job. Provided, that in special long term construction projects such as high rise buildings and large industrial buildings, where the electrical contractor has procured the prior approval of the division, a new working permit may be issued for three months for the same building if all fees for the electrical installations under the working permit issued for the preceding three-month period have been paid in full.

(4) Agree that the aggregate amount of unpaid fees outstanding at any time shall not exceed the amount of the bond. No working permit shall be issued and any existing working permit shall become null and void when fees totaling over \$2,000 are owed.

(5) Agree that if any unresolved dispute arises as to the amount of fees due on a particular installation, job, or in the aggregate shall be decided by the division after a hearing before the board.

Stat. Auth.: ORS 479.560 & 479.730

Stats. Implemented: ORS 479.560 & 479.730

Hist.: DC 10, f. 4-13-72, ef. 5-1-72; DC 12-1981, f. 9-29-81, ef. 10-1-81; Renumbered from 814-022-0145; BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96, Renumbered from 918-260-0290

Master Permit Program

918-309-0100

Master Permit Program Under ORS 479.560(3)

(1) Authority for Rule. This rule is authorized by ORS 479.560, only deals with electrical master permits and shall not be interpreted as changing any licensing requirement.

(2) Definitions. For the purpose of this rule:

(a) "Applicant" is an owner, building operating manager or an electrical contractor of a covered facility who complies with ORS 479.630;

(b) "Covered Facility" is one or more industrial plants as defined in OAR 918-251-0090 or any successor rule; commercial office buildings; buildings owned, leased, managed or operated by a state or local government entity; or other facilities designated by the board:

(A) Under common ownership or operating management;

(B) Located within the boundaries of the same inspecting jurisdiction; and

(C) Within the same complex or contiguous lots located at the same geographic site.

(c) "Inspecting Jurisdiction" is the state or municipality having authority to inspect a covered facility under a master permit program.

(d) "Master Permit" (formerly known as an "industrial plant" or "in-plant" permit) is an annual permit issued under ORS 479.560 and these rules by the inspecting jurisdiction.

(3) Additional Facilities Designated by the Board. "Covered facilities" also include:

(a) Where only a single building or structure is involved, the grounds and adjacent facilities under common control or management that make up the complex containing the building or structure;

(b) Isolated buildings and structures in multiple sites within the area served by the inspecting jurisdiction that individually meet the definition of "covered facility" but only when acceptable by both the inspecting jurisdiction and owner or operating manager; and

(c) Incidental buildings and structures adjacent or connected to a commercial office building, industrial plant, government building or building designated by the board, provided the building or structure is under the same ownership or management as the covered facility.

(4) Scope of Master Permit Program:

(a) Under ORS 479.540 which allows electrical master permit for "repair, alteration or replacement of existing electrical products," an "electrical product replacement" includes installing a product in place of another that shall not exceed the capacity or design of the existing electrical system;

(b) The following do not constitute "repair, alteration or replacement of existing electrical products" and require a separate permit and inspection:

(A) Electrical installations in a new building shell, structural retrofits, installation or alteration of load bearing walls, foundations or exit passageways;

(B) Any electrical installation in connection with changing the type of use or occupancy classification of the building or structure;

(C) Any addition which increases the square footage of the building or structure;

(D) Remodeling within an occupied existing shell which results in:

(i) Vacation of more than 25 percent of occupants within a floor or building resulting from remodel;

(ii) Termination of a tenant's usual activities for more than ten working days; or

(iii) Construction that involves more than 25 percent of the contiguous area of any floor.

(E) Electrical installations a part of construction within a covered facility that also involve a plumbing, structural or mechanical permit other than a master permit under ch. 368, 2003 Oregon Laws.

(5) Interpretation. Who can use a master permit:

(a) A master permit shall only be provided to an electrical contractor, owner or operating manager responsible for all electrical installations in the whole covered facility;

(b) An owner, electrical contractor or operating manager of a covered facility can obtain a permit only if appropriately licensed electricians are to do the work.

(6) Operation of the Master Permit Program:

(a) An applicant electing to have a covered building inspected under the master permit program shall take out a master permit with the inspecting jurisdiction and pay required fees;

(b) If applicant is an owner or operating manager, applicant shall file a roster with the inspecting jurisdiction of all electricians currently employed by applicant showing name, electrical license number and type of electrical license, and all electrical contractors whose work is included under a master permit taken out by the owner or operating

manager. The roster must be filed at the same time as the permit application:

(A) When an electrical contractor under a continuing retainer ceases to serve the covered facility, notice of termination shall be filed with the inspecting jurisdiction by the permit holder within ten working days of termination;

(B) An updated roster shall be available to the inspecting jurisdiction at any regularly scheduled inspection;

(C) An updated roster shall be filed with the inspecting jurisdiction at each master permit renewal.

(c) If applicant is an owner, operating manager or contractor, applicant shall:

(A) Create and keep records of all electrical work done under the master permit, show the person doing the work, electrical license number, date of work and have the records available for the electrical inspector at the covered facility at site or sites agreed to in writing with the inspecting jurisdiction. If there is no written agreement, each building shall have a record of electrical work done and of persons employed electrically for that building and its adjacent facilities;

(B) Set up an inspection schedule with the inspecting jurisdiction which shall be at least once a year;

(C) Call for inspections when necessary under the electrical requirements and not cover electrical work until an inspection is performed;

(D) Call for immediate inspections, if applicant chooses to discontinue the electrical master permit program. All future work must be by separate permit and inspection.

(7) Enforcement. The inspecting jurisdiction shall:

(a) Report and document all electrical licensing violations by a person holding an electrical master permit to the board;

(b) Take enforcement actions against persons who violate the scope of the master permit or compliance requirement and report the violations and actions taken to the board; and

(c) Make inspections at more frequent intervals to insure that licensing and scope of master permit requirements are being complied with.

(8) Limited Maintenance Electrician. Work by a limited maintenance electrician licensed under ORS 479.630 and performed under the scope of that license can be combined with a master permit program, provided separate records are kept and there is an annual inspection.

(9) Operations by Electrical Contractors. Electrical contractors:

(a) Shall be issued a separate master permit only if the contractor is a general electrical contractor, has a licensed signing supervisor on staff and is authorized by the owner or operating manager;

(b) Can work under the master permit of the applicant if the work is recorded together with the applicant's electrical installations and the work is within the scope of the contractor's license; and

(c) Shall comply with the applicable requirements of section (6) of this rule.

(10) Inspection Fees:

(a) A person obtaining a master inspection permit does not have to pay the normal permit inspection fees of the inspecting jurisdiction for installations within the scope of the permit. A separate permit, fees and individual inspections are required for installations outside the scope of a master permit;

(b) By the Division. Building Codes Division inspection charges are the division's miscellaneous fee for hourly inspections where no specific fee category is established, OAR 918-309-0070(5) and successor rules;

(c) By Municipalities. Municipal inspection charges shall be the municipality's miscellaneous fee for hourly inspections where no specific fee category is established;

(d) A one-time, set-up fee may be charged by the inspecting jurisdiction when a master permit is obtained, which shall not exceed \$100;

(e) To determine time charges, the "cost of making the inspection" in ORS 479.560 includes the inspector's travel time from the inspector's office to return, actual lodging and per diem expenses as established by the jurisdiction and preparation and review of reports whether this is done at the plant or at the inspector's office. The lodging and per diem expenses shall not exceed the standard amounts allowed by the inspecting jurisdiction.

(11) Delegation Standards. Delegation shall only be granted to municipalities that also serve essentially the same area with basic electrical inspection services:

(a) A municipality requesting delegation of the master permit program shall, in addition to the notice required by ORS 455.148 or 455.150, file an application prior to January 1 of the year for which delegation is requested and provide:

(A) The number of master permits anticipated to be issued and the names of electrical inspectors certified to inspect under the **Electrical Specialty Code** who are or will be assigned to the program;

(B) A master permit inspection operating plan. Initial applicants, excluding those who were doing industrial plant inspections under contract with the division on the effective date of this rule, shall also show what arrangements are to be operational on July 1;

(C) An agreement with each surrounding inspecting jurisdiction having covered facilities crossing municipal boundaries, providing who will inspect each covered facility, if the facility elects to be inspected under the master permit program. The agreement:

(i) Shall cover all electrical inspections for the facility;

(ii) May identify specific facilities but shall also include a method of determining who shall serve those facilities that become operational or make elections during the term of the agreement; and

(iii) Shall show how fees will be established for the complete covered facility that elects to be inspected under the master permit program.

(D) An authorization to the division that if the agreement in paragraph (C) of this subsection fails to include a contingency or method of resolving a contingency and there is any disagreement between the jurisdictions over who should serve a complete facility, the division is authorized to immediately assign the facility to an inspecting jurisdiction as it deems appropriate and that each will enter into intergovernmental agreements as needed to carry out the assignment;

(E) A prototype agreement with a facility that crosses municipal boundaries covering the terms and conditions of electrical inspection services unless other arrangements are made which gives the municipality enforcement and fee setting authority over the complete facility.

(b) Delegation shall only be granted where it is affirmatively found that the jurisdiction is clearly able to perform the new master permit program with no loss of efficiency or effectiveness to its basic electrical inspection program.

(12) Renewal of Delegation:

(a) Prior to January 1 of any year, when the municipality applies for renewal of the master permit program, it shall provide a report of number of master permits issued and number inspected during the prior calendar year. It shall be granted the delegation automatically if its basic electrical program is also renewed, unless the division expressly notifies the municipality to the contrary by April 30;

(b) All notices of discontinuation of the master permit program shall be filed by the same date shown in subsection (a) of this section;

(c) All amendments to the filing made under section (11) of this rule should be filed as soon as amendments are available, but no later than the date shown in subsection (a) of this section to allow review by division staff.

Stat. Auth.: ORS 479.560

Stats. Implemented: ORS 479.560

Hist.: BCA 2-1992(Temp), f. 2-28-92, cert. ef. 3-18-92; BCA 11-1992, f. & cert. ef. 6-26-92; BCD 28-1994, f. & cert. ef. 12-1-94; BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96, Renumbered from 918-260-0350

Minor Installation Labels

918-309-0210

Use of Minor Installation Labels

(1) Persons who may be issued and use minor labels. Minor installation labels may only be issued to and used for installations under the minor label programs permitted by OAR 918-100-0000 through 918-100-0060 by:

(a) An electrical contractor employing a properly licensed general supervising electrician only as authorized by OAR 918-309-0220;

(b) A limited maintenance specialty contractor or a limited maintenance specialty contractor-HVAC/R only as authorized by OAR 918-309-0220;

(c) A restricted energy contractor only as authorized by OAR 918-309-0220;

(d) A limited renewable energy contractor only as authorized by OAR 918-309-0220;

(e) A limited pump installation specialty contractor only as authorized by OAR 918-309-0220;

(f) A limited energy contractor only as authorized by OAR 918-309-0220; and

(g) A registered telecommunications service provider only as authorized by OAR 918-309-0220.

(2) Except as allowed under OAR 918-309-0220(3)(a) and (b), minor labels shall not be used for:

(a) Underground electrical installations;

(b) Electrical installations that require a cover inspection;

(c) Installations involving GFCI or AFCI devices other than 15 or 20 amp, 125-volt receptacles and circuit breakers;

(d) Any electrical installations that are covered by **Chapter 5** or **Article 680** (Swimming Pools, Fountains, or Similar Installations) of the **National Electrical Code**, as adopted in OAR 918-305-0100, or Chapter 41 of the **One- and Two-Family Dwelling Specialty Code**, as adopted in OAR 918-480-0005;

(e) Protective signaling; and

(f) New construction.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 479.540, 455.154 & 455.155

Stats. Implemented: ORS 479.540, 455.154 & 455.155

Hist.: BCA 10-1988, f. & cert. ef. 7-20-88; BCD 5-1994, f. 2-25-94, cert. ef. 7-1-94; BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96, Renumbered from 918-310-0030; BCD 4-1999, f. & cert. ef. 4-1-99; BCD 4-2002, f. 3-8-02, cert. ef. 4-1-02; BCD 4-2004, f. 3-31-04, cert. ef. 4-1-04; BCD 22-2004, f. & cert. ef. 10-1-04

918-309-0220

Scope of Electrical Work Allowed with Minor Installation Label

Except as provided in OAR 918-309-0200 which allows a person to insist on using a permit rather than a label, or where the transaction involves a component of an appliance exempted under OAR 918-261-0020, minor installation labels shall be used by:

(1) A contractor with a signing supervisor, where the installation does not exceed 240 volts for:

(a) Extension of not more than two existing branch electrical circuits limited to 30 amps each and, if relevant, connection of an appliance authorized under sections (2) and (3) of this rule;

(b) Installation of one new electrical circuit limited to 30 amps and, if relevant, connection of an appliance authorized under sections (2) and (3) of this rule;

(c) Repair or replacement of damaged components of existing electrical equipment including services not to exceed 200 amps, provided a reconnect is not required by the serving utility. For reconnects, see OAR 918-309-0040(10) for services; and

(d) The single installation of the appliances, repair or replacement activities authorized by sections (2) and (3) of this rule;

(e) Replacement of multiple switches, circuit breakers, receptacles, light fixtures, smoke detectors, or GFCI or AFCI circuit breakers and receptacles of 15–20 amp, 125-volt in a dwelling unit.

(2) A limited maintenance specialty contractor or a limited maintenance specialty contractor-HVAC/R where the installation does not exceed 120–240 volts single phase for repair or replacement of:

(a) A furnace, oil or gas, not to exceed 20 amps;

(b) A fan not to exceed 20 amps;

(c) A dishwasher or garbage disposal, not to exceed 20 amps;

(d) A water heater, which involves an electrical circuit, not to exceed 30 amps;

(e) An electrical furnace, air conditioning unit or refrigeration unit;

(f) A defective ballast, or up to five ballasts under one label. (For more than five ballasts, inspections shall be performed as a branch circuit permit or hourly rate authorized under OAR 918-309-0070(8)); or

(g) An item in this section and any related transaction under section (3) of this rule if the contractor employs a licensed general supervising electrician or Class “A” or “B” limited energy technician, the work is within the person’s scope of license, and that person does the work allowed.

(3) A restricted energy contractor, limited energy contractor, registered telecommunications service provider, or an electrical contractor using an appropriately licensed person if required to make the installation, may use a minor installation label for:

(a) Installation, repair and replacement in new or existing construction of one-and two family dwellings, of HVAC, telephone, garage door, vacuum systems, door bells, burglar, fire alarm and secu-

rity systems, and audio/stereo systems not exceeding 100 volt-amperes, in Class 2 or 3 installations; or

(b) Installation, repair and replacement of up to 5 devices under one label for the following installations not exceeding 100 volt-amperes in Class 2 or 3 installations in other existing buildings, provided:

(A) The equipment is not located in an area classified as hazardous, as described in Chapter 5 of the **National Electrical Code**, as adopted in OAR 918-305-0100;

(B) The system does not penetrate any fire protection system(s) or air-handling space(s), as defined in the currently adopted Oregon Electrical Specialty Code; and

(C) The installation is limited to the following:

(i) Thermostats;

(ii) Data communication devices;

(iii) Intercom, music and paging devices;

(iv) Door or gate control, monitor or access devices;

(v) Cable television and closed circuit television devices;

(vi) Burglar, security and fire alarm devices, including “Power Limited Fire Alarm Circuits” as defined in Article 760 of the **National Electrical Code**, as adopted in OAR 918-305-0100; or

(vii) Notwithstanding the 5 devices in subsection (3)(b) of this rule, central vacuum clean control devices, one label per system.

(4) This rule does not allow any person to make an installation that is not authorized by the scope of the person’s license.

(5) A limited renewable energy contractor or an electrical contractor using a licensed journeyman or limited renewable energy technician may use a minor label for repair and maintenance of renewable electrical energy systems as set forth in ORS 479.630(17)(a).

(6) A limited pump installation specialty contractor may use a minor label for repair, replacement and maintenance of installed pump or irrigation systems of the same horsepower and voltage, as set forth in ORS 479.630(13).

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 479.540

Stats. Implemented: ORS 479.540

Hist.: BCA 10-1988, f. & cert. ef. 7-20-88; BCD 5-1994, f. 2-25-94, cert. ef. 7-1-94; BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96, Renumbered from 918-310-0040; BCD 23-2000, f. 9-29-00, cert. ef. 10-1-00; BCD 4-2001, f. 3-30-01, cert. ef. 4-1-01; BCD 23-2001(Temp), f. 12-28-01, cert. ef. 1-1-02 thru 6-29-02; BCD 4-2002, f. 3-8-02, cert. ef. 4-1-02; BCD 9-2002, f. 3-29-02, cert. ef. 4-1-02; BCD 23-2002, f. 9-13-02 cert. ef. 10-1-02; BCD 4-2004, f. 3-31-04, cert. ef. 4-1-04

918-309-0260

Misuse of Minor Installation Labels

Violations of the minor label rules are subject to civil penalties or license revocations or both.

Stat. Auth.: ORS 479.540

Stats. Implemented: ORS 479.540

Hist.: BCA 10-1988, f. & cert. ef. 7-20-88; BCD 5-1994, f. 2-25-94, cert. ef. 7-1-94; BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96, Renumbered from 918-310-0080

Bulk Label Procedures

918-309-0310

Local Jurisdiction Enforcement

Each seller shall enforce the requirements of OAR 918, division 309.

Stat. Auth.: ORS 479.540

Stats. Implemented: ORS 479.540

Hist.: BCA 10-1988, f. & cert. ef. 7-20-88; BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96, Renumbered from 918-310-0110

918-309-0400

Restricted Energy Electrical Permit Application

(1) A separate Restricted Energy Electrical Permit Application Form and Restricted Energy Electrical Installer Log are created and adopted.

(2) The Restricted Energy Electrical Permit can be taken out by a general or subcontractor, limited energy installer or property owner for the fee set by the board in OAR 918-309-0030 for limited energy transactions provided the requirements of this rule are met. The person applying for the permit must:

(a) Assume responsibility to call for an inspection when the permits are signed by appropriate persons, installations are completed and after all corrections are made and comply with the requirements of the restricted energy electrical laws and the restricted energy electrical rules;

(b) Be responsible for all corrections required by the inspector under the permit, regardless of who performs the work;

(c) Call for a final inspection when corrections are made and the work is completed.

(3) Options. The person obtaining the permit may:

(a) Limit the permit to only the work of the permittee; or

(b) Include any and all limited energy installations including those done by separate installers, but the installations must be ready for inspection at the first inspection call. When this is done, the permit must be completed and separately signed by the person, also identifying the business responsible for each type of limited energy electrical installation.

(4) The restricted energy activities to be covered by the permit must be declared at the time of the purchase of the permit:

(a) It is not necessary to identify the contractor at the time of permit issuance;

(b) New permits must be purchased for all other restricted energy installations;

(c) If a contractor is changed, the contractor who completed the work must be identified.

(5) Regardless of what was initially intended the permit only covers those installations that are in place at the time of the first call for limited energy electrical inspection. A separate permit must be purchased for all other limited energy installations whether the installations become ready for inspection at a later date or are done at a later date.

(6) This rule does not apply to an industrial plant when ORS 479.560 is applicable.

(7) The Restricted Energy Electrical Installer Log must be posted at the job site for signing by appropriate persons installing the separate electrical systems as shown on the form. A municipality may require more than one log to be completed and left at the job site if it chooses to.

Stat. Auth.: ORS 479.540

Stats. Implemented: ORS 479.540

Hist.: BCA 33-1991(Temp), f. & cert. ef. 9-30-91; BCA 44-1991, f. & cert. ef. 12-26-91; BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96, Renumbered from 918-320-0450

918-309-0410

Renewable Electrical Energy Permit Application

(1) A separate Renewable Electrical Energy Permit Application Form and Renewable Electrical Energy Installer Log are to be used for renewable energy electrical system installations. The Renewable Electrical Energy Permit:

(a) Covers the renewable electrical energy system installation and the alternating current feeder connection to the structure where applicable. The permit shall include an installer log to document all work performed under the permit; and

(b) May be purchased by a general contractor, subcontractor, limited renewable energy contractor or property owner provided the requirements of this rule are met.

(2) The renewable electrical energy activities covered by the permit shall be declared at the time the permit is purchased. New permits must be purchased for all other renewable electrical energy installations;

(3) The person applying for the permit shall:

(a) Assume responsibility to call for an inspection after the permits are signed by; the limited renewable energy contractor, signing supervisor or property owner and that these installations are completed and comply with the requirements of the renewable electrical energy laws and these rules;

(b) Be responsible for all corrections required by the inspector under the permit, regardless of who performs the work; and

(c) Call for a final inspection when needed corrections are made and the work is completed.

(4) The person obtaining the permit may:

(a) Include any and all renewable electrical energy installations including those done by separate installers, but the installations must be ready for inspection at the first call for inspection. When this is done, the permit shall be completed and separately signed by the person, also identifying the business responsible for each type of renewable electrical energy installation.

(b) Receive up to two inspections. For inspections in excess of those allowed under this rule, a charge of \$86 per hour including travel

time and office time with a minimum charge of one hour for each additional inspection shall be paid in advance.

(5) All parties performing work under the permit shall be identified at the time of permit is issued. If the party performing the work is changed, the party who completed the work must be identified.

(6) Notwithstanding the activities identified in the permit application, the permit only covers those electrical installations that are in place at the time of the first call for inspection of the renewable electrical energy work. A separate permit shall be purchased for all other renewable electrical energy installations whether the installations become ready for inspection at a later date or are done at a later date.

(7) The Renewable Electrical Energy Installers Log shall be posted at the job site for signing by appropriate persons installing the separate electrical systems as shown on the form. The jurisdiction may require more than one installer log to be completed and left at the job site.

Stat. Auth.: ORS 479.870

Stats. Implemented: ORS 479.870

Hist.: BCD 23-2001(Temp), f. 12-28-01, cert. ef. 1-1-02 thru 6-29-02; BCD 9-2002, f. 3-29-02, cert. ef. 4-1-02

DIVISION 311

MISCELLANEOUS

918-311-0000

Design, Planning and Lay Out of Electrical Installations by Supervising Electricians

A licensed supervising electrician may design, plan and lay out electrical installations for:

(1) The customers of the electrical contractor for whom the supervising electrician is employed; or

(2) The industrial plant that employs the supervising electrician.

Stat. Auth.: ORS 479.730

Stats. Implemented: ORS 479.730

Hist.: BCA 36-1989, f. & cert. ef. 12-27-89; BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96, Renumbered from 918-320-0105

918-311-0010

Electrical Plan Review Rules

(1) Authority for Rules. The rules in OAR 918-311-0010 to 918-311-0050 are authorized by ORS 479.870 and are referred to as the "Electrical Plan Review Rules."

(2) Application:

(a) The electrical plan review rules only apply when a jurisdiction, the state or a municipality, enforcing the **Electrical Specialty Code** or the electrical aspect of the **One and Two Family Dwelling Specialty Code**, requires mandatory electrical plan review in connection with a permit for the construction, alteration or repair of electrical installations;

(b) When the state or municipality requires mandatory plan review it shall not adopt requirements that go below the threshold standards set in OAR 918-311-0040. The minimum starting point cannot be changed.

(3) Transition:

(a) An applicant for an electrical permit or a person who had submitted electrical plans for review with any jurisdiction shall be allowed to follow the plan review requirements that were in place with the jurisdiction at the time the application was filed;

(b) If a bid for electrical work was made, relying in good faith on plan review practices in place at a jurisdiction prior to a change due to the Electrical Plan Review Rules, and the bid is accepted not more than 60 days from the effective date of the change, the electrical contractor shall be allowed to follow the prior plan review procedures upon proof that the new requirements create significant unanticipated expenses or delay.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 479.870

Stats. Implemented: ORS 479.870

Hist.: BCA 33-1991(Temp), f. & cert. ef. 9-30-91; BCA 44-1991, f. & cert. ef. 12-26-91; BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96, Renumbered from 918-320-0300

918-311-0020

Time Limit for Electrical Plan Review

(1) Electrical plan reviews shall be approved or denied within ten working days from receipt of the complete electrical plans by the juris-

diction requiring plan review. A reviewed set of plans shall be returned to the plan applicant:

(a) If a plan is rejected, the deficiencies must be set out in writing. Upon resubmission of the necessary items, the ten-day requirement starts again;

(b) If, because of the complexity or size of the installation, additional time beyond the ten working days is required to complete the review, the jurisdiction shall notify the person taking out the electrical permit of the reasons for the delay and the date the review will be completed.

(2) Phased permits may be issued as described in OAR 918-309-0025.

Stat. Auth.: ORS 479.870

Stats. Implemented: ORS 479.870

Hist.: BCA 33-1991(Temp), f. & cert. ef. 9-30-91; BCA 44-1991, f. & cert. ef. 12-26-91; BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96, Renumbered from 918-320-0310; BCD 9-2003, f. 6-13-03, cert. ef. 7-1-03

918-311-0030

Qualifications for Persons Performing Electrical Reviews

Electrical plan reviews shall be conducted only by persons certified by the division to enforce the **Electrical Specialty Code** as an **Electrical Specialty Code** inspector, or its equivalent, and who have one of the following:

(1) Two years of experience as an Oregon supervising electrician;

(2) A degree in electrical engineering and three years experience in design, inspection or supervision of installations covered by the **National Electrical Code** or **Oregon Electrical Specialty Code**; or

(3) Equivalent experience and training approved by the board.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 479.870

Stats. Implemented: ORS 479.870

Hist.: BCA 33-1991(Temp), f. & cert. ef. 9-30-91; BCA 44-1991, f. & cert. ef. 12-26-91; BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96, Renumbered from 918-320-0320; BCD 7-2006, f. 6-7-06, cert. ef. 10-1-06

918-311-0040

Electrical Plan Review for Complex Structures

(1) A jurisdiction providing electrical code plan review services may only require electrical plan review for a complex structure. For the purpose of this rule, "complex structures" have an electrical system designed, constructed or reconstructed with any of the following:

(a) Ampacity:

(A) A service or feeder beginning at 400 Amps where the available fault current exceeds 10,000 Amps at 150 Volts or less to ground or exceeds 14,000 Amps for all other installations; or

(B) Installation of a 150 KVA or larger separately derived system as defined in Article 100 of the **National Electrical Code (NEC)**; or

(C) Addition of a new motor load of 100 HP or more; or

(D) Fire pump installations as defined in Article 695 of the NEC; or

(E) Emergency systems installations as defined in Article 700 of the NEC; or

(F) A service or feeder rated at 600 Amps or over.

(b) Voltage. More than 600 supply volts nominal.

(c) Height. More than three stories.

(d) Occupancy.

(A) Six or more residential units in one structure; or

(B) An "A" (Assembly) occupancy, "E" (Educational) occupancy, or "I-2" or "I-3" (Institutional) occupancy as defined in the adopted Oregon Structural Specialty Code; or

(C) Any of the following special occupancies as described in Chapter 5 of the NEC adopted by the board in OAR 918-305-0100:

(i) Hazardous (Classified) locations as defined in Articles 500 to 516; or

(ii) Installations in patient care areas of health care facilities as defined in Article 517; or

(iii) Agricultural buildings used for commercial purposes, as defined in Article 547; or

(iv) Floating buildings as defined in Article 553; or

(v) Marinas and boat yards as defined in Article 555; or

(e) Recreational Vehicle Park. A new recreational vehicle park, or any addition or alteration to an existing park.

(2) Plan review is not required for work permitted through minor installation labels under OAR 918-309-0210 to 918-309-0260.

(3) A jurisdiction requiring electrical plan review may not require plan review on more than one building or structure under construction or reconstruction at the same job site, as long as:

(a) The electrical systems of the buildings or structures are materially alike; and

(b) A person obtains electrical permits for the buildings or structures within a reasonable time.

(4) Standardized Format for Plan Review. When electrical plan review is required the electrical plan shall meet the following requirements:

(a) Copies. Submit two sets of electrical plans;

(b) Readability. The plans shall be drawn to scale, contain definitions for legends used, be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the applicable electrical code requirements, laws, ordinances, rules and regulations;

(c) Contents. The plans shall contain the following minimum requirements:

(A) Feeder riser diagram showing panel location and circuit schedules;

(B) One line riser diagram showing bonding and grounding and conductor sizes;

(C) Available fault current on the line side of service disconnect;

(D) Complete load calculations, or provide applicable load records, for all new installations and for additions to existing installations;

(E) Fixture schedule, showing type, location and layout of the fixtures;

(F) Address of the installation and name of owner and address;

(G) Identification of the employer, identification and signature of person who prepared the plan, license number if the person is an electrical supervisor and professional registration number if the person is an architect or registered professional electrical engineer; and

(H) Location of emergency systems, identifying the power source and the system on plan.

(5) Nothing in these rules shall prohibit a jurisdiction from requiring a lighting energy budget.

(6) Nothing in these rules shall prohibit the owner or the owner's agent from requesting and receiving plan review for non-complex structures.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 479.870

Stats. Implemented: ORS 479.870

Hist.: BCA 33-1991(Temp), f. & cert. ef. 9-30-91; BCA 44-1991, f. & cert. ef. 12-26-91; BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96, Renumbered from 918-320-0330; BCD 23-2000, f. 9-29-00, cert. ef. 10-1-00; BCD 7-2006, f. 6-7-06, cert. ef. 10-1-06

918-311-0050

Standards for Electrical Plans Review

A person performing electrical plan review shall do the following as a minimum:

(1) Load Calculations. Check load calculations for appropriateness, completeness and accuracy.

(2) Equipment. Check and determine if the equipment is:

(a) Suitable for the environment; and

(b) Properly sized and rated to meet the minimum code requirements.

(3) Service and Feeder. Check service and feeder installations for code compliance related to:

(a) Wiring method;

(b) Conduit and box fill;

(c) Conductor size and ampacity rating;

(d) Clearances;

(e) Locations;

(f) Accessibility; and

(g) Service grounding conductor size.

Stat. Auth.: ORS 479.870

Stats. Implemented: ORS 479.870

Hist.: BCA 33-1991(Temp), f. & cert. ef. 9-30-91; BCA 44-1991, f. & cert. ef. 12-26-91; BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96, Renumbered from 918-320-0340

918-311-0055

Fees for Electrical Plan Reviews Performed by Building Codes Division

(1) For electrical plan reviews performed on structures meeting the installation requirements of OAR 918-311-0040 and that are in

jurisdictions where the Building Codes Division administers and enforces the electrical program, the plan review fee shall be an amount equal to 25 percent of the electrical permit fee(s).

(2) These fees do not apply to prefabricated structures, which are addressed in OAR 918-311-0060, or to electrified fixed guideway railway system installations, which are addressed in OAR 918-305-0500.

Stat. Auth.: ORS 455.020, 479.730 & 479.870
 Stats. Implemented: ORS 455.020, 479.730 & 479.870
 Hist.: BCD 25-2001, f. 12-28-01, cert. ef. 1-1-02

918-311-0060

Electrical Plan Review for Prefabricated Structures

(1) Authority. The rule is authorized by ORS 479.870 and sets electrical plan review requirements for the electrical aspects of prefabricated buildings and components intended for use in Oregon.

(2) Definitions. For purpose of this rule:

(a) A “prefabricated building” is a “prefabricated permanent building” or “prefabricated relocatable building” defined in OAR 918-674-0005.

(b) A “prefabricated component” is a “component” defined in OAR 918-674-0005;

(c) “Intended for use in Oregon” means:

(A) The structure is manufactured in Oregon and is intended to be used in Oregon, or Oregon and other states; or

(B) Manufactured in another state but intended to be first delivered to Oregon for use in Oregon regardless of whether it is intended to also be used in other states.

(d) “State of manufacture” is the state where a prefabricated building or component is manufactured.

(3) Applicability:

(a) Electrical plan review is required for all prefabricated buildings and components manufactured in Oregon or manufactured out of state for use in Oregon, unless:

(A) The electrical inspector waives the plan review upon a determination that only one unit will be built and code requirements can be verified by inspection;

(B) The unit is listed by a recognized testing laboratory; or

(C) The unit is certified by special deputies.

(b) When a plan review is required by this rule, the relevant prefabricated structures rules in OAR 918, division 674 are applicable except to the extent a different requirement is provided in this rule.

(4) Requirements. When plan review under this rule is required, the manufacturer shall:

(a) Pay an electrical plan review fee as provided in section (5) of this rule;

(b) Meet the requirements of OAR 918-311-0040 for electrical plan reviews for number of copies, readability and contents; and

(c) Submit a timely request allowing the division at least ten business days to complete the plan review.

(5) Fees. The electrical plan review fees shall be \$69 per hour with a minimum charge of \$69.

Stat. Auth.: ORS 479.730 & 479.870
 Stats. Implemented: ORS 479.730 & 479.870
 Hist.: BCD 8-1994(Temp), f. 3-16-94, cert. ef. 3-25-94; BCD 18-1994, f. 8-30-94, cert. ef. 9-1-94; BCD 3-1995, f. & cert. ef. 3-3-95; BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96, Renumbered from 918-320-0345; BCD 9-2001(Temp), f. 8-15-01, cert. ef. 9-4-01 thru 3-3-02; BCD 10-2001, f. 9-28-01, cert. ef. 10-1-01

DIVISION 400

SAFETY CODE FOR ELEVATORS

918-400-0200

Notice of Rule Making

The following persons shall be provided all elevator-related rule-making notices at no charge:

(1) All active Oregon licensed elevator contractors;

(2) All Oregon state elevator inspectors; and

(3) International Union of Elevator Constructors, Locals 19 (Seattle), 23 (Portland) and 38 (Salt Lake City).

Stat. Auth.: ORS 183.335
 Stats. Implemented: ORS 183.335
 Hist.: BCD 18-1995, f. & cert. ef. 12-15-95; BCD 13-1999, f. & cert. ef. 10-1-99

918-400-0210

Compliance with ORS 183.330

(1) This rule is required by ORS 183.330:

(a) General Offices. The general office of the Building Codes Division is at 1535 Edgewater NW, mailing address P.O. Box 14470, Salem, Oregon 97309. The general telephone number is (503) 378-4133; FAX (503) 378-2322. Requests for information or documents should be directed to this office;

(b) Elevator Inspection. The elevator inspection program of the division is managed by the Statewide Services Manager who reports to the division administrator. The Chief Elevator Inspector is responsible for staff coordination and interpretations. The elevator inspection staff is located at the Salem office or operate in their assigned areas. Inspection requests should be directed to the inspector for the area or the Salem office.

(2) Elevator Code Interpretation and Enforcement. Elevator code development, interpretation and enforcement are under the authority of the division administrator at the general office:

(a) Requests to be placed on the Electrical and Elevator Board agenda and requests for adoption or amendment of elevator rules should be directed to the Chief Elevator Inspector and Board Secretary (the Chief Electrical Inspector) at the general office;

(b) Requests for informal elevator interpretation shall be directed to the Chief Elevator Inspector.

(3) Miscellaneous Fees. Requests and payment of fees for placement on the Electrical and Elevator Board meeting notice list or the elevator rule making notice list should be directed to the Building Codes Division general office.

Stat. Auth.: ORS 183.330
 Stats. Implemented: ORS 183.330
 Hist.: BCD 18-1995, f. & cert. ef. 12-15-95; BCD 13-1999, f. & cert. ef. 10-1-99

Hearings and Adjudicatory Procedures

918-400-0220

Attorney General Model Rules of Procedure

The Attorney General’s Model Rules of Procedure, as adopted by the division in OAR 918-001-0010, apply in all contested cases.

Stat. Auth.: ORS 183.341
 Stats. Implemented: ORS 183.341
 Hist.: DC 25-1982, f. & ef. 12-16-82; DC 1-1985, f. & ef. 1-4-85, Renumbered from 814-030-0050; BCD 18-1995, f. & cert. ef. 12-15-95; Renumbered from 918-400-0075

918-400-0240

Appeals under ORS 460.155

When an appeal is filed under ORS 460.155, formal contested case proceedings will be provided to the appellant.

(1) A hearings officer will hear the appeal and provide a report and recommendations to the board and the administrator.

(2) The board considers the report and exceptions, if any are filed, and provides recommendations to the administrator.

(3) The administrator enters a final order.

Stat. Auth.: ORS 460.155
 Stats. Implemented: ORS 460.155
 Hist.: BCD 18-1995, f. & cert. ef. 12-15-95

Cross Reference to Statutory Definitions

918-400-0270

Definitions, Cross Reference

(1) Statutory definitions for the elevator laws are in ORS 460.005.

(2) Electrical definitions are in ORS 479.530.

(3) Code definitions are in Section 1.3 of the adopted Elevator Specialty Code (ASME A17.1).

Stat. Auth.: ORS 460.085
 Stats. Implemented: ORS 460.085
 Hist.: BCD 18-1995, f. & cert. ef. 12-15-95; BCD 2-2005, f. 3-16-05, cert. ef. 4-1-05

918-400-0275

Accident Reporting

(1) The division or Chief Elevator Inspector shall be notified of an elevator injury to a person or persons.

(2) The elevator shall be placed out of service following an injury to a person or persons. The elevator or any part of its equipment shall not be changed or altered, repaired or moved, except to give emergency aid or assistance to the injured person or persons.

(3) The elevator shall not be returned to service without permission from the division.

Stat. Auth.: ORS 460.085
 Stats. Implemented: ORS 460.045

Hist.: DC 25-1982, f. & ef. 12-16-82; Renumbered from 814-030-0060; BCD 18-1995, f. & cert. ef. 12-15-95; Renumbered from 918-400-0085; BCD 13-1999, f. & cert. ef. 10-1-99, Renumbered from 918-400-0700

Board-Created Definitions

918-400-0280

Board-Created Definitions

For the purposes of OAR 918, division 400, unless the context requires otherwise, the following definitions are adopted:

(1) "Alteration" is a change of original design or operation through modernization; replacement of components or assemblies, or upgrade to existing equipment.

(2) "ANSI" means the American National Standards Institute.

(3) "Apprentice" means any person who is enrolled in an approved elevator apprenticeship program.

(4) "ASME" means the American Society of Mechanical Engineers.

(5) "Board" means the Electrical and Elevator Board.

(6) "BOLI" means the Bureau of Labor and Industries Apprenticeship Division.

(7) "Conveyance" is the industry term for elevator and includes, but is not limited to, escalator, man-lift, inclined elevator, dumbwaiter, lowerator, platform hoist, material lift, moving walk, platform or wheelchair lift and chair lift.

(8) "Electrical equipment" means any device or group of components that is connected to a source of electrical power. Such devices include, but are not limited to, electro-mechanical switches, controllers, motors, car and hall fixtures, lighting fixtures or any other component that has exposed electrical parts or connections either by design or when protective covers are removed.

(9) "Elevator Lobby" is the area in front of an elevator for waiting, boarding, disembarking, loading and unloading.

(10) "Equipment testing" means safety tests required by the adopted safety standard and required to be performed by properly licensed elevator technicians.

(11) "Industrial plant" means a facility engaged in a manufacturing endeavor to make a finished product using raw materials, especially on a large industrial scale wherein elevators are located and maintained by authorized plant personnel.

(12) "Interactive testing and maintenance" means that which requires interaction with the technical components of controllers and machinery and except where allowed by law, interactive testing and maintenance checks shall be performed only by licensed elevator personnel. This includes, but is not limited to, car and counterweight safety tests, pressure relief tests, buffer tests, brake tests, unintended car movement and ascending car overspeed tests.

(13) "License" means a document that signifies competency to install, repair, alter or maintain elevator mechanical equipment within a particular field in the elevator industry.

(14) "Maintenance" is the renewal of operating parts, cleaning, lubricating and adjusting existing elevator equipment to ensure proper and safe operation as required by code.

(15) "Mitigating Circumstances" are caused by a lack of materials or labor and are beyond the reasonable control of a building owner or contractor.

(16) "Operational testing and maintenance" means that which requires measurement, observation, cleaning and lubricating equipment that does not require disassembly or opening the equipment and shall be permitted to be performed by authorized or licensed elevator personnel. This includes, but is not limited to, fire service tests, step/skirt index tests, cleaning and lubricating exposed surfaces, starting and stopping of equipment through normal means, smoke and heat detector tests, relamping and repairing car lighting fixtures, and monthly monitoring of hydraulic oil levels.

(17) "Operator" is an individual employed by a general contractor, elevator contractor or owner to operate an elevator under a construction use permit.

(18) "Repair" is the restoration of an elevator to its original intended design, but not changing its operation or intended use.

(19) "Term" means a set period for each phase of training within an approved apprenticeship program.

(20) "Transferable experience" means experience, knowledge and aptitude gained on equipment not governed by the Elevator Safety

Law but is similar in construct and application to the types of equipment associated with the licensing requirements herein.

(21) "Vertical Reciprocating Lift" is a power-driven, isolated, self-contained, stationary lift that meets the requirements of the **Oregon Elevator Specialty Code, Vertical Reciprocating Lift Code**.

(22) "Waiver" or "Variance" is a trade term referring to a site-specific exception from code requirement granted under ORS 460.085.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 460.085

Stats. Implemented: ORS 460.085

Hist.: DC 25-1982, f. & ef. 12-16-82; Renumbered from 814-030-0003; BCD 18-1995, f. & cert. ef. 12-15-95; Renumbered from 918-400-005; BCD 13-1999, f. & cert. ef. 10-1-99; BCD 25-2000, f. 9-29-00, cert. ef. 10-1-00; BCD 21-2002(Temp), f. 8-30-02, cert. ef. 9-1-02 thru 2-27-03; BCD 34-2002, f. 12-20-02, cert. ef. 1-1-03; BCD 3-2003, f. 2-28-03, cert. ef. 3-1-03

Licenses and Inspector Certifications

918-400-0320

Examination for Inspectors

(1) Applicants for a certificate of competency as a division elevator inspector, or an employee or representative of a casualty insurance company, shall pass a written examination; and one of the following:

(a) Pass a practical examination, which tests knowledge of elevator equipment and the proper operation of elevators;

(b) Be a Quality Elevator Inspector certified through an ASME-approved certification program; or

(c) Demonstrate previous elevator industry experience to the satisfaction of the division.

(2) If the applicant fails either the written or practical examination, applicant may retake the failed portion within 180 days of the original test date. After 180 days the applicant may reapply and retake all the tests.

Stat. Auth.: ORS 460.085

Stats. Implemented: ORS 460.055

Hist.: DC 25-1982, f. & ef. 12-16-82; Renumbered from 814-030-0045; BCD 18-1995, f. & cert. ef. 12-15-95; Renumbered from 918-400-0070; BCD 13-1999, f. & cert. ef. 10-1-99, Renumbered from 918-400-0470

918-400-0330

Interpretation — Scope of License

The construction or modification of a hoistway enclosure or machine room enclosure that does not involve alteration, repair or maintenance of an elevator does not require an elevator contractor's license. However, the alteration to these structures must comply with applicable sections of the current adopted editions of the **Oregon Elevator Specialty Code** and the **Oregon Structural Specialty Code**.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 460.085

Stats. Implemented: ORS 460.045

Hist.: BCD 18-1995, f. & cert. ef. 12-15-95; BCD 13-1999, f. & cert. ef. 10-1-99, Renumbered from 918-400-0480

918-400-0333

Scope of Elevator Licensing

Persons not licensed under ORS 479.630(6) or authorized by ORS 460.047, who perform any mechanical work on elevator equipment, shall obtain one of the following licenses as required herein. Possession of one of these licenses does not waive the licensing requirements established under ORS Chapter 479 to perform electrical installations, maintenance and repairs on elevator equipment.

(1) Limited Elevator Mechanic. Pursuant to ORS 460.057 a person possessing this type of license is restricted to the installation, alteration, repair and maintenance of a specific type, or types, of elevator mechanical equipment, in accordance with OAR 918-400-0380.

(2) Elevator Apprentice. Pursuant to ORS 460.059 a person possessing this type of license assists a journey level elevator mechanic in performing mechanical work on elevators, in accordance with OAR 918-400-0390.

Stat. Auth.: ORS 460.047, 460.057 & 460.059

Stats. Implemented: ORS 460.005 - 460.175 & 479.630

Hist.: BCD 21-2002(Temp), f. 8-30-02, cert. ef. 9-1-02 thru 2-27-03; BCD 34-2002, f. 12-20-02, cert. ef. 1-1-03; BCD 12-2004, f. 8-20-04, cert. ef. 10-1-04

918-400-0340

Elevator Contractor License

A person seeking issuance or renewal of an elevator contractor license shall:

(1) Provide a list of the company's employees and their license numbers issued under ORS 460.057, 460.059 or 479.630(6), who will be performing the installation, alteration, repair and maintenance of elevator mechanical equipment; or

(2) Provide a list of employees who have made application and qualify for licensure under ORS 460.057 or 479.630(6);

(3) Provide written documentation from the company's insurance carrier that the applicant is insured as an elevator contractor. The certificate of insurance, or its equivalent, required by this section shall:

(a) Be a certified copy or original on the standard form issued by the insurance carrier;

(b) Include the insurance policy number, the insured's name and the insurance company's, name, address and telephone number;

(c) Have clear information that the insurance company recognizes the insured as an elevator contractor and that the policy will cover the scope of elevator-related work in which the contractor is engaged; and

(d) Show proof of authorization from the insurance carrier that the division will be given notice upon any change to or cancellation of the insurance policy.

(e) Provide verification of the State Construction Contractors Board registration as an elevator company; and

(f) Pay applicable fees as required by OAR 918-400-0800.

Stat. Auth.: ORS 460.085

Stats. Implemented: ORS 460.005 - 460.175 & 479.630

Hist.: BCD 25-2000, f. 9-29-00, cert. ef. 10-1-00; BCD 21-2002(Temp), f. 8-30-02, cert. ef. 9-1-02 thru 2-27-03; BCD 34-2002, f. 12-20-02, cert. ef. 1-1-03; BCD 12-2004, f. 8-20-04, cert. ef. 10-1-04; BCD 12-2004, f. 8-20-04, cert. ef. 10-1-04

918-400-0380

Limited Elevator Mechanic License

(1) Pursuant to ORS 460.057, any person installing, altering, repairing or maintaining elevator mechanical equipment prior to October 23, 1999, and who does not otherwise qualify for licensure herein, shall be issued a limited elevator mechanic's license commensurate with their prior, verifiable work experience if they apply in the manner established by the division in OAR 918 division 30.

(2) The following shall not be used to determine prior experience;

(a) Work on equipment not regulated by the Elevator Safety Law unless such prior experience is considered to be transferable experience gained prior to October 23, 1999;

(b) The installation, alteration, repair or maintenance of equipment installed in Oregon that was not lawfully permitted as required by the Elevator Safety Law;

(c) Work in Oregon while employed by a company not lawfully licensed as an elevator contractor in Oregon, or not lawfully registered with the Construction Contractors Board; or

(d) Experience gained in violation of any other state law.

(3) Experience gained shall be considered based on the following. Applicants must have been regularly engaged in the installation, alteration, repair or maintenance on the type, or types, of equipment commensurate with the license being sought based on:

(a) Minimum of 4,000 hours "substantial experience" lawfully obtained on equipment covered by a limited elevator mechanic's license;

(b) "Substantial experience" for purposes of this rule, must be verified evidence in the form of two separate notarized affidavits. One from an Oregon business attesting the person has been involved in 40 or more elevator projects and one from a CPA attesting that the business had at least \$75,000 of gross business prior to October 23, 1999. Nothing in this rule prevents an applicant from faxing or scanning and e-mailing documents.

(4) A license under this rule shall be limited to the scope of work for which the person has provided work experience acceptable to the division.

Stat. Auth.: ORS 460.057 & 460.085, 183.335

Stats. Implemented: ORS 460.005 - 460.175, 183.335

Hist.: BCD 21-2002(Temp), f. 8-30-02, cert. ef. 9-1-02 thru 2-27-03; BCD 34-2002, f. 12-20-02, cert. ef. 1-1-03; BCD 12-2004, f. 8-20-04, cert. ef. 10-1-04; BCD 8-2005, f. & cert. ef. 4-1-05; BCD 16-2006(Temp), f. 6-30-06, cert. ef. 7-1-06 thru 12-28-06; BCD 13-2006, f. 9-29-06, cert. ef. 10-1-06

918-400-0385

Elevator Apprentice License

(1) Apprentices shall meet the following minimum requirements:

(a) Be 17 years of age to apply, 18 years of age to indenture;

(b) Have a high school diploma, GED or international equivalency; and

(c) Shall be licensed.

(2) Apprentice license:

(a) Shall be issued to individuals enrolled in registered apprenticeship programs approved by the board and the Oregon State Apprenticeship and Training Council under ORS Chapter 660;

(b) Will be suspended upon completion or termination from an approved apprentice program.

Stat. Auth.: ORS 460.057 & 460.085

Stats. Implemented: ORS 460.005 - 460.175

Hist.: BCD 21-2002(Temp), f. 8-30-02, cert. ef. 9-1-02 thru 2-27-03; BCD 34-2002, f. 12-20-02, cert. ef. 1-1-03; BCD 12-2004, f. 8-20-04, cert. ef. 10-1-04

918-400-0390

Apprentice Scope of Work

A person with an apprentice license issued under OAR 918-400-0385 shall:

(1) Work consistent with the committee's requirements under ORS Chapter 660 and these rules; and

(2) Engage only in cleaning, lubrication, painting, relamping fixtures and replacing of comb plate teeth of existing installations with limited supervision after completing:

(a) At least 2,000 hours (12 months) of work experience;

(b) The appropriate related instruction for two periods; and

(c) Is evaluated and authorized to do this type of work by the apprenticeship committee; or

(3) The apprentice engages only in installation, alteration, maintenance and repair with limited supervision after completing:

(a) 4,000 hours of work experience;

(b) The appropriate related classroom instruction; and

(c) Is evaluated and authorized by the committee.

(4) As apprentices progress through each phase, they may be authorized to participate in work processes of the preceding phase provided they have been evaluated and authorized by the apprenticeship committee to do the specific type of work.

(5) A person enrolled in a board-approved apprenticeship program, who has been issued an apprentice card by BOLI, shall be considered licensed under ORS 460.059.

Stat. Auth.: ORS 460.059 & 660

Stats. Implemented: ORS 460.005 - 460.175 & 479.630

Hist.: BCD 21-2002(Temp), f. 8-30-02, cert. ef. 9-1-02 thru 2-27-03; BCD 34-2002, f. 12-20-02, cert. ef. 1-1-03; BCD 12-2004, f. 8-20-04, cert. ef. 10-1-04

918-400-0395

Apprenticeship Program Requirements

In order to obtain board approval of an individual elevator apprentice program, the following requirements must be met:

(1) On-the-job training installing, repairing, altering and maintaining elevator mechanical equipment in the following work categories and minimum hours:

(a) Basic construction and maintenance safety and tools — 150 hours;

(b) Blue print reading — 150 hours;

(c) Material handling — hoisting and rigging — 150 hours;

(d) Guide rail systems installation and maintenance — 150 hours;

(e) Drive machines and systems; overhead equipment including beams and sheaves — 150 hours;

(f) Hydraulic systems and control valves — 150 hours;

(g) Car frames, platforms and enclosures — 150 hours;

(h) Doors, entrances and operators — 150 hours;

(i) Adjusting elevator systems — 150 hours;

(j) Maintenance and periodic testing requirements — 150 hours;

(k) Alteration of existing equipment — 150 hours;

(l) Structure and operation of escalators and moving walks — 150 hours; and

(m) Installing related equipment such as dumbwaiters, wheelchair lifts and material lifts — 150 hours; and

(n) Total Hours Required. Total work experience shall be at least 4,000 hours. No more than 300 percent credit shall be allowed under subjects (a) through (m) for any one subject.

(2) Required Educational Training. 144 hours of classroom instruction must be provided each year covering the following subjects. Individuals are required to obtain grades of "C" or better in graded classes and a "pass" in non-graded classes.

(a) Basic construction and maintenance safety;

- (b) Blueprint reading;
 - (c) Code-related requirements;
 - (d) Equipment testing procedures;
 - (e) Guide rail systems installation and maintenance;
 - (f) Pit equipment and maintenance;
 - (g) Car frames, platforms and enclosures;
 - (h) Hoisting and rigging;
 - (i) Overhead equipment including beams and sheaves;
 - (j) Hoist ropes and roping procedures;
 - (k) Structure and operation of escalators and moving walks;
 - (l) Drive machines and components;
 - (m) Hydraulic systems and control valves; and
 - (n) Traction machines and components.
- Stat. Auth.: ORS 460.059
 Stats. Implemented: ORS 460.005 - 460.175 & 479.630
 Hist.: BCD 21-2002(Temp), f. 8-30-02, cert. ef. 9-1-02 thru 2-27-03; BCD 34-2002, f. 12-20-02, cert. ef. 1-1-03; BCD 12-2004, f. 8-20-04, cert. ef. 10-1-04

Codes — General Applicability

918-400-0435

Governing Codes

(1) The applicable code to which an elevator is inspected for installation or alteration shall be:

- (a) The **Oregon Elevator Specialty Code** in effect when plans, pertinent data and fees are received by the division; or
- (b) Where conflicts arise between specialty codes, the following may be used to determine which code applies:

(A) The Oregon Elevator Specialty Code in effect at the time the electrical permit was issued impacting the installation of the elevator; or

(B) The Oregon Elevator Specialty Code in effect at the time the structural permit was issued impacting the elevator.

(c) The governing code for elevator installations or alterations following an expired permit shall be the Oregon Elevator Specialty Code in effect at the time of the new submittal.

(2) The governing code for inspections of existing elevators related to issuance of operating permits shall be as provided in OAR 918-400-0465. This same requirement applies for elevators placed back into service.

[Publications: Publications referenced are available from the agency.]
 Stat. Auth.: ORS 460.085
 Stats. Implemented: ORS 460.085
 Hist.: BCD 18-1995, f. & cert. ef. 12-15-95; BCD 13-1999, f. & cert. ef. 10-1-99, Renumbered from 918-400-0500

918-400-0445

Code References

(1) Where an **Oregon Elevator Specialty Code** refers to “the latest edition” of another code, has words of similar import or does not provide a fixed edition adoption date, the reference shall be to the applicable code in place on the same date the same provision of the Oregon Elevator Specialty Code was adopted.

(2) References to the following codes in the Oregon Elevator Specialty Code shall mean:

(a) “**ANSI/NFPA 70, National Electrical Code**” is replaced by the “Oregon Electrical Specialty Code”;

(b) “**CABO One and Two Family Dwelling Code**” is replaced by the “**Oregon One and Two Family Dwelling Specialty Code**”; and

(c) “**Uniform Building Code**” is replaced with the “**Oregon Structural Specialty Code**.”

[Publications: Publications referenced are available from the agency.]
 Stat. Auth.: ORS 455.030 & 460.085
 Stats. Implemented: ORS 460.085
 Hist.: BCD 18-1995, f. & cert. ef. 12-15-95; BCD 13-1999, f. & cert. ef. 10-1-99, Renumbered from 918-400-0510

General Elevator Safety Code

918-400-0455

Adopted Oregon Elevator Specialty Code

The **Oregon Elevator Specialty Code** is:

(1) “**The Belt Manlift Standard**” published by the **American Society of Mechanical Engineers, ASME A90.1b, 2001 Edition** with revisions and interpretations through January 1, 2005;

(2) “**Oregon Specialty Lift Code**,” 2005 Edition, including:

(a) **Part 1, Vertical Reciprocating Lifts (VRL)**; and

(b) **Part 2, Portable Wheelchair Lift Code**.

(3) “**The Inspector’s Manual**” published by the **American Society of Mechanical Engineers, ASME A17.2, 2001 Edition** together with revisions and interpretations published through July 1, 2002.

(4) The safety standard for the general installation, alteration, repair and maintenance of elevators, other than those identified in sections (1) to (3) of this rule, is the **Safety Code for Elevators and Escalators, ASME A17.1, 2004 Edition** with published revisions and interpretations through January 1, 2005. The escalator step/skirt index **Requirements 6.1.3.3.7** and **6.1.3.3.8** and **Section 8.6.8.3** shall be considered optional. Elective testing and installation of skirt deflecting devices shall conform to **Requirements 6.1.3.3.7** and **6.1.3.3.8** and **Section 8.6.8.3** as applicable.

(5) The safety standard for the general installation, alteration, repair and maintenance of vertical and inclined wheelchair lifts and inclined stairway chairlifts is the **Safety Standard for Platform Lifts and Stairway Chairlifts, ASME A18.1, 2001 Edition** with published revisions and interpretations through January 1, 2005.

(6) Referenced standards referred to within adopted standards, shall recognize the latest Oregon adopted edition unless otherwise specified herein.

[Publications: Publications referenced are available for review at the agency. See division website for information on purchasing publications.]

Stat. Auth.: ORS 460.085
 Stats. Implemented: ORS 460.085
 Hist.: DC 25-1982, f. & ef. 12-16-82; DC 12-1986(Temp), f. & ef. 7-8-86; DC 10-1987, f. & ef. 4-13-87; Renumbered from 814-030-0005; BCA 35-1989, f. 12-22-89, cert. ef. 1-1-90; BCA 7-1992, f. & cert. ef. 4-10-92; BCA 26-1992, f. 12-29-92, cert. ef. 1-1-93; BCA 13-1993(Temp), f. 6-23-93, cert. ef. 7-1-93; BCA 17-1993, f. 8-24-93, cert. ef. 9-1-93; BCA 24-1993, f. 10-22-93, cert. ef. 11-1-93; BCA 35-1993, f. 12-14-93, cert. ef. 1-1-94; BCD 21-1994, f. 9-13-94, cert. ef. 9-15-94; BCD 18-1995, f. & cert. ef. 12-15-95; Renumbered from 918-400-0010; BCD 3-1997, f. 3-18-97, cert. ef. 4-1-97; BCD 20-1997, f. 12-24-97, cert. ef. 1-1-98; BCD 13-1999, f. & cert. ef. 10-1-99, Renumbered from 918-400-0520; BCD 3-2003, f. 2-28-03, cert. ef. 3-1-03; BCD 2-2005, f. 3-16-05, cert. ef. 4-1-05; BCD 17-2006, f. 12-29-06, cert. ef. 1-1-07

918-400-0458

Amendments to the Oregon Elevator Specialty Code

(1) The **Oregon Elevator Specialty Code** is adopted and amended pursuant to chapter 918, division 8. Amendments adopted for inclusion into the **Oregon Elevator Specialty Code** are placed in this rule, showing the section reference and a descriptive caption of the amendment.

(2) Effective January 1, 2007, adopt **ASME A17.1a-2005**, addenda to **ASME A17.1**. (2004 Edition)

(3) Effective January 1, 2007, adopt **ASME A17.1S-2005**, supplement to **ASME A17.1**. (2004 Edition).

[Publications: Publications referenced are available for review at the agency. See division website for information on purchasing publications.]

Stat. Auth.: ORS 460.085
 Stats. Implemented: ORS 460.085
 Hist.: BCD 17-2006, f. 12-29-06, cert. ef. 1-1-07

918-400-0465

Elevator Maintenance Requirements

(1) The governing code for the repair and maintenance of existing elevators and for placing elevators back in service shall be the Oregon Elevator Specialty Code for Existing Elevators and Escalators in the 2002 Edition of ASME A17.3 published by the American Society of Mechanical Engineers, as amended by the Building Codes Division.

(2) Exceptions

(a) Where ASME A17.3 fails to clearly define or govern a specific device or type of conveyance, the code under which the unit was installed, or the latest alteration code, if applicable, shall be used;

(b) The 1937 code applies to devices installed prior to March 1937.

(3) When elevator signal fixtures are altered, all elevator signal fixtures, car handrail(s), and two-way communication device(s) shall be brought into compliance with the applicable disability regulations in the Oregon Structural Specialty Code.

(4) All requirements for periodic safety tests, repair of existing devices and maintenance shall be brought into compliance within the time period required in the periodic inspection report.

(5) Except as provided in section (4) of this rule, the maximum time allowed to comply with new maintenance standards for existing

elevators shall not be more than 24 months from date of periodic inspection except:

(a) The replacement of hand line control as required by ASME A17.3, Item 3.10.1 shall be allowed a maximum of 36 months to comply.

(b) All existing elevator hoistway gates or doors required to comply with ASME A17.3, Item 2.6.1 and car doors or gates required to comply with Item 3.4.2(a) shall meet the minimum 72-inch (1828.8 mm) height requirement within 60 months from the date of the periodic safety inspection following effective date of this rule, or when the gate requires complete replacement, whichever comes first.

(c) All elevators required by ASME A17.3, Item 3.11.3 to have fire fighters' service shall comply with this rule within 60 months from date of the periodic safety inspection.

(d) All passenger elevators and freight elevators allowed to carry passengers permitted after January 1, 1993, shall comply with ASME A17.3, Item 3.11.1. Elevators not in compliance with the applicable chapter of the Oregon Structural Specialty Code for elevator communication devices as of January 1, 1993, shall have 24 months from date of periodic inspection to install the proper communicating device.

(e) Compliance extensions beyond the limits set in this section may be granted where, because of material shortages or extent of required changes, the additional time is necessary to achieve compliance.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 460.085, 455.117

Stats. Implemented: ORS 460.085, 455.117

Hist.: DC 25-1982, f. & ef. 12-16-82; Renumbered from 814-030-0075; BCD 18-1995, f. & cert. ef. 12-15-95; Renumbered from 918-400-0100; BCD 3-1997, f. 3-18-97, cert. ef. 4-1-97; BCD 13-1999, f. & cert. ef. 10-1-99, Renumbered from 918-400-0530; BCD 3-2003, f. 2-28-03, cert. ef. 3-1-03; BCD 2-2005, f. 3-16-05, cert. ef. 4-1-05; BCD 8-2006, f. 6-30-06, cert. ef. 7-1-06

918-400-0475

Interpretation — Accessibility

Federal and state accessibility requirements apply to the installation and operation of elevators.

Stat. Auth.: ORS 460.085

Stats. Implemented: ORS 460.085

Hist.: BCD 18-1995, f. & cert. ef. 12-15-95; BCD 13-1999, f. & cert. ef. 10-1-99, Renumbered from 918-400-0710

Plan Review

918-400-0525

Plan Review Requirements

Plans and pertinent data submitted to the department under ORS 460.048 shall include proof that the elevator equipment meets the **Oregon Elevator Specialty Code** by providing the following information:

(1) Electrical product certification by providing:

(a) The listing or certification number and identification of the approved laboratory that tested the equipment;

(b) When applicable, date and identification of the electrical special deputy who certified the equipment to the **Oregon Elevator Specialty Code** electrical requirement; or

(c) Proof that requests for listing or certification are pending.

(2) For the purpose of complying with plan submittal requirements of ORS 460.048, and when applicable to the type of equipment being proposed, a complete set of drawings shall include:

(a) Elevation view;

(b) Plan view;

(c) Machine room layout (when applicable to the type of equipment);

(d) Cab and fixture detail;

(e) Hoistway entrance detail; and

(f) Electrical straight line wiring diagrams showing, as a minimum, safety circuits, normal and final limit circuits and door lock circuits, which shall include circuitry required by **ASME A17.1, 2004 Edition, Requirements 2.26.1.5 and 2.26.5.**

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 460.085

Stats. Implemented: ORS 460.048

Hist.: BCD 21-1994, f. 9-13-94, cert. ef. 9-15-94; BCD 18-1995, f. & cert. ef. 12-15-95; Renumbered from 918-400-0120; BCD 13-1999, f. & cert. ef. 10-1-99, Renumbered from 918-400-0610; BCD 3-2003, f. 2-28-03, cert. ef. 3-1-03; BCD 2-2005, f. 3-16-05, cert. ef. 4-1-05

918-400-0535

Installation and Alteration Permits — Interpretation

(1) ORS 460.045 and 460.048 contain the requirements for division approval of plans and pertinent data and for a current operating permit before placing certain elevators in use.

(2) For the purposes of the elevator laws and rules, the written approval of plans and pertinent data and permission to commence with installation or alteration is a permit.

Stat. Auth.: ORS 460.045 & 460.048

Stats. Implemented: ORS 460.045 & 460.048

Hist.: BCD 18-1995, f. & cert. ef. 12-15-95; BCD 13-1999, f. & cert. ef. 10-1-99, Renumbered from 918-400-0400

918-400-0545

Permits for Installation or Alteration

(1) A permit issued for installation or alteration of an elevator shall automatically expire 18 months from date of issuance unless the physical installation or alteration started before the end of the 18th month.

(2) Two unconditional six-month permit extensions may be granted on written request by the elevator contractor, if the extension is requested prior to the permit expiration date.

(3) Upon expiration of a permit, a new application, new plans, pertinent data and associated fees are required.

(4) Fees shall not be refunded for expired permits.

Stat. Auth.: ORS 460.045

Stats. Implemented: ORS 460.045

Hist.: BCD 18-1995, f. & cert. ef. 12-15-95; BCD 13-1999, f. & cert. ef. 10-1-99, Renumbered from 918-400-0410

Inspections

918-400-0600

Initial Inspections

(1) The division shall perform all initial inspections of a new or altered elevator regulated by ORS 460.005 to 460.175.

(2) Prior to all required final inspections, the elevator contractor or person holding the installation or alteration permit shall call for an inspection. Inspections shall be scheduled as soon as resources are available. Where new installation and alteration sites are located more than one hour travel, one-way, from an inspector's duty station, the contractor shall schedule inspections allowing the inspector to return to the duty station no later than end of business day on Friday or day preceding a holiday.

(3) Prior to the scheduled date of the final inspection, the elevator contractor is required to ensure that the installation of the equipment is complete and fully operational according to applicable codes. The elevator inspector is not obliged to continue an inspection where such evidence is not readily apparent.

(4) When the inspector discontinues an inspection because the installation fails inspection or is not ready for final inspection, the elevator contractor or general contractor shall be charged at the rate provided for in OAR 918-400-0800. Charges shall include all time expended, portal-to-portal, toward such inspections, but no less than 4 hours.

Stat. Auth.: ORS 460.085

Stats. Implemented: ORS 460.125

Hist.: DC 25-1982, f. & ef. 12-16-82; Renumbered from 814-030-0065; BCD 18-1995, f. & cert. ef. 12-15-95; Renumbered from 918-400-0090; BCD 13-1999, f. & cert. ef. 10-1-99

918-400-0620

General Policies Regarding Provisional Permits

(1) Provisional permits shall be issued only when requested by or agreed to by the contractor, owner or operator and the division, as relevant.

(2) When a provisional permit is issued, the division shall place documentation in the file that it considered whether any immediate hazard to health or safety existed and determined that none existed.

(3) Provisional permits shall be issued to allow corrections of items that do not meet code requirements.

Stat. Auth.: ORS 460.055

Stats. Implemented: ORS 460.055

Hist.: BCD 18-1995, f. & cert. ef. 12-15-95; BCD 13-1999, f. & cert. ef. 10-1-99, Renumbered from 918-400-0430

918-400-0630

Provisional Permits for Elevators Under Construction

(1) A construction-use (workman's) permit may be granted under the following conditions:

(a) It is only issued to an elevator contractor while the elevator is under construction;

(b) The elevator shall only be used for transportation of workers and materials necessary for the physical construction and inspection of the site and shall not be used by the general public;

(c) Notification shall be given to the division before making any elevator changes, except those necessary to complete construction of the elevator;

(d) The installation meets all requirements of the **Oregon Elevator Specialty Code (ASME A17.1, 2004 Edition, Section 5.10)**;

(e) An operator is provided for all elevator operations unless the elevator meets all requirements for normal operations; and

(f) The provisional permit shall be:

(A) Specific to a particular elevator; and

(B) Attached to the car enclosure in plain view.

(2) Notwithstanding any expiration date placed on a provisional permit, the permit automatically terminates upon issuance of an operating permit.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 460.085

Stats. Implemented: ORS 460.055

Hist.: BCD 18-1995, f. & cert. ef. 12-15-95; BCD 13-1999, f. & cert. ef. 10-1-99, Renumbered from 918-400-0450; BCD 3-2003, f. 2-28-03, cert. ef. 3-1-03; BCD 2-2005, f. 3-16-05, cert. ef. 4-1-05

918-400-0640

Provisional Permits for New Installations

With the exception of private residence installations, a provisional permit may be granted to correct violations of the **Oregon Elevator Specialty Code** for a new or altered elevator installation, subject to the following:

(1) A written request for the provisional permit is made to the division by the permit holder or the general contractor prior to the commencement of any elevator inspections. If granted, the provisional permit shall not exceed 90 days.

(2) The elevator contractor or general contractor shall make all required corrections and otherwise complete the construction of the installation within the time allotted by the provisional permit. Failure to do so shall result in the elevator being removed from service until such corrections are complete. Mitigating circumstances shall be considered for extending a provisional operating permit as determined by the division.

(3) Provisional permits shall be billed according to OAR 918-400-0800 portal-to-portal.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 460.085

Stats. Implemented: ORS 460.055

Hist.: BCD 18-1995, f. & cert. ef. 12-15-95; BCD 13-1999, f. & cert. ef. 10-1-99, Renumbered from 918-400-0460

Annual Provisional Permits

918-400-0650

Use of Provisional Permits Following Periodic Safety Inspections

(1) A provisional permit may be granted to correct Oregon Elevator Specialty Code deficiencies discovered at a periodic elevator inspection, subject to the following:

(a) The initial provisional permit is issued for a period not to exceed 120 days from the date of the periodic inspection.

(b) A reinspection may be performed 120 days or more from the date of the periodic inspection when determined necessary by the division. If violations found at the periodic inspection still exist, the elevator may be removed from service pursuant to ORS 460.125(3).

(2) Where mitigating circumstances did not allow compliance within the initial 120-day period, an additional 60-day period may be granted providing all work can be completed within a 60-day period from the date of the first reinspection. If violations still exist, the elevator shall be ordered to be disconnected from service pursuant to ORS 460.125(2) and the matter shall be referred for additional enforcement action as relevant.

(3) Written requests for an extension may be granted in extenuating circumstances beyond the owner's or contractor's control, as determined by the division.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 460.055

Stats. Implemented: ORS 460.055

Hist.: DC 25-1982, f. & ef. 12-16-82; DC 15-1983, f. & ef. 6-28-83; Renumbered from 814-030-0070; BCD 18-1995, f. & cert. ef. 12-15-95; Renumbered from 918-400-095; BCD 13-1999, f. & cert. ef. 10-1-99, Renumbered from 918-400-0440; BCD 25-2000, f. 9-29-00, cert. ef. 10-1-00; BCD 8-2006, f. 6-30-06, cert. ef. 7-1-06

918-400-0660

Operating Permits

Operating permits that expire on or before September 30, 2007 are not affected by these rules.

(1) Operating permits are issued periodically based on the inspection intervals established by the division in Table 1-A, effective October 1, 2007.

(2) The division uses the following criteria to set elevator inspection intervals, which may include but are not limited to the following:

(a) Accidents and injuries;

(b) Commercial and public assembly structures;

(c) Special residency occupancies, schools, hospitals;

(d) Type of elevator;

(e) Passenger or freight conveyances;

(f) Construction only purpose elevators; and

(g) Environmental conditions.

(3) The division may refuse to issue an operating permit if:

(a) Inspections are not satisfactorily completed; or

(b) Permit fees have not been received.

(4) The elevator-operating permit, or copy of the permit must be posted in clear view in the elevator. A sign may be substituted providing the sign indicates the on-site location where the actual operating permit may be inspected during normal business hours.

[ED. NOTE: Tables referenced are available from the agency.]

Stat. Auth.: ORS 460.085

Stats. Implemented: ORS 460.055, 460.065, 460.085, 460.125

Hist.: DC 25-1982, f. & ef. 12-16-82; Renumbered from 814-030-0040; BCA 41-1991(Temp), f. 12-13-91, cert. ef. 12-15-91; BCA 7-1992, f. & cert. ef. 4-10-92; BCD 18-1995, f. & cert. ef. 12-15-95; Renumbered from 918-400-0065; BCD 13-1999, f. & cert. ef. 10-1-99, Renumbered from 918-400-0420; BCD 8-2006, f. 6-30-06, cert. ef. 7-1-06; BCD 8-2007, f. 7-13-07, cert. ef. 10-1-07

918-400-0665

Periodic Inspections

(1) The elevator owner must make provisions to allow access for inspections as required by ORS 460.135, within 30 days of request by the division.

(2) If access is denied or obstructed in whole or in part at the time of the inspection and a return inspection is necessary, a reinspection fee shall be charged under ORS 460.165(3)(g) and OAR 918-400-0800.

Stat. Auth.: ORS 455.117

Stats. Implemented: ORS 455.117

Hist. BCD 8-2006, f. 6-30-06, cert. ef. 7-1-06

Elevator Operating Requirements

918-400-0720

Alternate Approvals

(1) The requirements and procedures for establishing a formal statewide alternate method approval are in ORS 455.060.

(2) When any part of the **Oregon Elevator Specialty Code** adopted by the division for elevators does not have an alternate method approval provision, the division may approve any material, design or method of construction not specifically prescribed in the Oregon Elevator Specialty Code, provided the alternate material, design or method of construction is at least equivalent to that prescribed in the code in suitability, quality, strength, effectiveness, fire resistance, durability, dimensional stability, safety and sanitation.

(3) An alternate method approval under section (2) of this rule or under any code provision shall be:

(a) Granted only for a site-specific transaction; and

(b) Based on documentation placed in the permit file showing the items considered in the approval.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 455.060

Stats. Implemented: ORS 455.060

Hist.: DC 25-1982, f. & ef. 12-16-82, Renumbered from 814-030-0010; BCD 18-1995, f. & cert. ef. 12-15-95; Renumbered from 918-400-0030; BCD 13-1999, f. & cert. ef. 10-1-99, Renumbered from 918-400-0540

918-400-0730

Reclassification of Elevators

Elevators shall be reclassified only if the elevator meets, exceeds or is altered to at least the current requirements for the new classification and is so used.

Stat. Auth.: ORS 460.085

Stats. Implemented: ORS 460.085

Hist.: BCD 18-1995, f. & cert. ef. 12-15-95; BCD 13-1999, f. & cert. ef. 10-1-99, Renumbered from 918-400-0550

918-400-0740

Taking Elevators Out of Service

Except as provided in OAR 918-400-0275, a person wishing to take an elevator out of service shall:

(1) Within 30 days of taking an elevator out of service, notify the division in writing of the date the elevator was taken out of service; and

(2) Within 12 months from the date the elevator is taken out of service, disable it as an "installation placed out of service," described in the **Safety Code for Elevators and Escalators, ASME A17.1 2004 Edition, Requirement 8.11.1.4.**

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 460.085

Stats. Implemented: ORS 460.085

Hist.: BCD 18-1995, f. & cert. ef. 12-15-95; BCD 13-1999, f. & cert. ef. 10-1-99, Renumbered from 918-400-0560; BCD 3-2003, f. 2-28-03, cert. ef. 3-1-03; BCD 2-2005, f. 3-16-05, cert. ef. 4-1-05

918-400-0750

Placing a Previously Disabled Elevator Back into Service

When an installation previously placed out of service is intended to be returned to operating service:

(1) A written request shall be made to the division for an operating license.

(2) With permission from the division an elevator contractor may operate the elevator and make necessary repairs and adjustments to make the elevator operational.

(3) All testing required to place the type of elevator involved back in service shall be witnessed by a division elevator inspector.

(4) The elevator shall not be placed back into service before an inspection by the division and issuance of an operating permit under OAR 918-400-0465.

Stat. Auth.: ORS 460.085

Stats. Implemented: ORS 460.085

Hist.: BCD 18-1995, f. & cert. ef. 12-15-95; BCD 13-1999, f. & cert. ef. 10-1-99, Renumbered from 918-400-0570

Exceptions

918-400-0760

Exceptions from Code Requirements Under ORS 460.085

Authorization to grant exceptions from Oregon Elevator Specialty Code requirements based on hardship or practical difficulty is in ORS 460.085.

(1) A written request for exception shall:

(a) Identify the code requirement from which an exception is requested;

(b) Identify the specific installation for which the exception is sought and the intended effect if granted;

(c) State any additional reasons for the request; and

(d) Show how elevator safety is still preserved with the change requested.

(2) Exceptions under ORS 460.085 shall be granted only for a specific installation after receiving technical and safety advice from the board. Denials shall not be taken to the board unless appealed under ORS 460.155.

(3) Financial hardship alone shall not support an exception.

(4) Interpretation. An exception under ORS 460.085 is different from an alternate method approval. An exception is a one-time waiver of a code requirement that includes, but is not limited to, design, standard or safety requirement. An alternate method complies with the performance standards of the code but not necessarily with its prescriptive requirement.

(5) Exceptions are issued on condition that the facts and circumstances that provided reasonable safety remain unchanged. Changed facts and circumstances may cause withdrawal of the exception as provided in OAR 918-400-0770.

Stat. Auth.: ORS 460.085

Stats. Implemented: ORS 460.085

Hist.: BCD 18-1995, f. & cert. ef. 12-15-95; BCD 13-1999, f. & cert. ef. 10-1-99, Renumbered from 918-400-0300

918-400-0770

Withdrawal of Exceptions

(1) Exceptions granted under ORS 460.085(3) can be withdrawn if reasonable safety can no longer be maintained:

(a) Because of changes of facts, use or code requirements; or

(b) If the elevator is placed out of service for longer than one year.

(2) The elevator owner or operator shall be notified of an intent to withdraw an exception and of a right to a contested case hearing upon request.

Stat. Auth.: ORS 460.085

Stats. Implemented: ORS 460.085

Hist.: BCD 18-1995, f. & cert. ef. 12-15-95; BCD 13-1999, f. & cert. ef. 10-1-99, Renumbered from 918-400-0310

Fees

918-400-0800

Fees

(1) Subject to section (2) of this rule, the following elevator fees are adopted under ORS 460.165:

(a) Elevator contractor's license, \$195;

(b) Plan reviews, \$78;

(c) Inspections of:

(A) Dumbwaiters, sidewalk elevators, residential elevators, residential inclinator or subveyors, \$52;

(B) Escalators, lowerators, manlifts, stagelifts, inclined elevators, platform hoists or moving walks, \$78;

(C) Power-driven elevators with a four-floor rise or under, \$78;

(D) Power-driven elevators with over a four-floor rise, but under a 10-floor rise, \$98;

(E) Power-driven elevators with over 10-floor rise, but under 20-floor rise, \$124;

(F) Power-driven elevators with a 20-floor rise or over, \$147.

(d) Call-back inspections on a mechanism in section (3)(a) through (f) of this rule made by request or in continued existence of a defect, \$52;

(e) Special inspections, \$55 per hour;

(f) Report processing fee, \$20;

(g) Installation or alteration of an elevator, if the total cost of the installation or alteration, other than the inspection fee, is:

(A) \$1,000 or under — \$98;

(B) \$1,001 to \$14,999 — \$98, plus \$13 for each \$1,000 or fraction of \$1,000 by which the cost exceeds \$1,000;

(C) \$15,000 to \$49,999 — \$280, plus \$8 for each \$1,000 or fraction of \$1,000 by which the cost exceeds \$15,000;

(D) \$50,000 or over — \$553, plus \$3 for each \$1,000 or fraction of \$1,000 by which the cost exceeds \$50,000.

(2) Elevator alterations.

(a) No fee shall be charged when an alteration is limited to fixture upgrades to meet state-adopted accessibility standards;

(b) No fee shall be charged where the alteration is limited to the car interior upgrades that do not alter the gross weight of the car more than five percent;

(c) When a group of elevators under common group control is proposed for an upgrade, and the same upgrade is proposed for all cars in the group, the inspection fee shall be the contract valuation for the entire elevator upgrade project rather than the higher separate inspection fee for each elevator in the group; and

(d) Where the upgrade for a group of elevators is not identical for each elevator, the fees shall be calculated separately based on the contract valuation for each elevator.

(3) Plan Review Fees. Where a complete set of drawings shows all elevators affected by the proposed installation or alteration, only one plan review fee shall be required rather than a separate fee for each elevator.

(4) The following fees shall apply to licenses issued under OAR 918-400-0333 and 918-400-0380:

(a) License application, \$15;

(b) Limited Elevator Mechanic's license, \$60;

(c) The fees for the licenses issued herein shall be prorated to the nearest \$20 amount based on the date of issue with respect to the

date of expiration: 0–12 months \$20; 12–24 months \$40; 24–36 months \$60.

(5) All fees required by section (1) of this rule shall double if not paid within 90 days as provided for in ORS 460.165(7).

Stat. Auth.: ORS 460.085

Stats. Implemented: ORS 460.165

Hist.: DC 25-1982, f. & ef. 12-16-82; Renumbered from 814-030-0030; BCA 21-1991(Temp), f. 6-14-91, cert. ef. 7-1-91 thru 12-27-91; BCA 29-1991, f. & cert. ef. 8-30-91; BCD 18-1995, f. & cert. ef. 12-15-95; Renumbered from 918-400-0050; BCD 11-1996(Temp), f. & cert. ef. 7-1-96; BCD 27-1996, f. & cert. ef. 12-4-96; BCD 10-1998(Temp), f. 6-2-98, cert. ef. 7-1-98 thru 12-27-98; BCD 25-1998, f. 12-22-98, cert. ef. 12-27-98; BCD 13-1999, f. & cert. ef. 10-1-99; BCD 14-2000(Temp), f. 7-20-00, cert. ef. 8-1-00 thru 1-27-01; BCD 25-2000, f. 9-29-00, cert. ef. 10-1-00; BCD 21-2002(Temp), f. 8-30-02, cert. ef. 9-1-02 thru 2-27-03; BCD 34-2002, f. 12-20-02, cert. ef. 1-1-03; BCD 12-2004, f. 8-20-04, cert. ef. 10-1-04

DIVISION 440

MECHANICAL SPECIALTY CODE

918-440-0000

Reasonable Notice to Interested Parties: Mechanical Specialty Code

Prior to the adoption, amendment or repeal of any rule relating to the **Oregon Mechanical Specialty Code**, the Building Codes Division shall give notice of the proposed action:

(1) In the Secretary of State's Bulletin referred to in ORS 183.360 at least 21 days prior to the effective date;

(2) By mailing a copy of the notice to persons on the mailing list established pursuant to ORS 183.335 and OAR 918-001-0210; and

(3) To the Capitol Press Room.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 183.335

Stats. Implemented: ORS 183.335

Hist.: DC 63, f. & ef. 12-5-75; Renumbered from 814-027-0000; BCD 19-1998, f. 9-30-98, cert. ef. 10-1-98

918-440-0010

Adopted Oregon Mechanical Specialty Code

Effective April 1, 2007 the 2007 **Oregon Mechanical Specialty Code** is the 2006 Edition of the **International Mechanical Code**, and International Fuel Gas Code as published by the International Code Council and amended by the Building Codes Division.

[Publications: Publications referenced are available for review at the division. See division web site for information on where to purchase publications.]

Stat. Auth.: ORS 455.020, 455.030 & 455.110

Stats. Implemented: ORS 455.110

Hist.: DC 35, f. 6-5-74, ef. 6-25-74; DC 52(Temp), f. & ef. 7-3-75 thru 10-31-73; DC 62, f. 11-20-75, ef. 1-1-76; DC 68, f. 3-3-76, ef. 4-1-76; DC 75, f. 5-21-76, ef. 8-1-76; DC 85, f. 8-19-76, ef. 10-1-76; DC 22-1978, f. 9-1-78, ef. 10-1-78; DC 8-1979, f. 4-30-79, ef. 5-1-79/8-1-79/1-1-80; DC 14-1979, f. 12-27-79, ef. 1-1-80; DC 6-1980, f. 6-5-80, ef. 7-1-80; DC 11-1981, f. & ef. 7-20-81; DC 13-1981, f. 10-30-81; ef. 11-1-81; DC 14-1983, f. 6-23-83, ef. 8-1-83; DC 26-1984, f. 8-31-84, ef. 9-15-84; DC 10-1986, f. 6-30-86, ef. 7-1-86; DC 5-1987(Temp), f. & ef. 3-26-87; BCA 3-1987, f. & ef. 8-4-87; BCA 7-1987, f. & ef. 9-3-87; Renumbered from 814-027-0005; BCA 34-1989, f. 12-21-89, ef. 1-1-90; BCA 32-1991(Temp), f. & cert. ef. 9-30-91; BCA 6-1992, f. 3-24-92, cert. ef. 3-27-92; BCA 27-1992, f. 12-29-92, cert. ef. 1-1-93; BCD 2-1995, f. & cert. ef. 2-9-95; BCD 2-1996, f. 2-2-96, cert. ef. 4-1-96; BCD 5-1999, f. 6-17-99, cert. ef. 10-1-99; BCD 18-2002, f. 7-26-02, cert. ef. 10-1-02; BCD 10-2004, f. 8-6-04 cert. ef. 10-1-04; BCD 1-2007, f. 2-15-07, cert. ef. 4-1-07

918-440-0015

Refrigeration Installer Certification

All persons engaged in brazing or welding related to the installation, alteration or repair of refrigeration piping systems not regulated by the Oregon Boiler and Pressure Vessel Program under OAR 918, division 225, shall be certified in accordance with the requirements of this rule.

(1) The minimum requirement for persons engaged in brazing or welding of refrigeration piping systems is a current and valid certification issued upon completion of a class by a division-approved certifying organization in brazing or welding in accordance with either:

(a) **Section IX, Welding and Brazing Qualifications of the American Society of Mechanical Engineers publication, 2001 ASME Boiler and Pressure Vessel Code**; or

(b) **American Welding Society publication AWS B2.2-91, Standard for Brazing Procedure and Performance Qualification.**

(2) Refrigeration systems installed in dwelling units regulated under the **One and Two Family Dwelling Specialty Code** are exempt from this rule.

(3) All refrigeration piping system requirements not regulated by OAR 918-225-0310, are subject to the **Oregon Mechanical Specialty Code**.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 455.020 & 455.720

Stats. Implemented: ORS 455.020 & 455.720

Hist.: BCD 34-2000, f. 12-27-00, cert. ef. 7-1-01; BCD 19-2003, f. 12-15-03, cert. ef. 1-1-04

Voluntary Energy Conservation

918-440-0020

Voluntary Energy Conservation Standards for Public Buildings Constructed Prior to January 1, 1978

Voluntary energy conservation standards for public buildings constructed prior to January 1, 1978, have been adopted by the Building Codes Division pursuant to ORS 469.740.

Stat. Auth.: ORS 469.740

Stats. Implemented: ORS 469.740

Hist.: DC 17-1978, f. 4-28-78, ef. 7-1-78; Renumbered from 814-027-0100; BCD 19-1998, f. 9-30-98, cert. ef. 10-1-98

918-440-0030

Energy Efficiency Rating (E.E.R.) System Single Family Residences

(1) Scope: These rules provide a voluntary energy efficiency rating system for single family residences to encourage voluntary energy conservation and the voluntary use in real estate transactions.

(2) Definitions:

(a) "E.E.R." means Energy Efficiency Rating;

(b) "Single Family Residence" means a structure designed as a residence for one family and sharing no common wall with another residence of any type.

(3) Energy Efficiency Rating: The Energy Efficiency Rating (E.E.R.) is to be determined by the following steps:

(a) Determine the total energy used in the residence over the last 12 months' period in thousands of BTUs:

(A) Determine electrical energy (KWH) used (source: Electrical bills or utility company). Multiply the total KWH by 3413 BTUs equals the total electric BTUs used. (Electric KWH) x 3413 = BTUs;

(B) Determine natural gas therms used (source: Gas bills or the gas company). Multiply the therms used by 100,000 then by 0.75 (Efficiency Factor). This equals the total gas BTUs used. (Gas therm) x 100,000 x 0.75 = BTUs;

(C) Determine heating oil BTU'S by multiplying total gallons by 140,000 then by 0.75 (Efficiency Factor). This equals the total oil BTUs used. (Oil Gallons) x 140,000 x 0.75 = BTUs;

(D) Total the types of energy BTUs used in the residence to determine total BTUs used in the 12 months. (Electrical BTUs + Gas BTUs = Oil BTUs = TOTAL BTUs.);

(E) Divide total BTU'S by one thousand equals total thousand's BTUs used:

$$\frac{\text{TOTAL BTUs}}{1,000} = \text{TOTAL THOUSAND BTUs USED}$$

(b) Determine the square footage of living (heated) space of the residence. (Source: House plans, measurement, or county assessor.);

(c) Divide total thousand BTUs used by the square footage of living space. The results are the E.E.R. of the residence that year:

$$\frac{\text{TOTAL THOUSAND BTUs USED}}{\text{TOTAL SQUARE FEET LIVING SPACE}} = \text{E.E.R.}$$

Stat. Auth.:

Stats. Implemented: ORS 469.700

Hist.: DC 16-1978, f. 4-28-78, ef. 7-1-78; Renumbered from 814-027-0105

918-440-0040

Amendments to the Oregon Mechanical Specialty Code

The Oregon Mechanical Specialty Code is adopted and amended pursuant to chapter 918, division 8. Amendments adopted for inclusion into the Oregon Mechanical Specialty Code are placed in this rule, showing the section reference, a descriptive caption and a short description of the amendment.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 455.030

Stats. Implemented: ORS 455.110

Hist.: BCD 32-1994, f. & cert. ef. 12-30-94; BCD 2-1996, f. 2-2-96, cert. ef. 4-1-96; BCD 5-1997, f. 3-21-97, cert. ef. 4-1-97; BCD 19-1998, f. 9-30-98, cert. ef. 10-1-98; BCD 15-1999, f. & cert. ef. 10-6-99 thru 4-2-00; BCD 5-2000, f. 3-9-00, cert. ef. 4-1-

00; BCD 8-2001, f. 7-17-01, cert. ef. 10-1-01; BCD 19-2003, f. 12-15-03, cert. ef. 1-1-04; BCD 10-2004, f. 8-6-04 cert. ef. 10-1-04; BCD 9-2006, f. 6-30-06, cert. ef. 7-1-06

918-440-0050

Mechanical Permit Fees

(1) Effective July 1, 1999, the Building Codes Division fees for administration of the **Oregon Mechanical Specialty Code** are found in **Table 1-A**. These fees are based on 130 percent of **Table 3-A** of the 1979 edition of the Uniform Mechanical Code as published by the International Conference of Building Officials, as authorized in ORS 455.210 and amended by Senate Bill 287 enacted by the 1999 Legislative Session.

(2) Amend **Table 1-A** Mechanical Permit fees as follows:

(3) Plan review fees shall be those fees specified in Section 106.5.4 of the State of Oregon, **Mechanical Specialty Code** as adopted in OAR 918-440-0010.

[ED. NOTE: Tables referenced are available from the agency.]

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 455.020 & 455.210

Stats. Implemented: 1999 OL, Ch. 432

Hist.: BCD 8-1999(Temp), f. & cert. ef. 7-1-99 thru 12-27-99; BCD 11-1999, f. 9-7-99, cert. ef. 10-1-99; BCD 15-1999, f. & cert. ef. 10-6-99 thru 4-2-00; BCD 5-2000, f. 3-9-00, cert. ef. 4-1-00; BCD 19-2003, f. 12-15-03, cert. ef. 1-1-04

918-440-0500

Purpose and Scope

(1) Scope. This rule establishes a uniform notification process for the lawful disposal of mercury thermostats by persons installing heating, ventilation or air conditioning systems. For the purposes of this rule, a "thermostat" is a device commonly used to sense and, through electrical communication with heating, cooling or ventilation equipment, control room temperature.

(2) The authority having jurisdiction shall notify heating, ventilation or air conditioning system installers at time of permit issuance of proper disposal for mercury thermostats.

(3) The written notification shall include the following language: "In accordance with ORS 455.355, the disposal of thermostats that contain mercury shall be in accordance with programs established by thermostat manufacturers, their representative or distributor, or by delivery to sites that will ensure that the mercury does not become part of the solid waste stream or wastewater.

Stat. Auth.: ORS 455.355

Stats. Implemented: ORS 455.355

Hist.: BCD 24-2002, f. 9-13-02 cert. ef. 1-1-03

918-440-0510

Prohibits Installation of Mercury Thermostats

Effective January 1, 2006 installing a thermostat containing mercury in commercial or residential buildings is not allowed. The installation of thermostats containing mercury on industrial equipment used for safety controls is allowed. For the purpose of this rule, a thermostat is defined in OAR 918-440-0500(1).

Stat. Auth.: ORS 455.355

Stats. Implemented: ORS 455.355

Hist.: BCD 21-2005, f. 9-29-05, cert. ef. 1-1-06

DIVISION 450

SEASONAL FARM-WORKER HOUSING

918-450-0005

Seasonal Farm-Worker Housing

(1) Purpose and Scope of This Rule:

(a) Is authorized by ORS 455.380;

(b) Creates a uniform application and method for computing construction permit fees; and adopts seasonal farm worker housing standards; and

(c) Applies even though the applicant for a permit does not otherwise meet the requirements of ORS Chapter 455 and rules under that chapter.

(2) Issuance of Permits: Regardless of the provisions of ORS 455.150:

(a) The application for construction permits throughout the state for the rehabilitation of existing seasonal farm-worker housing, shall be filed on a uniform application form provided by the division or on a reasonable facsimile of the form;

(b) The fee for the structural portion of the building permit for rehabilitation of seasonal farm-worker housing shall be computed by taking the value of work that will be added to the existing structure, dividing it in one-half, rounding the resulting amount to the nearest dollar and applying that amount to the valuation table for determining the structural portion of the permit fee. All other methods of computing permit fees shall be uniform throughout the state and shall follow the methods established by the division for the applicable specialty code.

(3) Seasonal Farm Worker Housing Standards:

(a) Adoption: The minimum health and safety standard for the rehabilitation of existing seasonal farm worker housing outside of city limits is the **Oregon Occupational Safety and Health Code**, OAR 437-004-1120 (Agricultural Labor Housing and Related Facilities) effective October 1, 1998, which is adopted by reference;

(b) Interpretation: The subsections of the Occupational Safety and Health Code, OAR 437-004-1120 listed below, are only applicable to the enforcement of health and safety construction standards as follows:

(A) OAR 437-004-1120(9)(b) does not waive the requirements of the **Oregon Plumbing Specialty Code**;

(B) OAR 437-004-1120(11)(a)(D) does not waive the requirements of the **Oregon Mechanical Specialty Code**;

(C) The reference to the **Uniform Building Code** in OAR 437-004-1120(12)(e) and (f) is changed to **Oregon Structural Specialty Code, Chapter 1, Section 1003**.

(c) Any new construction must be built in compliance with the **State Building Codes**, unless otherwise exempted; and

(d) The following subsections of the Occupational Safety and Health Code, OAR 437-004-1120, are not adopted for enforcement of health and safety construction standards for the rehabilitation of existing seasonal farm worker housing:

(A) OAR 437-004-1120(5);

(B) OAR 437-004-1120(6)(b), (c), (g), (h), (j), (k) and (l);

(C) OAR 437-004-1120(7)(a), (b), (d), (e), (h), (i) and (k);

(D) OAR 437-004-1120(8)(e); the last sentence of (f); (g), (h), (k); the first sentence of (l); (m), (q), (t) and (w);

(E) OAR 437-004-1120(10)(a), (b), (c), (d), (e) and (f);

(F) OAR 437-004-1120(11)(a), (e), (f), (g), (h), (i), (j), (m) and (o);

(G) OAR 437-004-1120(12)(a), the second sentence;

(H) OAR 437-004-1120(13);

(I) OAR 437-004-1120(14);

(J) OAR 437-004-1120(15); and

(K) OAR 437-004-1120(16).

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 455.380

Stats. Implemented: ORS 455.380

Hist.: BCA 29-1989(Temp), f. 12-8-89, cert. ef. 12-15-89; BCA 12-1990, f. & cert. ef. 6-1-90; BCA 2-1993(Temp), f. 2-12-93, cert. ef. 2-15-93; BCA 5-1993, f. 4-5-93, cert. ef. 4-15-93; BCD 19-1998, f. 9-30-98, cert. ef. 10-1-98

DIVISION 460

STRUCTURAL SPECIALTY CODE

918-460-0000

Reasonable Notice to Interested Parties

Prior to the adoption, amendment or repeal of any rule relating to the **Oregon Structural Specialty Code**, the Building Codes Division shall give notice of the proposed action:

(1) In the Secretary of State's Bulletin referred to in ORS 183.360 at least 21 days prior to the effective date;

(2) By mailing a copy of the notice to persons on the mailing list established pursuant to ORS 183.335 and OAR 918-001-0210; and

(3) To the Capitol Press Room.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 183.335

Stats. Implemented: ORS 183.335

Hist.: DC 63, f. & ef. 12-5-75; DC 9-1983, f. & ef. 3-15-83; Renumbered from 814-026-0000 & 814-026-0001; BCD 19-1998, f. 9-30-98, cert. ef. 10-1-98

918-460-0010

Adopted Oregon Structural Specialty Code

Effective April 1, 2007 the 2007 **Oregon Structural Specialty Code** is the 2006 Edition of the **International Building Code**, as pub-

lished by the International Code Council, and amended by the Building Codes Division.

[Publications: Publications referenced are available for review at the division. See division web site for information on where to purchase publications.]

Stat. Auth.: ORS 455.020, 455.447 & 455.610

Stats. Implemented: ORS 455.110

Hist.: DC 34, f. 6-5-74, ef. 6-25-74; DC 36(Temp), f. & ef. 7-1-74; DC 37, f. 8-30-74, ef. 9-25-74; DC 45, f. 4-7-75, ef. 4-25-75; DC 51(Temp), f. & ef. 7-3-75 - 10-31-75; DC 61, f. 11-20-75, ef. 1-1-76; DC 67, f. & ef. 2-19-76; DC 68, f. 3-3-76, ef. 4-1-76; DC 76, f. 5-21-76, ef. 8-1-76; DC 77, f. 5-26-76, ef. 6-3-76; DC 84, f. 8-19-76, ef. 10-1-76; DC 102, f. & ef. 11-1-77; DC 104, f. 12-1-77, ef. 12-10-77; DC 2-1978, f. 1-20-78, ef. 3-1-78; DC 18-1978, f. 5-4-78, ef. 5-15-78; DC 5-1978(Temp), f. 2-22-78, ef. 3-1-78 thru 4-29-78; DC 29-1978, f. 10-27-78, ef. 1-1-79; DC 31-1978(Temp), f. 12-8-78, ef. 1-1-79; DC 33-1978(Temp), f. 12-27-78, ef. 1-1-79; DC 6-1979 (Temp), f. 3-13-79, ef. 4-1-79; DC 8-1979, f. 4-30-79, ef. 5-1-79/8-1-79/1-1-80; DC 12-1979(Temp), f. 7-2-79, ef. 8-1-79; DC 13-1979, f. 11-1-79, ef. 12-1-79; DC 7-1980, f. 6-5-80, ef. 7-1-80; DC 15-1980(Temp), f. & ef. 10-13-80; DC 11-1981, f. & ef. 7-20-81; DC 13-1981, f. 10-30-81, ef. 11-1-81; DC 15-1981, f. 10-30-81, ef. 1-1-82; DC 9-1982, f. & ef. 3-1-82; DC 14-1983, f. 6-23-83, ef. 8-1-83; DC 26-1984, f. 8-31-84, ef. 9-15-84; DC 35-1984, f. & ef. 11-28-84; DC 14-1985(Temp), f. & ef. 6-21-85; DC 21-1985, f. 12-18-85, ef. 1-1-86; DC 10-1986, f. 6-30-86, ef. 7-1-86; DC 19-1986, f. 10-31-86, ef. 11-1-86; DC 5-1987(Temp), f. & ef. 3-26-87; DC 12-1987(Temp), f. 4-21-87, ef. 4-24-87; BCA 7-1987, f. & ef. 9-3-1987; BCA 11-1987, f. & ef. 10-21-87; BCA 12-1987, f. & ef. 11-5-87; Renumbered from 814-026-0005; BCA 34-1989, f. 12-21-89, cert. ef. 1-1-90; BCA 30-1990, f. 12-21-90, cert. ef. 1-1-92; BCA 43-1991(Temp), f. 12-24-91, cert. ef. 1-1-92; BCA 3-1992(Temp), f. 3-4-92, cert. ef. 3-5-92; BCA 12-1992, f. 6-29-92, cert. ef. 7-1-92; BCA 27-1992, f. 12-29-92, cert. ef. 1-1-93; BCA 3-1993(Temp), f. & cert. ef. 3-3-93; BCA 19-1993(Temp), f. 8-26-93, cert. ef. 9-1-93; BCA 26-1993, f. 10-22-93, cert. ef. 11-1-93; BCD 6-1994, f. 2-25-94, cert. ef. 5-1-94; BCD 2-1996, f. 2-2-96, cert. ef. 4-1-96; BCD 19-1998, f. 9-30-98, cert. ef. 10-1-98; BCD 16-2004, f. 9-24-04, cert. ef. 10-1-04; BCD 1-2007, f. 2-15-07, cert. ef. 4-1-07

918-460-0015

Amendments to the Structural Specialty Code

The Oregon Structural Specialty Code is adopted and amended pursuant to chapter 918, division 8. Amendments adopted for inclusion into the Oregon Structural Specialty Code are placed in this rule, showing the section reference, a descriptive caption and a short description of the amendment.

[Publications: Publications referenced are available for review at the division. See division web site for information on where to purchase publications.]

Stat. Auth.: ORS 447.231, 447.247, 455.030, 455.110 & 455.112

Stats. Implemented: ORS 447.247, 455.110 & 455.112

Hist.: BCA 18-1993, f. 8-24-93, cert. ef. 8-29-93; BCA 28-1993, f. 10-22-93, cert. ef. 1-1-94; BCD 6-1994, f. 2-25-94, cert. ef. 5-1-94; BCD 22-1994, f. 9-28-94, cert. ef. 1-1-95; BCD 31-1994(Temp), f. & cert. ef. 12-23-94; BCD 32-1994, f. & cert. ef. 12-30-94; BCD 2-1995, f. & cert. ef. 2-9-95; BCD 5-1995, f. & cert. ef. 3-15-95; BCD 2-1996, f. 2-2-96, cert. ef. 4-1-96; BCD 6-1996, f. 3-29-96, cert. ef. 4-1-96; BCD 12-1997, f. 9-10-97, cert. ef. 10-1-97; BCD 19-1998, f. 9-30-98, cert. ef. 10-1-98; BCD 24-1998(Temp), f. & cert. ef. 12-1-98 thru 5-29-99; Temporary Rule repealed by BCD 3-1999, f. 3-12-99, cert. ef. 4-1-99; BCD 5-1999, f. 6-17-99, cert. ef. 10-1-99; BCD 12-1999(Temp), f. 9-23-99, cert. ef. 11-1-99 thru 4-28-00; BCD 2-2000 f. 1-14-00, cert. ef. 4-1-00; BCD 20-2000, f. 9-15-00, cert. ef. 10-1-00; BCD 8-2001, f. 7-17-01, cert. ef. 10-1-01; BCD 18-2001, f. 12-21-01, cert. ef. 1-1-02; BCD 14-2003, f. 8-13-03, cert. ef. 10-1-03; BCD 18-2003(Temp), f. & cert. ef. 11-14-03 thru 5-11-04; BCD 5-2004, f. & cert. ef. 4-1-04; BCD 16-2004, f. 9-24-04, cert. ef. 10-1-04; BCD 21-2004, f. & cert. ef. 10-1-04; BCD 9-2005(Temp), f. & cert. ef. 4-7-05 thru 9-30-05; BCD 14-2005, f. & cert. ef. 7-5-05; BCD 18-2005(Temp), f. & cert. ef. 7-12-05 thru 9-30-05; BCD 22-2005, f. 9-29-05, cert. ef. 10-1-05; BCD 23-2005, f. 9-29-05, cert. ef. 10-1-05; BCD 1-2006, f. & cert. ef. 2-1-06; BCD 9-2006, f. 6-30-2006, cert. ef. 7-1-06; BCD 1-2007, f. 2-15-07, cert. ef. 4-1-07

918-460-0016

Townhouse and Rowhouse Construction

Effective October 1, 2004 through March 31, 2005, the appropriate standard for construction, alteration and repair of:

(1) A townhouse structure is the **1998 Oregon Structural Specialty Code** and adopted amendments prior to September 30, 2004.

(2) A rowhouse structure is the **1998 Oregon Structural Specialty Code** and adopted amendments prior to September 30, 2004 and Oregon alternate method ruling No. 00-10 Rowhouse Construction.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 455.030, 455.110 & 455.144

Stats. Implemented: ORS 455.030, 455.110 & 455.144

Hist.: BCD 20-2004, f. 9-30-04, cert. ef. 10-1-04

918-460-0020

Master Plan Review Fee

Plans submitted to the division for approval in one or more municipalities as a "master plan" shall be reviewed at a minimum hourly rate of \$70 per hour for each applicable specialty code with a minimum charge of one hour for structures less than 1,000 square feet. Structures 1,000 square feet and larger shall be reviewed using structural and fire and life safety plan review fees determined in accordance with OAR 918, divisions 460 and 480, and the appropriate specialty codes. Fees for mechanical, plumbing and electrical plan reviews shall

be determined in accordance with the appropriate specialty code and applicable administrative rules. This rule does not apply to plan reviews for prefabricated structures.

Stat. Auth.: ORS 455.685

Stats. Implemented: ORS 455.685

Hist.: DC 13-1981, f. 10-30-81, ef. 11-1-81; Renumbered from 814-026-0010; BCD 26-2001, f. 12-28-01, cert. ef. 1-1-02

918-460-0030

Fees for Plan Review and Permits

Fees for plan review and permits issued by the Division for construction, alteration and repair of prefabricated structures and of buildings and other structures as established by these rules and authorized by ORS 455.210, shall be determined by using the value for estimated construction cost as 83 percent of the value shown on the construction valuation table established April 1, 2001, and published by the International Conference of Building Officials (ICBO), amended to include pole buildings not shown on the ICBO table, and to use the alternative (good) value for dwellings and apartment houses. A copy of the amended table, adjusted for Oregon, is attached to this rule and identified as **Exhibit 1**. The valuation for plan review of buildings whose occupancies and types of buildings not listed in the valuation table shall be established at the actual project cost, including profit and overhead.

[ED. NOTE: Exhibits referenced are available from the agency.]

Stat. Auth.: ORS 455.210

Stats. Implemented: ORS 455.210

Hist.: BCA 12-1991(Temp), f. 5-15-91, cert. ef. 7-1-91; BCA 14-1991(Temp), f. 6-7-91, cert. ef. 7-1-91; BCA 27-1991, f. 8-29-91, cert. ef. 8-30-91; BCA 19-1992, f. & cert. ef. 9-15-92; BCA 14-1993(Temp), f. 6-30-93, cert. ef. 7-1-93; BCA 25-1993, f. 10-22-93, cert. ef. 11-1-93; BCD 19-1994, f. 8-30-94, cert. ef. 9-1-94; BCD 26-2001, f. 12-28-01, cert. ef. 1-1-02

918-460-0040

Fire and Life Safety Plan Review Fee

When a fire and life safety plan review is conducted under ORS 479.155, the fee shall be 40 percent of the structural permit fee. This fee is in addition to the 65 percent structural plan review fee.

Stat. Auth.: ORS 455.210

Stats. Implemented: ORS 455.210

Hist.: BCD 11-1994, f. & cert. ef. 4-25-94; BCD 19-1998, f. 9-30-98, cert. ef. 10-1-98

918-460-0050

Structural Permit Fees

(1) Effective July 1, 1999, the Building Codes Division fees for administration of the **Oregon Structural Specialty Code** are found in **Table 1-A**. These fees are based on 130 percent of **Table 3-A** of the 1979 edition of the **Uniform Building Code** as published by the International Conference of Building Officials, as authorized in ORS 455.210 and amended by Senate Bill 287 enacted by the 1999 Legislative Session.

(2) Amend Table 1-A Building Permit Fees as follows: [Table not included. See ED. NOTE.]

[ED. NOTE: Tables referenced are available from the agency.]

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 455.020 & 455.210

Stats. Implemented: ORS 455.210

Hist.: BCD 8-1999(Temp), f. & cert. ef. 7-1-99 thru 12-27-99; BCD 11-1999, f. 9-7-99, cert. ef. 10-1-99

918-460-0060

Fees for Consultation Services

The following fees are established for:

(1) Consultation services related to structural, mechanical and fire and life safety plans: \$70 per hour or fraction thereof, with a minimum charge of one hour; and

(2) Consultation and approval of alternate materials and methods: \$75 per hour or fraction thereof, with a minimum charge of one hour.

Stat. Auth.: ORS 455.020

Stats. Implemented: ORS 455.020

Hist.: BCD 26-2001, f. 12-28-01, cert. ef. 1-1-02

918-460-0070

Phased Project and Deferred Submittal Fees

When requested to review and approve plans for phased construction or deferred plan submittals under the **Oregon Structural Specialty Code**, the following fees in addition to the applicable plan review and permit fees shall apply.

(1) Phased Projects. There shall be an application fee of \$100 for each separate phase of the project. In addition, the plan review fee shall

be increased in an amount equal to 10 percent of the building permit fee calculated according to OAR 918-460-0050 using the value of the particular phase of the project, not to exceed an additional \$1,500 for each phase.

(2) Deferred Submittals. The fee for processing and reviewing deferred plan submittals shall be an amount equal to 65 percent of the building permit fee calculated according to OAR 918-460-0050 using the value of the particular deferred portion or portions of the project. This fee is in addition to the project plan review fee based on total project value.

[Publications: Publications referenced are available from the agency.]
Stat. Auth.: ORS 455.020
Stats. Implemented: ORS 455.020
Hist.: BCD 26-2001, f. 12-28-01, cert. ef. 1-1-02

DIVISION 470

ABATEMENT OF BUILDINGS DAMAGED BY EARTHQUAKE

918-470-0010

General

(1) When a county or city government or another agency of the State of Oregon has concurrent jurisdiction with the division to inspect and abate unsafe buildings, and issues an order to vacate or to abate, the division will withhold action, unless the unsafe condition of the structure continues after the order issued by the other agency or jurisdiction has been withdrawn.

(2) If a building or structure damaged by earthquake is listed on the National Register of Historic Places, is determined by the State Historic Preservation Officer to be eligible for listing on the Register, or is otherwise included in the categories listed in ORS 455.449, the division or authority having jurisdiction shall, upon request of the State Historic Preservation Officer consult with the State Historic Preservation Office to review alternative methods as required by ORS 455.449. If the State Historic Preservation Officer has not requested review of the order within 45 days of the date required by OAR 918-470-0050 the order may be enforced.

Stat. Auth.: ORS 455.020 & 455.449
Stats. Implemented: ORS 455.449
Hist.: BCD 9-1994, f. 3-30-94, cert. ef. 5-1-94; BCD 19-1998, f. 9-30-98, cert. ef. 10-1-98

918-470-0020

Abatement of Earthquake Damaged Structures

All structures or portions of structures which as a result of earthquake are determined by the division or delegated authority to be in unsafe conditions as defined in ORS 455.010 are declared to be public nuisances and shall be abated by repair, rehabilitation, demolition or removal in accordance with ORS 455.449.

Stat. Auth.: ORS 455.020 & 455.449
Stats. Implemented: ORS 455.449
Hist.: BCD 9-1994, f. 3-30-94, cert. ef. 5-1-94; BCD 19-1998, f. 9-30-98, cert. ef. 10-1-98

918-470-0030

Inspection and Permits Required

All work performed on buildings or structures subject to these rules for which a permit is required shall be subject to inspection in accordance with the applicable specialty code.

Stat. Auth.: ORS 401.539 & 455.020
Stats. Implemented: ORS 401.539
Hist.: BCD 9-1994, f. 3-30-94, cert. ef. 5-1-94

918-470-0040

Identifying Unsafe Buildings and Structures

Any building damaged by earthquake suffering from any or all of the following conditions or defects shall be determined to be unsafe as defined in ORS 455.010, if life, health, property or safety of the public or its occupants are endangered:

(1) The stress in any materials, member or portion thereof, due to all dead and live loads, is more than one- and one-half times the working stress or stresses allowed in **Oregon Structural Specialty Code (OSSC)** or **One and Two Family Dwelling Specialty Code (Dwelling Code)** for new buildings of similar structure, purpose or location.

(2) Any portion of the building has been damaged to the extent the building's structural strength or stability is materially less than it was before the earthquake and is less than the minimum requirements of the **OSSC** or **Dwelling Code** for new buildings of similar structure, purpose or location.

(3) Any portion, member or appurtenance of the building is likely to fail, or become detached or dislodged, or collapse and injure persons or damage property.

(4) Any portion, member, appurtenance of the building or ornamentation on the exterior of the building is damaged to the point that it lacks sufficient strength or stability to resist a wind pressure of one-half of that specified for new buildings of similar structure, purpose or location without exceeding the working stresses permitted in the **OSSC** or **Dwelling Code** for such buildings.

(5) Any portion of the building has racked, warped, buckled or settled so walls or other structural portions have materially less resistance to winds or continued earth movement than is required in the case of similar new construction.

(6) The building or structure, or any portion of the building is determined by an inspector employed or authorized by the division to be unsafe for the purpose for which it is being used.

(7) The exterior walls or other vertical structural members list, lean or buckle to the extent a plumb line passing through the center of gravity does not fall inside the middle one-third of the base.

(8) The building or structure, exclusive of the foundation, shows 33 percent or more damage to its supporting member or members, or 50 percent damage to the non-supporting members, outside walls or coverings.

(9) The building or structure has been so damaged to become an attractive nuisance to children.

(10) Damage resulting in faulty electrical wiring, gas connections or heating apparatus, or other cause, is a fire hazard.

[Publications: Publications referenced are available from the agency.]
Stat. Auth.: ORS 455.020 & 455.449
Stats. Implemented: ORS 455.449
Hist.: BCD 9-1994, f. 3-30-94, cert. ef. 5-1-94; BCD 19-1998, f. 9-30-98, cert. ef. 10-1-98

918-470-0050

Enforcement and Notice

When the division or authority having jurisdiction determines a building to be unsafe, it shall begin proceedings to require the repair, vacation or demolition of the building.

(1) A notice and order shall contain:

(a) The street address and a legal description sufficient to identify the property upon which the building is located;

(b) A statement:

(A) That the building has been found to be unsafe and a brief, concise description of the conditions found to cause the building to be unsafe;

(B) Of the required action if the Division or municipality determines the building or structure must be:

(i) Repaired, the order shall require all necessary permits be secured and the work physically commenced within the time specified (not to exceed 180 days from the date of the order), and completed within the time stated in the order;

(ii) Vacated, the order shall require the building or structure be vacated within a time certain from the date of the order; or

(iii) Demolished, the order shall require the building be vacated within the period set out in the order (not to exceed 60 days from the date of the order), that all necessary permits be secured and the demolition be completed within the time stated in the order.

(C) Advising if any required repair or demolition work is not commenced within the time specified, the building will be ordered vacated and posted to prevent further occupancy until the work is completed;

(D) Advising any person having a legal interest in the building may request a hearing to review the order as provided by OAR 918-470-0090 and failure to appeal may be a waiver of all rights to an administrative hearing; and

(E) That the structure may be subject to the provisions of ORS 358.505 et seq. relating to special assessment of historic property if listed as an historic structure on the National Register of Historic Properties.

(2) An order and notice to vacate may be in addition to any other remedial action ordered or required by the division.

(3) The notice and order, and any amended or supplemental notice and order, shall be served upon the record owner and posted on the property. One copy shall be served on each of the following as disclosed from official public records:

(a) The holder of any mortgage or deed of trust or other lien or encumbrance of record;

(b) The owner or holder of any lease of record; and

(c) The holder of any other estate or legal interest of record in or to the building or the land on which it is located.

(4) Failure to serve any person required shall not invalidate any proceedings as to any other person duly served or relieve any person from any duty or obligation imposed by the provisions of these rules.

(5) If the building or structure is listed as an historic structure on the National Register, or is otherwise included in the categories listed in ORS 455.449, notice shall be served upon the Oregon State Historic Preservation Officer. If the building or structure is protected by an authority having jurisdiction pursuant to OAR 660-016-0000 et seq., notice shall be served upon the municipal agency charged with compliance in OAR 660-016-0000. Notice pursuant to this section shall be served concurrently to other notice made pursuant to section (3) of this rule.

(6) Service of the notice and order shall be made upon all persons either personally or by mailing a copy of the notice and order by certified mail, postage prepaid, return receipt requested, at the address appearing on the last equalized assessment roll of the county. If the address is unknown, a copy of the notice and order shall be mailed, addressed to the person, at the address of the building involved in the proceedings. Failure of any person to receive notice shall not affect the validity of any proceedings taken under this section. Service by certified mail shall be effective on the date of mailing.

(7) Proof of service of the notice and order shall be certified at the time of service by a written declaration, by the persons effecting service. The proof of service shall contain the time, date and manner service was made. The declaration, and any receipt card returned acknowledging receipt by certified mail shall be attached to the copy of the notice and order retained by the division or authority having jurisdiction.

Stat. Auth.: ORS 455.020 & 455.449
Stats. Implemented: ORS 455.449
Hist.: BCD 9-1994, f. 3-30-94, cert. ef. 5-1-94; BCD 19-1998, f. 9-30-98, cert. ef. 10-1-98

918-470-0060

Recording Notice and Order

If the person to whom the order is directed does not comply with the order within the time specified, and no appeal has been filed, the division or authority having jurisdiction shall file with the county recorder a certificate describing the property, certifying that the structure is unsafe and the record owner has been notified. When the corrections ordered are completed or the structure demolished and no longer exists as unsafe, a new certificate shall be filed with the county recorder certifying the building has been demolished or all required corrections have been made and the structure is no longer unsafe.

Stat. Auth.: ORS 455.020 & 455.449
Stats. Implemented: ORS 455.449
Hist.: BCD 9-1994, f. 3-30-94, cert. ef. 5-1-94; BCD 19-1998, f. 9-30-98, cert. ef. 10-1-98

918-470-0070

Notice to Vacate

(1) Every notice to vacate shall, in addition to being served as provided in OAR 918-470-0050, be posted at or upon each entrance to the building in substantially the following form:

UNSAFE DO NOT ENTER OR OCCUPY

WARNING: This structure has been seriously damaged and is unsafe. Entry may result in death or injury.
(Enforcement Authority)

By _____
Date: _____
Facility name and address: _____

DO NOT REMOVE THIS NOTICE UNTIL AUTHORIZED BY GOVERNING AUTHORITY

(2) Any notice and order to vacate shall include a statement of the emergency and the conditions that necessitate the order. Except as

necessary to comply with an order to repair or demolish, no person shall remain in, enter or occupy any building that has been posted to vacate. The notice shall not be removed or defaced until the required repairs, demolition or removal have been completed and if required, a Certificate of Occupancy issued according to the provisions of **OSSC or Dwelling Code**.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 455.020 & 455.449

Stats. Implemented: ORS 455.449

Hist.: BCD 9-1994, f. 3-30-94, cert. ef. 5-1-94; BCD 19-1998, f. 9-30-98, cert. ef. 10-1-98

918-470-0080

Appeals

(1) Appeals from a decision of a person acting under authority of the division shall be heard as a contested case under the provisions of ORS 183.413 through 183.464.

(2) Appeals from an order of an authority having jurisdiction shall be heard by the local appeals board and any appeal from a decision of a local appeals board shall proceed under the provisions of ORS 455.690.

Stat. Auth.: ORS 455.020 & 455.449

Stats. Implemented: ORS 455.449

Hist.: BCD 9-1994, f. 3-30-94, cert. ef. 5-1-94; BCD 19-1998, f. 9-30-98, cert. ef. 10-1-98

918-470-0100

Staying of Order Under Appeal

Except for vacation orders according to OAR 918-470-0070, enforcement of any order issued under these rules shall be stayed while the appeal is pending.

Stat. Auth.: ORS 401.539 & 455.020

Stats. Implemented: ORS 401.539

Hist.: BCD 9-1994, f. 3-30-94, cert. ef. 5-1-94

918-470-0110

Extension of Time to Perform Work or Pay Fees

(1) Upon determination that an extension of time will not create or perpetuate an imminent danger to life or property, the division or authority having jurisdiction may grant an extension of time to complete any repair, rehabilitation or demolition. Any extension is limited to the physical repair, rehabilitation or demolition of the building or structure and will not extend the time to appeal the notice or order.

(2) If emergency funding through Federal or State grants or loans is available to assist in payment of repairs or reconstruction, the division or authority having jurisdiction may proceed with any required plan review and allow an extension of time to pay required permit fees until the funds are available. Payment of all required fees, or arrangement for payment of fees satisfactory to the jurisdiction providing inspections, shall occur prior to actual issuance of permits.

Stat. Auth.: ORS 455.020 & 455.449

Stats. Implemented: ORS 455.449

Hist.: BCD 9-1994, f. 3-30-94, cert. ef. 5-1-94; BCD 19-1998, f. 9-30-98, cert. ef. 10-1-98

DIVISION 480

ONE- AND TWO-FAMILY DWELLING SPECIALTY CODE

918-480-0001

Reasonable Notice to Interested Parties

Prior to the adoption, amendment or repeal of any rule relating to the **One- and Two-Family Dwelling Specialty Code**, the Building Codes Division shall give notice of intended action:

(1) In the Secretary of State's Bulletin referred to in ORS 183.360 at least 21 days prior to the effective date;

(2) By mailing a copy of the notice to persons on the mailing list established pursuant to ORS 183.335 and 918-001-0210; and

(3) To the Capitol Press Room.

Stat. Auth.: ORS 183.335

Stats. Implemented: ORS 183.335

Hist.: BCD 19-1998, f. 9-30-98, cert. ef. 10-1-98

918-480-0002

Low-Rise Residential Dwelling Code

Prior to April 1, 2005, any references to the **Oregon Residential Specialty Code** shall mean the **Oregon One- and Two-Family Dwelling Specialty Code**.

[Publications: Publications referenced are available from the agency.]
Stat. Auth.: ORS 455.610
Stats. Implemented: ORS 455.610
Hist.: BCD 20-2004, f. 9-30-04, cert. ef. 10-1-04

918-480-0005

Minimum Safety Standards for the Design and Construction of Residential Dwellings

(1) The **Low-Rise Residential Dwelling Code** identified in ORS 455.610 shall be known as the **Oregon Residential Specialty Code**.

(2) Effective April 1, 2005, the **2005 Oregon Residential Specialty Code** is the **2003 Edition of the International Residential Code for One- and Two-Family Dwellings**, as published by the International Code Council, Inc. and as further amended by the Building Codes Division.

(3) Applicability of code changes to pending applications. Code requirements in effect at the time a plan review or permit application is filed shall control the construction under the application unless the applicant agrees to be controlled by subsequent changes.

[Publications: Publications referenced are available from the agency.]
Stat. Auth.: ORS 455.030, 455.525 & 455.380
Stats. Implemented: ORS 455.610
Hist.: DC 11-1986, f. 6-30-86, ef. 7-1-86; DC 6-1987(Temp), f. & ef. 4-3-87; Renumbered from 814-031-0005; BCA 3-1990, f. 1-30-90, cert. ef. 4-1-90; BCA 7-1990(Temp), f. 3-23-90, cert. ef. 4-1-90; BCA 21-1990, f. 8-28-90, cert. ef. 9-24-90; BCA 30-1990, f. 12-21-90, cert. ef. 1-1-92; BCA 8-1991, f. 4-10-91, cert. ef. 7-1-91; BCA 32-1991(Temp), f. & cert. ef. 9-30-91; BCA 1-1992, f. & cert. ef. 2-6-91; BCA 4-1992(Temp), f. 3-4-92, cert. ef. 3-5-92; BCA 6-1992, f. 3-24-92, cert. ef. 3-27-92; BCA 13-1992, f. 6-29-92, cert. ef. 7-1-92; BCA 28-1992(Temp), f. 12-30-92, cert. ef. 1-1-93; BCA 3-1993(Temp), f. & cert. ef. 3-3-93; BCA 7-1993, f. 4-28-93, cert. ef. 5-1-93; BCA 10-1993(Temp), f. & cert. ef. 6-11-93; BCD 3-1996, f. 2-2-96, cert. ef. 4-1-96; BCD 19-1998, f. 9-30-98, cert. ef. 10-1-98, Renumbered from 918-480-0000; BCD 3-2000, f. 1-14-00 cert. ef. 4-1-00; BCD 33-2002, f. 12-20-02 cert. ef. 4-1-03; BCD 15-2004, f. 9-10-04, cert. ef. 10-1-04; BCD 5-2005, f. & cert. ef. 3-28-05

918-480-0010

Amendments to the Oregon Residential Specialty Code

(1) The Oregon Residential Specialty Code is adopted and amended pursuant to OAR chapter 918, division 8. Amendments adopted for inclusion into the Oregon Residential Specialty Code are placed in this rule, showing the section reference, a descriptive caption and a short description of the amendment.

(2) Effective April 1, 2005:

(a) The 2003 Edition of the Uniform Plumbing Code as published by the International Association of Plumbing and Mechanical Officials and amended by the division are adopted as the plumbing provisions of the Oregon Residential Specialty Code; and

(b) The 2005 Edition of the NFPA 70, National Electrical Code and amended by the division are adopted as the electrical provisions of the Oregon Residential Specialty Code;

(c) Effective April 1, 2007 Appendix N, Low-Rise Multiple-Family Dwelling Construction is moved from the 2005 Oregon Residential Specialty Code to the 2007 Oregon Structural Specialty Code.

[Publications: Publications referenced are available for review at the division. See division web site for information on where to purchase publications.]
Stat. Auth.: ORS 455.020, 455.110, 455.525 & 455.610
Stats. Implemented: ORS 455.610
Hist.: BCA 18-1993, f. 8-24-93, cert. ef. 8-29-93; BCA 28-1993, f. 10-22-93, cert. ef. 1-1-94; BCA 29-1993, f. 11-24-93, cert. ef. 12-1-93; BCD 6-1995, f. 3-31-95, cert. ef. 4-1-95; BCD 3-1996, f. 2-2-96, cert. ef. 4-1-96; BCD 22-1996(Temp), f. 10-1-96, cert. ef. 10-4-96; BCD 5-1997, f. 3-21-97, cert. ef. 4-1-97; Administrative Reformatting 1-19-98; BCD 3-1998, f. 1-29-98, cert. ef. 4-1-98; BCD 19-1998, f. 9-30-98, cert. ef. 10-1-98; BCD 3-2000, f. 1-14-00 cert. ef. 4-1-00; BCD 19-2000(Temp), f. & cert. ef. 8-15-00 thru 2-10-01; BCD 32-2000, f. 12-27-00, cert. ef. 1-1-01; BCD 3-2001, f. 2-9-01, cert. ef. 3-1-01; BCD 2-2002, f. 3-5-02, cert. ef. 4-1-02; BCD 22-2002(Temp), f. 9-13-02 cert. ef. 10-1-02 thru 3-29-03; BCD 30-2002, f. 12-6-02, cert. ef. 1-1-03; BCD 1-2003(Temp), f. & cert. ef. 1-10-03 thru 3-31-03; BCD 33-2002, f. 12-20-02 cert. ef. 4-1-03; BCD 15-2004, f. 9-10-04, cert. ef. 10-1-04; BCD 5-2005, f. & cert. ef. 3-28-05; BCD 9-2006, f. 6-30-06, cert. ef. 7-1-06; BCD 1-2007, f. 2-15-07, cert. ef. 4-1-07

918-480-0020

One- and Two-Family Dwelling Permit Fees

(1) Effective July 1, 1999, the Building Codes Division fees for administration of the **Oregon One- and Two-Family Dwelling Specialty Code** are found in **Table 1-A** of the **Oregon Structural Specialty Code** and **Table 1-A** of the **Oregon Mechanical Specialty Code** as reprinted in the **One- and Two-Family Dwelling Specialty Code** as adopted in OAR 918-480-0005. These fees are based on 130 percent of the **Uniform Building Code** and **Uniform Mechanical Code** as published by the International Conference of Building Officials, as authorized in ORS 455.210.

(2) Amend **Table 1-A** Structural Permit Fees as follows: [Table not included. See ED. NOTE.]

(3) Amend **Table 1-A** Mechanical Permit Fees as follows: [Table not included. See ED. NOTE.]

[ED. NOTE: Tables referenced are available from the agency.]

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 455.020 & 455.210

Stats. Implemented: ORS 455.210

Hist.: BCD 8-1999(Temp), f. & cert. ef. 7-1-99 thru 12-27-99; BCD 11-1999, f. 9-7-99, cert. ef. 10-1-99; BCD 33-2002, f. 12-20-02 cert. ef. 4-1-03; BCD 15-2004, f. 9-10-04, cert. ef. 10-1-04

918-480-0030

Phased Project and Deferred Submittal Fees

When requested to review and approve plans for phased construction or deferred plan submittals under the **One- and Two-Family Dwelling Specialty Code**, the following fees in addition to the applicable plan review and permit fees shall apply:

(1) Phased Permits. There shall be an application fee of \$50 for each separate phase of the project. In addition, the plan review fee shall be increased in an amount equal to 10 percent of the building permit fee calculated according to OAR 918-480-0020 using the value of the particular phase of the project, not to exceed an additional \$1,500 for each phase.

(2) Deferred Submittals. The fee for processing and reviewing deferred plan submittals shall be an amount equal to 65 percent of the building permit fee calculated according to OAR 918-480-0020 using the value of the particular deferred portion or portions of the project. This fee is in addition to the project plan review fee based on total project value.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 455.020

Stats. Implemented: ORS 455.020

Hist.: BCD 26-2001, f. 12-28-01, cert. ef. 1-1-02

918-480-0100

Purpose and Scope

(1) The building official may allow an alternate to the minimum requirements of the **One- and Two-Family Dwelling Specialty Code** as authorized by ORS 455.610, which may include, but is not limited to, installation of an automatic fire sprinkler system, where it is determined the fire apparatus means of approach to a property or the fire fighting water supply serving a property, does not meet the local standards adopted in accordance with the applicable fire code and state building code requirements. The rule shall apply only to dwellings and habitable rooms within accessory structures built under the **One- and Two-Family Dwelling Specialty Code** unless otherwise stated in the land use approvals for accessory structures built under this code.

(2) These rules are not intended to automatically require construction elements that are not otherwise required by the **One- and Two-Family Dwelling Specialty Code**.

(3) A request for an alternate under these rules may be approved only where the property is included in an area:

(a) Where there is an established and recognized provider of fire protection services; and

(b) Where there are local standards adopted in accordance with applicable fire code and state building code requirements identified for fire fighting water supply or fire apparatus access roads that include any or all of the following: public access roads, shared private access roads and private driveways.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 455.610

Stats. Implemented: ORS 455.610

Hist.: BCD 20-2002, f. 8-1-02, cert. ef. 10-1-02

918-480-0110

Definitions

For the purpose of these rules:

(1) "Fire Apparatus Means of Approach" may include a public access road, a shared private access road or a private driveway.

(2) "Private Driveway" means a private road giving fire apparatus access from a public access road or shared private access road to a building or buildings on a single property.

Stat. Auth.: ORS 455.610

Stats. Implemented: ORS 455.610

Hist.: BCD 20-2002, f. 8-1-02, cert. ef. 10-1-02

918-480-0120

Approval of an Alternate Method of Construction

The building official shall ensure the following criteria have been met when allowing the use of an approved alternate method of fire protection under the scope of these rules:

- (1) The alternate shall be at the request of the applicant;
- (2) For lots of record created on or after January 1, 2002, the building official shall confirm the fire official having authority has, in accordance with the adopted fire code:
 - (a) Approved the alternate to adopted fire apparatus access road, private driveway or fire fighting water supply standards during the land use approval process; and
 - (b) The approved alternate has been recorded on the property deed as a requirement for future construction.
- (3) For lots of record created before January 1, 2002, the building official shall, prior to authorizing an alternate allowing the development of a parcel that could not otherwise be developed because it cannot meet adopted fire access road, private driveway or fire fighting water supply standards, consult with the fire official having authority to approve an alternate to fire access and water supply standards under the adopted fire code;
- (4) Providing the requirements of this rule are met, the local building official is authorized to enforce the conditions of an approved alternate method of construction when it is part of the building construction; and
- (5) When the approved alternate is a fire sprinkler system, the minimum standard for installation within one- and two-family dwellings shall be the **1999 Edition of NFPA 13-D, Standard for the Installation of Sprinkler Systems in One- and Two-Family Dwellings and Manufactured Homes.**

[Publications: Publications referenced are available from the agency.]
 Stat. Auth.: ORS 455.610
 Stats. Implemented: ORS 455.610
 Hist.: BCD 20-2002, f. 8-1-02, cert. ef. 10-1-02

918-480-0130

Conventional Light Frame Construction

As per ORS 455.628, construction documents designed, prepared and sealed by an Oregon licensed architect or engineer, who is also certified in the state of Oregon as one and two family dwelling plans examiners, are not required to obtain plan review for conventional light frame construction for detached one and two family dwellings. For the purpose of this rule, "Conventional Light Frame Construction" shall be defined as a type of construction that complies with the requirements under the latest edition of the Oregon One and Two Family Dwelling Specialty Code (Code) and subject to the following limitations:

- (1) Buildings shall be designed such that its vertical and horizontal structural elements are primarily formed by a system of repetitive wood or light gage steel framing members as allowed by the code;
- (2) Buildings shall be subject to the maximum height and story limitations as specified in the code;
- (3) Bearing wall floor-to-floor heights shall not exceed those specified in the code;
- (4) All design loads, including wind and seismic loading shall not be less than those allowed by the code;
- (5) Site topography and site geotechnical limitations shall not exceed those allowed by the code; and
- (6) Buildings subject to the irregular building limitations as specified in the code.

Stat. Auth.: ORS 455.020, 455.030 & 455.628
 Stat. Implemented.: ORS 455.628
 Hist.: BCD 11-2004, f. 8-13-04, cert. ef. 10-1-04

DIVISION 500

MANUFACTURED DWELLINGS

General Rules

918-500-0000

Reasonable Notice to Interested Parties

Before the adoption, amendment or repeal of any rule relating to the construction, inspection, installation, or alteration of manufactured dwellings or manufactured dwelling accessory buildings or structures

adopted under ORS 446.003 to 446.990, the Building Codes Division shall give notice of the proposed adoption, amendment or repeal:

- (1) In the Secretary of State's Bulletin referred to in ORS 183.360 at least 21 days before the effective date; and
- (2) By mailing a copy of the notice to persons on the Manufactured Structures and Parks Section's mailing list established under ORS 183.335(7).

Stat. Auth.: ORS 446.176 & 446.230
 Stats. Implemented: ORS 183.335
 Hist.: BCA 1-1990, f. & cert. ef. 1-2-90; BCA 10-1992, f. 6-15-92, cert. ef. 7-1-92; BCD 2-1994, f. 1-14-94, cert. ef. 2-1-94; BCD 19-1995, f. 12-15-95, cert. ef. 1-1-96

918-500-0005

Definitions

The following definitions shall apply to OAR 918, divisions 500, 515 and 520, and the **Oregon Manufactured Dwelling and Park Specialty Code** as adopted in OAR 918-500-0020 and are in addition to those in ORS 446.003:

- (1) "Authority Having Jurisdiction" means the Building Codes Division or local government which has been appointed by the Administrator to inspect and issue permits for installation, alteration or conversion of manufactured dwellings, equipment, accessory buildings and structures.
- (2) "Accessory Building" means an accessory building as defined in ORS 446.003(1) and specifically includes but is not limited to cabanas, ramadas, storage sheds and garages.
- (3) "Accessory Structure" means an accessory structure as defined in ORS 446.003(1) and specifically includes, but is not limited, to awnings, carports, decks, steps and ramps.
- (4) "Adjustment of Equipment" means the adjustment of the rate, flow, speed and temperature as necessary for the continued operation of the equipment but does not include the repair, replacement, conversion, alteration or addition to any equipment.
- (5) "Attached Garage" means a garage which is structurally independent of a manufactured dwelling but is joined through flashings and separated with fire-resistive construction.
- (6) "Building" means any permanent building but does not include manufactured dwelling accessory buildings.
- (7) "Building Drain" means that part of the lowest piping of a drainage system which receives the discharge from soil, waste and other drainage pipes inside the walls of the manufactured dwelling and conveys it to the building sewer.
- (8) "Combination Park" means a lot or tract of land which has been approved to contain both a manufactured dwelling or mobile home park and a recreation park.
- (9) "Controlled Fill" means fill intended to bear a minimum 1,000 pound per square foot structural load in which the fill material is placed in layers of soil, crushed stone or masonry waste material, compacted, and tested to insure that it meets specified compaction standards determined by laboratory tests of soil samples from the fill material.
- (10) "Department" means U.S. Department of Housing and Urban Development also referred to as H.U.D.
- (11) "Direct Supervision" means being physically present 85 percent of each day to provide leadership and direction on the job site to limited installers installing manufactured dwellings or cabanas.
- (12) "Earthquake-Resistant Bracing System" or "ERB" means an anchoring system, bracing system or other devices designed and constructed to protect the health and safety of the occupants of, and reducing damage to, a manufactured dwelling in the event of an earthquake.
- (13) "Field Technical Service" means the clarification of technical data, including but not limited to, Division interpretations, investigations or training relating to the application of laws, rules, standards and regulations administered and enforced by the Building Codes Division.
- (14) "Full Foundation System" means a listed or approved engineered system of prefabricated foundation supports installed to the pier manufacturer's installation instructions.
- (15) "Garage" means a structure located on a manufactured dwelling site designed for the storage of motor vehicles.
- (16) "Gas Supply Connector" means a listed connector designed for connecting the manufactured dwelling to the gas supply source.
- (17) "Habitable Room" means a room or an enclosed floor space intended for living, eating, food preparation, or sleeping purposes not

including bathrooms, toilet compartments, laundries, pantries, foyers, hallways, and other accessory spaces.

(18) "Immediate Family" means father, mother, brother, sister, son, daughter, son-in-law, daughter-in-law, grandson, granddaughter, grandfather, grandmother, stepmother, stepfather, stepson, stepdaughter, brother-in-law or sister-in-law.

(19) "Insignia" means "Insignia of Compliance" as defined in ORS 446.003.

(20) "Labeled" means equipment or materials used in the manufacture or installation of a manufactured dwelling, to which has been attached a label, symbol or other identifying mark of a nationally recognized testing laboratory, inspection agency or other organization which evaluates products to nationally recognized standards and periodically inspects production of equipment and materials to show compliance with those standards for usage in a specified manner.

(21) "Length of a Manufactured Dwelling" means the distance from the extreme exterior of the front wall (nearest to the drawbar and coupling mechanism) to the extreme exterior of the rear wall (at the opposite end of the home) where such walls enclose living or other interior space and such distance includes expandable rooms but not bay windows, porches, drawbars, couplings, hitches, wall and roof extensions, or other attachments.

(22) "Listing Agency" means an agency that:

(a) Is regularly engaged in conducting its own tests, listing, labeling or contracting its testing procedures to a nationally recognized testing agency;

(b) Maintains a periodic inspection program on production of currently listed products; and

(c) Publishes, at a minimum, an annual report which is used to determine whether products have been tested to such national standards and found safe for use in a specified manner.

(23) "Load Bearing Device" means any equipment or device used in the support of a manufactured dwelling including but not limited to footings, piers, caps and shims.

(24) "Maintenance of Equipment" means performing routine tasks such as lubricating or changing filters, washers, fuses or bulbs as necessary for the continued operation of the equipment but does not include the replacement, conversion, alteration or addition of or to any equipment.

(25) "Manufacturer's Representative" means an employee, dealer or person authorized by a manufacturer through contract to act on behalf of the manufacturer.

(26) "Minor Repair" means a simple repair such as replacing broken glass, fittings, devices or fixtures, using approved component parts but does not include the repair or replacement of major portions of the structural, plumbing, electrical or mechanical system or conversions, alterations or additions.

(27) "Model" means an individual manufactured dwelling as designated by the manufacturer, intended to be manufactured with a specific floor plan, structural components, and the type, location and installation of plumbing, mechanical and electrical equipment in accordance with the plans submitted to the Design Approval Primary Inspection Authority.

(28) "Multiple" means two or more individual manufactured dwellings designed to be adjoined with a zero clearance between them.

(29) "Noncompliance" means a failure of a manufactured dwelling, alteration or installation to comply with an appropriate building code or standard.

(30) "Notice of Violation" means written notification by the Division stating the manufactured dwelling or equipment may not be used, rented, leased, or sold or offered for rent, lease, or sale due to violations of ORS Chapter 446 or the appropriate building code or standard. (Also known as, "Red Tag," "Stop Work Order," "Prohibited Sales Notice").

(31) "One Year," relating to experience qualifications, means 1,600 hours of work experience, 45 or more credit hours of schooling in the quarter system or 30 or more credit hours of schooling in the semester system.

(32) "Option" means a provision made during the manufacture of a manufactured dwelling to facilitate the future installation of any appliance or other equipment (e.g., air-conditioner, wet-bar or dishwasher).

(33) "Park Street" or "Park Driveway" means a private way that affords principal means of access to abutting individual manufactured dwelling lots and auxiliary buildings.

(34) "Park Trailer" means a vehicle built on a single chassis, mounted on wheels, designed to provide recreational, seasonal or temporary living quarters which may be connected to utilities necessary for operation of installed fixtures and appliances and with a gross trailer area not exceeding 400 square feet when in the set-up mode. Such a vehicle shall be referred to, and identified by the manufacturer or converter, as a recreational vehicle.

(35) "Pier" means that portion of the support system between the footing and the manufactured dwelling.

(36) "Play Area" means a safe area inside a park exclusively dedicated for children to play and exercise with or without playground or recreation equipment but does not include a park club house, pool, storage lot or other area set aside for the general use of the park residents.

(37) "Porch" means an outside walking area having the floor elevated more than eight inches (20 cm) above grade.

(38) "Prefabricated Cabana" means a cabana built at an off-site location and transported to the site for installation.

(39) "Prefabricated Pier" means a listed or approved pier which is manufactured at an off-site location but does not include concrete blocks or earthquake-resistant bracing systems.

(40) "Recessed Porch" means an open floor area supported by the main frame which is located outside the exterior walls of the manufactured dwelling and which may be enclosed by a roof, screening or glass.

(41) "Repair" means the reconstruction or renewal of any part of an existing manufactured dwelling or piece of equipment for the purpose of its maintenance.

(42) "Replacement In Kind" means replacing equipment or accessories with approved like equipment or accessories, such as switches, thermostats, fittings, elements or motors, but does not include the replacement of major portions of the structural, plumbing, electrical or mechanical system.

(43) "Single-Family Dwelling" means a manufactured dwelling used by an individual or two or more persons related by blood or marriage or a group of not more than ten persons not related by blood or marriage living together. When located in a labor camp as defined in OAR 437-147-0142, single-family dwelling shall include manufactured dwellings with not more than five bedrooms, used to house up to ten persons not related by blood or marriage.

(44) "Site, Manufactured Dwelling" means a designated parcel of land designed to accommodate a manufactured dwelling, its accessory structures or buildings, and accessory equipment for the exclusive use of the occupants.

(45) "Skirting" means the underfloor enclosure around a manufactured dwelling.

(46) "Stand" means that area of the manufactured dwelling site which has been reserved for the placement of a manufactured dwelling or accessory structure.

(47) "Structure" means that which is built or constructed, an edifice or building of any kind, or piece of work artificially built up or composed of parts joined together in some definite manner.

(48) "Tag" means a label issued by the Division and applied to manufactured dwellings to indicate compliance with these rules.

(49) "Testing Laboratory" or "Testing Agency" means an organization:

(a) In the business of testing equipment and systems;

(b) Qualified and equipped to perform or to observe experimental testing to approved standards;

(c) Not under the jurisdiction or control of any single manufacturer or supplier for an affected industry;

(d) Which publishes reports including specified information about the equipment and systems tested and found safe for use in a specified manner; and

(e) Whose methods and standards have been approved by the Division.

(50) "Underfloor Enclosure" means the perimeter skirting, foundation wall or retaining wall used to enclose the underfloor area of a manufactured dwelling.

(51) "Utility Connection" means:

(a) Installation and connection of the manufactured dwelling electrical feeders to the utility termination (electrical service);

(b) Installation and connection of the manufactured dwelling drain (building drain) to the sewer utility termination (building sewer);

(c) Installation and connection of the manufactured dwelling water distribution system to the water utility termination (building supply); and

(d) Installation and connection of the manufactured dwelling fuel gas distribution system to the gas utility termination.

(52) "Utility Termination" means:

(a) The electrical service equipment provided on a lot for the manufactured dwelling utility connection;

(b) The building sewer provided on a lot for the manufactured dwelling utility connection; and

(c) The building water supply provided on a lot for the manufactured dwelling utility connection.

(53) "Visual Inspection" means an inspection by the Division of the visible portions of completed construction for the purpose of identifying code violations or approving and issuing an insignia of compliance.

(54) "Width of a Manufactured Dwelling" means the distance between the extreme exterior of two opposite walls enclosing living or other interior space and including expandable rooms but not bay windows, porches, wall and roof extensions, or other attachments.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 446.176 & 446.230

Stats. Implemented: ORS 446.240

Hist.: BCA 1-1990, f. & cert. ef. 1-2-90; BCA 31-1991(Temp), f. 9-25-91, cert. ef. 9-30-91; BCA 5-1992, f. & cert. ef. 3-23-92; BCA 10-1992, f. 6-1; BCD 19-1995, f. 12-15-95, cert. ef. 1-1-96; BCD 1-1997, f. 2-24-97, cert. ef. 4-1-97; BCD 22-1998, f. 11-9-98, cert. ef. 1-1-99; BCD 1-2002, f. 1-28-02, cert. ef. 4-1-02

918-500-0010

Objective

(1) The provisions of OAR 918, divisions 500, 515 and 520 shall apply to the design, manufacture, installation, alteration, licensing, handling and storage of equipment or manufactured dwellings rented, leased, sold, installed or offered for rent, lease or sale in Oregon as authorized by ORS 446.155. OAR 918, division 500 shall be applicable to OAR 918, divisions 505 and 520.

(2) A dealer subject to the requirements of OAR 918, division 500, must also comply with OAR 918, division 550 and OAR 918-030-0400 through 0490.

Stat. Auth.: ORS 183.325-410, 446.230, 446.240, 446.666, 455.010-130 & 455.610

Stats. Implemented: ORS 446.240 & 446.666

Hist.: BCA 1-1990, f. & cert. ef. 1-2-90; BCA 10-1992, f. 6-15-92, cert. ef. 7-1-92; BCD 19-1995, f. 12-15-95, cert. ef. 1-1-96; BCD 10-2005, f. 4-29-05, cert. ef. 5-1-05

918-500-0020

Standards for Manufactured Dwellings

The **Oregon Manufactured Dwelling and Park Specialty Code, 2002 Edition**, and those standards referenced within are adopted as the Division standards for manufactured dwelling use, occupancy, placement, installation, alteration, repair, conversion, re-manufacturing, utility connection, fire protection and separation, for accessory buildings and structures and for the installation of heat-producing appliances in manufactured dwellings.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 446.185 & 446.230

Stats. Implemented: ORS 446.225

Hist.: BCA 1-1990, f. & cert. ef. 1-2-90; BCA 10-1992, f. 6-15-92, cert. ef. 7-1-92; BCD 2-1994, f. 1-14-94, cert. ef. 2-1-94; BCD 14-1995, f. 9-15-95, cert. ef. 1-1-96; BCD 19-1995, f. 12-15-95, cert. ef. 1-1-96; BCD 1-1996(Temp), f. & cert. ef. 1-12-96; BCD 12-1996, f. & cert. ef. 7-1-96; BCD 1-1997, f. 2-24-97, cert. ef. 4-1-97; BCD 22-1998, f. 11-9-98, cert. ef. 1-1-99; BCD 1-2002, f. 1-28-02, cert. ef. 4-1-02

918-500-0021

Amendments to the Manufactured Dwelling and Park Specialty Code

(1) The **2002 Oregon Manufactured Dwelling and Park Specialty Code** is adopted as the recognized standard for manufactured dwelling use pursuant to chapter 918, division 8. Amendments adopted are placed in this rule, showing the section reference, a descriptive caption and a short description of the amendment.

(2) Effective April 1, 2005:

(a) Amend Section 9-5.3(k) and 9-6.3(n) by removing reference to clearances between dwellings on adjacent lots and property lines.

(b) Amend Table 9-A by changing notations on separations for dwellings on same lot and dwellings on adjacent lots.

(c) Amend Table 9-B by changing notations on several setbacks and clearances and adding notation number 5.

(3) Effective August 21, 2007, Section 3-2.4.2 is amended to clarify installation requirements for manufactured dwellings in floodways.

[Publications: Publications referenced are available from agency]

Stat. Auth.: ORS 446.100 & 446.185

Stats. Implemented: ORS 446.100 & 455.110

Hist.: BCD 3-2005, f. 3-16-05, cert. ef. 4-1-05; BCD 9-2006, f. 6-30-2006, cert. ef. 7-1-06; BCD 9-2007(Temp), f. & cert. ef. 8-21-07 thru 2-17-08

918-500-0035

Additional Requirements

In addition to the federal **Manufactured Home Construction and Safety Standards** dated October 25, 1995 (**24 CFR Section 3280**), all applicable manufactured homes manufactured after July 1, 1998 for sale or installation in Oregon, regardless of origin, shall comply with these requirements.

(1) Manufacturers of multi-section manufactured homes shall permanently mark the underfloor at the centerlines (marriage lines) to indicate the location of all column support post locations where pier supports are required. Marking must be made with a permanent paint of contrasting color that will be highly visible after all pier supports are in place and that will not wash off in transit; and

(2) Manufacturers of multi-level (i.e., split-level or two-story) manufactured homes shall install stairways, ramps, landings, handrails and guardrails in accordance with **Sections 312, 313, 314, and 315 of the Oregon One- and Two-Family Dwelling Specialty Code**.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 446.185

Stats. Implemented: ORS 446.185

Hist.: BCD 5-1998, f. 2-10-98, cert. ef. 7-1-98; BCD 22-1998, f. 11-9-98, cert. ef. 1-1-99

918-500-0040

Dealer And Distributor Responsibilities

(1) Dealers and distributors selling manufactured homes for installation in Oregon shall present each potential buyer of a new manufactured home with a Division disclosure statement to read and sign prior to the completion of the sales contract of any new manufactured home. Prior to presenting disclosures to potential buyers and prior to any sale, dealers and distributors shall complete the disclosure in writing indicating the date, dealer's or distributor's name, address and Department of Motor Vehicles dealer license number. Dealers and distributors shall give one signed copy of the disclosure to the buyer and retain one copy in the dealer's or distributor's files for not less than five years from the date of sale. Copies of signed disclosures shall be made available to the Division upon request.

(2) Dealers or distributors may reprint the Division's disclosure form or include the Division's disclosure statement within their own sales contract. If a dealer or distributor prints its own disclosure, the content shall be identical to the Division's disclosure statement and shall not be less than 11 point type size.

(3) Dealers and distributors are responsible for maintaining accurate records and filing those reports where required by the federal Manufactured Housing Procedural Regulations 24 CFR 3282, ORS Chapter 446 and OAR 918, divisions 500 and 515.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 446.260

Stats. Implemented: ORS 446.260

Hist.: BCD 4-1998, f. 2-10-98, cert. ef. 7-1-98; BCD 22-1998, f. 11-9-98, cert. ef. 1-1-99

918-500-0055

Division Position on Delegation and Revocations of Authority to Local Government

(1) When the program for alteration and installation permit and plan review for manufactured dwellings and accessory buildings and structures is delegated to a local government as provided by ORS 446.250 the delegation of authority includes the obligation to comply with all applicable laws, rules, standards and codes adopted by the Division relating to alteration and installation of manufactured dwellings and accessory buildings and structures including those requiring collections and remittance to the Division of state fees and surcharges.

(2) A municipality's manufactured dwelling permit fees shall be reasonable and shall not exceed the cost of administering the manufactured dwelling installation or alteration program.

(3) Failure to comply with all applicable laws, rules and codes constitute failure to consistently act in the public interest or to carry out the duties assumed by local government, and shall be enforced under the provisions of ORS 446.253 and 446.255.

Stat. Auth.: ORS 446.253

Stats. Implemented: ORS 446.250 & 455.150

Hist.: BCA 11-1991(Temp), f. 4-30-91, cert. ef. 5-1-91; BCA 23-1991, f. 7-2-91, cert. ef. 7-5-91; BCA 10-1992, f. 6-15-92, cert. ef. 7-1-92; BCD 2-1994, f. 1-14-94, cert. ef. 2-1-94; BCD 19-1995, f. 12-15-95, cert. ef. 1-1-96; BCD 22-1998, f. 11-9-98, cert. ef. 1-1-99

Fees

918-500-0100

General Manufacturer, Dealer and License Fees

The following fees shall be paid to the Division where the Division is the authority having jurisdiction. Municipalities who have been delegated the manufactured dwelling alteration program by the Division may establish their own fee schedule, within the restriction of OAR 918-500-0055(2), or adopt the Division's fee schedule through local ordinance.

(1) Inspection Fee: \$55 for an inspection requiring one hour or less, and \$27.50 for every additional 30 minutes or fraction thereof exceeding one hour, including travel time. Mileage shall be paid at the rate established by the State's Department of Administrative Services.

(2) Field Technical Service Fee: \$55 for service requiring one hour or less, and \$27.50 for every additional 30 minutes or fraction thereof exceeding one hour, including travel time. Mileage shall be paid at the rate established by the State's Department of Administrative Services.

(3) Out-of-State Inspection or Field Technical Service Fee: In addition to the hourly charges of sections (1) and (2) of this rule, the Division shall be reimbursed for the actual cost based on published air fare and/or equivalent, plus required surface transportation and cost for food and lodging consistent with the allowances established by the State of Oregon's Department of Administrative Services for authorized state employee travel.

(4) Hourly Re-inspection Fee: Same fee schedule as noted in sections (1), (2), and (3) of this rule.

(5) Change of Manufacturer's Name, Ownership or Address Fee: \$20 for each change.

(6) Insignia Fee: \$50 per insignia.

(7) Replacement Insignia: \$50 per insignia.

(8) Alteration Permit Fees:

(a) Alteration Inspection Fee: \$125 per inspection including insignia of compliance;

(b) Alternate Construction Inspection Fee: \$55 per hour including travel time but not to exceed \$300 for any one manufactured home; or

(c) Single Visual Inspection Fee: \$125 per inspection.

(9) Installation Certification Tag: \$8 per tag.

(10) Manufacturer Registration Fee: \$100 per facility.

(11) Manufacturer Annual Registration Renewal Fee: \$20 per facility.

(12) Manufactured Dwelling Inplant Inspection Fee: \$42.50 per floor inspected, and shall be paid monthly. A maximum of four floor overlap inspections may be performed without charge during each regularly scheduled complete inplant inspection. The fee for re-inspections and additional overlap inspections may be charged at the rate for each floor or at the rate per hour, whichever is less.

(13) Installer License Program Hitch Fee: \$4 per floor produced in Oregon, and shall be paid monthly.

(14) Manufactured Dwelling Label or Tag Handling Fee: \$2 per floor.

(15) Plan Review Fee: \$55 for non-structural plan review requiring one hour or less, and \$27.50 for every additional 30 minutes or fraction thereof exceeding one hour.

(16) Structural Plan Review Fee: \$70 for plan review requiring one hour or less; \$35 for every 30 minutes or fraction thereof exceeding one hour.

(17) Manufactured Dwelling Installer License and Examination Fee: \$55.

(18) Education Provider Application Fee: \$55.

(19) Manufactured Dwelling Limited Installer and Limited Skirting Installer License Fee: \$55.

(20) Manufactured Dwelling Installer and Educational Provider Re-examination Fee: \$40.

(21) Manufactured Dwelling Temporary Limited Installer License Fee: \$10.

(22) Installer, Limited Installer and Limited Skirting Installer License Two Year Renewal Fee: \$80.

(23) Manufactured Dwelling Accessory Building or Structure Installation Permit Fees: The fees shall be those published in the **Oregon Residential Specialty Code**.

(24) Wherever the fees in this rule differ from the fees in the **Oregon Manufactured Dwelling and Park Specialty Code**, this rule shall apply.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 446.176

Stats. Implemented: ORS 446.176

Hist.: BCA 1-1990, f. & cert. ef. 1-2-90; BCA 9-1991(Temp), f. 4-24-91, cert. ef. 7-1-91; BCA 34-1991, f. 10-23-91, cert. ef. 10-31-91; BCA 10-1992, f. 6-15-92, cert. ef. 7-1-92; BCA 1-1993, f. & cert. ef. 1-4-93; BCD 2-1994, f. 1-14-94, cert. ef. 2-1-94; BCD 23-1994, f. 10-26-94, cert. ef. 11-18-94; BCD 19-1995, f. 12-15-95, cert. ef. 1-1-96; BCD 13-1996, f. & cert. ef. 7-1-96; BCD 11-1998(Temp), f. 6-2-98, cert. ef. 7-1-98 thru 12-27-98; BCD 23-1998, f. 11-9-98, cert. ef. 11-15-98; BCD 15-2000(Temp), f. 8-2-00, cert. ef. 10-1-00 thru 3-29-01; BCD 1-2001, f. 1-24-01, cert. ef. 2-1-01; BCD 15-2005, f. & cert. ef. 7-5-05

918-500-0105

Installation Permit Fees

The following fees shall be paid to the Division where the Division is the authority having jurisdiction. Municipalities who have been delegated the manufactured dwelling installation program by the Division may establish their own fee schedule or adopt the Division's fee schedule through local ordinance within the restriction of OAR 918-500-0055(2).

(1) Manufactured Dwelling and Cabana Installation Permit Fee: \$160 per installation. This permit fee includes review of the plot plan, the installation inspection and the final inspection. This permit fee does not include retaining walls over four feet high or basement construction under a manufactured dwelling.

(2) Earthquake-Resistant Bracing System Installation Permit Fee: \$110 per installation. This permit fee is only charged when the earthquake-resistant bracing (ERB) system is not part of the original manufactured dwelling installation.

(3) Manufactured Dwelling Retaining Wall (if over 48 inches) or Basement Permit Fees: The fees shall be those published in the **Oregon One and Two Family Dwelling Specialty Code**.

(4) Manufactured Dwelling, Cabana and ERB Installation Reinspection Fee: \$110 per inspection.

(5) State Code Development and Training and Monitoring Fee: \$30:

(a) This fee is in addition to all other fees and charges and shall be paid by all purchasers of manufactured dwelling or cabana installation permits regardless of whether the permit is issued by the state or a municipality;

(b) If the installation permit is issued by a municipality, this fee shall be collected and remitted to the Division in the same manner as required by ORS 455.220(2) for surcharges collected by municipalities.

(6) Wherever the fees in this rule differ from the fees in the **Oregon Manufactured Dwelling and Park Specialty Code** adopted in OAR 918-500-0020, this rule shall apply.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 446.176 & 446.230

Stats. Implemented: ORS 446.176

Hist.: BCA 10-1992, f. 6-15-92, cert. ef. 7-1-92; BCD 2-1994, f. 1-14-94, cert. ef. 2-1-94; BCD 19-1995, f. 12-15-95, cert. ef. 1-1-96; BCD 11-1998(Temp), f. 6-2-98, cert. ef. 7-1-98 thru 12-27-98; BCD 23-1998, f. 11-9-98, cert. ef. 11-15-98; BCD 15-2000(Temp), f. 8-2-00, cert. ef. 10-1-00 thru 3-29-01; BCD 1-2001, f. 1-24-01, cert. ef. 2-1-01; BCD 6-2001(Temp), f. 6-15-01, cert. ef. 7-1-01 thru 12-27-01; BCD 14-2001, f. 10-15-01, cert. ef. 11-1-01; BCD 1-2002, f. 1-28-02, cert. ef. 4-1-02

918-500-0110

Additional Fees

(1) When the Division determines that a person has failed to obtain required inspections, permits, labels, insignias, tags, or plan reviews, which requires the Division staff to work outside normal

business hours, the person shall be charged additional fees as described in sections (4) and (5) of this rule.

(2) Persons who sell or ship manufactured dwellings or equipment known to be out of compliance or requiring inspections or re-inspections prior to selling or shipment, which requires Division staff to work outside normal business hours, shall be charged additional fees as described in sections (4) and (5) of this rule.

(3) Installers failing to leave a copy of the manufacturer's installation manual when required, failing to attach an installation certification tag or failing to respond to a correction notice shall be subject to a reinspection fee required under section (6) of this rule.

(4) Persons requesting or requiring inspections or field technical service outside the normal business hours of the Division shall be charged fees at 1 and 1/2 times the amounts shown in OAR 918-500-0100 except for travel expenses.

(5) Persons requesting or requiring inspections or field technical service on recognized state holidays shall be charged two times the amounts shown in OAR 918-500-0100 except for travel expenses.

(6) Persons requesting inspections when work is not ready for inspection, or causing an inspector to make an additional trip for failure to make corrections or failure to notify the Division of corrections shall be charged re-inspection fees as described in OAR 918-500-0100(4).

Stat. Auth.: ORS 446.176 & 446.230

Stats. Implemented: ORS 446.176

Hist.: BCA 1-1990, f. & cert. ef. 1-2-90; BCA 10-1992, f. 6-15-92, cert. ef. 7-1-92; BCD 2-1994, f. 1-14-94, cert. ef. 2-1-94; BCD 19-1995, f. 12-15-95, cert. ef. 1-1-96; BCD 22-1998, f. 11-9-98, cert. ef. 1-1-99

Registration and Certification

918-500-0300

Manufacturer Registration

(1) All manufacturers of manufactured dwellings located in or shipping to Oregon shall register with the Division.

(2) Manufacturing facility registration shall be renewed by January 1 of each year by submitting an application for renewal of manufacturer registration together with the renewal fee.

(3) A current copy of each manufacturing facility's **Quality Assurance Manual, Installation Manual, Home Owner's Manual and Warranty Provisions** shall accompany each application for registration and renewal.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 446.176 & 446.230

Stats. Implemented: ORS 446.230

Hist.: BCA 1-1990, f. & cert. ef. 1-2-90; BCA 10-1992, f. 6-15-92, cert. ef. 7-1-92; BCD 2-1994, f. 1-14-94, cert. ef. 2-1-94; BCD 19-1995, f. 12-15-95, cert. ef. 1-1-96; BCD 22-1998, f. 11-9-98, cert. ef. 1-1-99

918-500-0310

Manufacturer Certification

All manufacturers of manufactured dwellings shall be certified by the Division pursuant to the federal **Manufactured Home Procedural and Enforcement Regulations, (24 CFR Section 3282.362)**, adopted in OAR 918-500-0020(1) and shall meet the requirements for registration in OAR 918-500-0300.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 446.176 & 446.230

Stats. Implemented: ORS 446.225

Hist.: BCA 1-1990, f. & cert. ef. 1-2-90; BCA 10-1992, f. 6-15-92, cert. ef. 7-1-92; BCD 2-1994, f. 1-14-94, cert. ef. 2-1-94; BCD 19-1995, f. 12-15-95, cert. ef. 1-1-96

918-500-0320

Change of Ownership

If there is a change of ownership of a manufactured dwelling manufacturer, the new owner shall, within ten days of the date of change, register with the Division pursuant to OAR 918-500-0300.

Stat. Auth.: ORS 446.176 & 446.230

Stats. Implemented: ORS 446.230

Hist.: BCA 1-1990, f. & cert. ef. 1-2-90; BCA 10-1992, f. 6-15-92, cert. ef. 7-1-92; BCD 2-1994, f. 1-14-94, cert. ef. 2-1-94; BCD 19-1995, f. 12-15-95, cert. ef. 1-1-96

918-500-0330

Change of Name, Address or Location

When a manufacturer changes its name, address or location the manufacturer shall notify the Division in writing within ten days of the date of change. The notice shall be accompanied by an Application for Manufacturer Registration, together with the fee.

Stat. Auth.: ORS 446.176 & 446.230

Stats. Implemented: ORS 446.230

Hist.: BCA 1-1990, f. & cert. ef. 1-2-90; BCA 10-1992, f. 6-15-92, cert. ef. 7-1-92; BCD 2-1994, f. 1-14-94, cert. ef. 2-1-94; BCD 19-1995, f. 12-15-95, cert. ef. 1-1-96

918-500-0340

Production Discontinuance

When a manufactured dwelling manufacturer discontinues production, the manufacturer shall return all unused insignia of compliance to the Division.

Stat. Auth.: ORS 446.176 & 446.230

Stats. Implemented: ORS 446.230

Hist.: BCA 1-1990, f. & cert. ef. 1-2-90; BCA 10-1992, f. 6-15-92, cert. ef. 7-1-92; BCD 2-1994, f. 1-14-94, cert. ef. 2-1-94; BCD 19-1995, f. 12-15-95, cert. ef. 1-1-96

918-500-0400

Required Inspection

(1) No person shall manufacture, transport, rent, lease or sell or offer for rent, lease or sale a new manufactured dwelling without requesting an inspection from the Division if any of the following conditions exist:

(a) The manufactured dwelling has been altered by the manufacturer or dealer before or at the time of sale to the first consumer but has not been approved by the Division;

(b) The manufactured dwelling has left the manufacturer's facility under a "Notice of Violation" or "Red Tag" condition; or

(c) Violations noted in an inplant inspection report have not been corrected through the inspection process.

(2) When inspections reveal that a manufacturer is not manufacturing structures according to their approved design or to the Federal Construction and Safety Standard, and the manufacturer has been provided with a written report identifying specific provisions of the design or the standard that have been in violation, and the manufacturer continues to manufacture structures in violation, the Division may withhold or remove insignia, increase the frequency of inspections or provide training.

(3) To facilitate required inplant and field inspections, no manufacturer shall construct a manufactured dwelling under an alternate construction method according to the federal **Manufactured Home Procedural and Enforcement Regulations (24 CFR 3282.14)** without first notifying the Division in writing and supplying a copy of the alternate construction method approval from the Department of Housing and Urban Development.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 446.176 & 446.230

Stats. Implemented: ORS 446.155

Hist.: BCA 1-1990, f. & cert. ef. 1-2-90; BCA 10-1992, f. 6-15-92, cert. ef. 7-1-92; BCD 2-1994, f. 1-14-94, cert. ef. 2-1-94; BCD 19-1995, f. 12-15-95, cert. 1-1-96

918-500-0410

Inspection Request

(1) Requests for inspection from a manufacturer shall:

(a) Be made to the Division by mail, electronic mail, phone or fax transmittal, and received at least five working days prior to the desired time of inspection; and

(b) Indicate the serial number of the manufactured dwelling to be inspected. Inspection fees shall be paid by the manufacturer within 30 days of the billing date.

(2) Requests for inspection from a dealer shall:

(a) Be made on forms supplied by the Division, and received at least five working days prior to the desired date of inspection;

(b) Indicate the location, make, model and serial number of the manufactured dwelling; and

(c) Be accompanied by the minimum inspection fees required by OAR 918-500-0100 and 918-500-0110. All additional inspection fees are payable upon completion of each inspection.

(3) All work shall be accessible for inspection by the authority having jurisdiction.

(4) Occupancy shall not prevent the physical inspection of manufactured dwelling alterations, repairs or installations.

Stat. Auth.: ORS 446.176 & 446.230

Stats. Implemented: ORS 446.155

Hist.: BCA 1-1990, f. & cert. ef. 1-2-90; BCA 10-1992, f. 6-15-92, cert. ef. 7-1-92; BCD 2-1994, f. 1-14-94, cert. ef. 2-1-94; BCD 19-1995, f. 12-15-95, cert. ef. 1-1-96; BCD 22-1998, f. 11-9-98, cert. ef. 1-1-99

918-500-0420**Notice of Violations**

(1) When an inspection reveals that a manufactured dwelling, installation or the equipment violates a provision of ORS Chapter 446, the HUD Standard, the **Oregon Manufactured Dwelling and Park Specialty Code** adopted in OAR 918-500-0020 or these administrative rules, the Division shall serve upon the dealer, distributor, installer, contractor, manufacturer or agent thereof a copy of the inspection report giving details of the violations. The Division may also post a Notice of Violation on the manufactured dwelling or equipment.

(2) Violations shall be corrected within 30 days from the date of such notice or at a later date, if approved by the Division.

(3) If the violations are not corrected in the allotted time, the Division may withdraw any previously issued insignia of compliance or certification tags.

(4) The recipient of a Notice of Violation or inspection report shall within 30 days of the date of the notice, inform the Division in writing of the action taken to correct the violations. Persons failing to reply to the Division within 30 days may be subject to the reinspection fees in OAR 918-500-0100(4) and those civil penalties described in ORS 446.270, 446.415 and 446.990. A manufactured dwelling subject to a Notice of Violation shall not be transported without Division approval.

(5) When a Notice of Violation has been posted on the manufactured dwelling or equipment, the notice shall not be removed until authorized by the Division. A Notice of Violation may be removed only by the Division or a person authorized by the Division.

EXCEPTION: If a Notice of Violation or inspection report has been posted on a manufactured dwelling while in storage and the violations noted were only related to the storage conditions, the manufactured dwelling may be moved to the manufactured dwelling site without notification to or approval from the Division. Under these conditions only, the dealer, distributor or manufacturer may remove the Notice of Violation from the manufactured dwelling.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 446.176 & 446.230

Stats. Implemented: ORS 446.160

Hist.: BCA 1-1990, f. & cert. ef. 1-2-90; BCA 10-1992, f. 6-15-92, cert. ef. 7-1-92; BCD 2-1994, f. 1-14-94, cert. ef. 2-1-94; BCD 19-1995, f. 12-15-95, cert. ef. 1-1-96; BCD 22-1998, f. 11-9-98, cert. ef. 1-1-99; BCD 1-2002, f. 1-28-02, cert. ef. 4-1-02

918-500-0430**Field Technical Service**

Any person may request field technical service by submitting the request in writing to the Division; however, the Division may deny the request if budget or staffing levels are not sufficient to provide the service.

Stat. Auth.: ORS 446.176 & 446.230

Stats. Implemented: ORS 446.230

Hist.: BCA 1-1990, f. & cert. ef. 1-2-90; BCA 10-1992, f. 6-15-92, cert. ef. 7-1-92; BCD 2-1994, f. 1-14-94, cert. ef. 2-1-94; BCD 19-1995, f. 12-15-95, cert. ef. 1-1-96

918-500-0450**Insignia and Label Requirements**

(1) All manufactured dwellings constructed on or after June 15, 1976, shall bear an insignia of compliance.

(2) Park trailer type vehicles greater than 320 square feet but less than 400 square feet may be dual labeled by the manufacturer at the time of initial construction as both a park trailer recreational vehicle and a manufactured home if the manufacturer meets all the requirements of OAR 918, divisions 500 and 525, or where the requirements are different, to the more stringent of the two requirements.

(3) Factory built homes may be dual labeled by the manufacturer at the time of initial construction as both a manufactured home and a prefabricated structure if the manufacturer meets all the requirements of **24 CFR 3280 and 3282** and the **Oregon One- and Two-Family Dwelling Specialty Code**, or where the requirements are different, to the more stringent of the two requirements.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 446.176 & 446.230

Stats. Implemented: ORS 446.170

Hist.: BCA 1-1990, f. & cert. ef. 1-2-90; BCA 10-1992, f. 6-15-92, cert. ef. 7-1-92; BCD 2-1994, f. 1-14-94, cert. ef. 2-1-94; BCD 19-1995, f. 12-15-95, cert. ef. 1-1-96

918-500-0470**Denial of Insignia**

(1) If the Division, after inspection, determines that a manufacturer is not building manufactured dwellings or equipment according to approved plans, the **HUD Standards** or to the minimum safety standards approved by the Division, and after notification continues

to build manufactured dwellings or equipment in violation of ORS Chapter 446 and these rules, applications for new insignia shall be denied and all previously issued insignia shall be returned to or removed by the Division. Upon proof of compliance, satisfactory to the Division, the manufacturer may resubmit an application for insignia.

(2) The Division shall deny all applications for insignia from a manufacturer who is delinquent more than 45 days in paying the fees prescribed in these rules.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 446.176 & 446.230

Stats. Implemented: ORS 446.170

Hist.: BCA 1-1990, f. & cert. ef. 1-2-90; BCA 10-1992, f. 6-15-92, cert. ef. 7-1-92; BCD 2-1994, f. 1-14-94, cert. ef. 2-1-94; BCD 19-1995, f. 12-15-95, cert. ef. 1-1-96; BCD 22-1998, f. 11-9-98, cert. ef. 1-1-99

DIVISION 515**INSTALLER LICENSING AND
EDUCATIONAL PROVIDER APPROVAL****918-515-0005****General**

(1) Any person who engages in the business of installing manufactured dwellings, cabanas, skirting, tie-downs, earthquake-resistant bracing systems (ERBs); who directs, supervises or controls installations or performs repairs to an existing installation shall have an appropriate, valid Oregon manufactured dwelling installer's license issued by the Division.

(2) Persons who have had a license or approval issued by this Division suspended or revoked, may not apply for approval as an educational provider, or a licensed installer, a limited installer or a limited skirting installer within one year of the date of suspension or revocation.

Stat. Auth.: ORS 446.176, 446.400 & 446.405

Stats. Implemented: ORS 446.395

Hist.: BCA 1-1990, f. & cert. ef. 1-2-90; BCA 10-1992, f. 6-15-92, cert. ef. 7-1-92; BCD 2-1994, f. 1-14-94, cert. ef. 2-1-94; BCD 19-1995, f. 12-15-95, cert. ef. 1-1-96; BCD 22-1998, f. 11-9-98, cert. ef. 1-1-99

918-515-0010**License Exceptions**

(1) Except as otherwise provided in this rule, no individual is required to obtain a license to install a manufactured dwelling, cabana, skirting, tie-downs or ERBs when the manufactured dwelling or cabana being installed is owned by the same individual or a member of the individual's immediate family, the manufactured dwelling or cabana is not intended for sale, exchange, lease or rent, and the individual makes no more than one such installation within a 12-month period.

(2) Except as otherwise provided in this rule, the owner is not required to obtain a license for maintenance, repair or correction on a manufactured dwelling or cabana installation.

(3) Except as otherwise provided in this rule, no license is required for the installation of manufactured dwelling accessory buildings or structures such as ramadas, garages, carports, awnings, porches, steps, tool sheds or storage sheds.

(4) Except as otherwise required by this rule, no person installing additional perimeter blocking under a manufactured dwelling or cabana for the exclusive support of awnings, carports or roof additions is required to be licensed.

(5) Except as otherwise required by this rule, no license is required for the installation of a manufactured dwelling or cabana when the manufactured dwelling or cabana is installed temporarily on a dealer's, distributor's or manufacturer's sales or storage lot or at a show and is not occupied or intended to be occupied. This exemption does not include those manufactured dwellings and cabanas installed in manufactured dwelling parks, mobile home parks or manufactured dwelling subdivisions.

(6) Except as otherwise required by this rule, no license is required for excavating, concrete flat work, drywall or carpet laying.

(7) Except as otherwise required by this rule, no manufactured dwelling installation license is required for plumbing or electrical work when the person doing the work is an Oregon licensed plumber or electrician respectively.

(8) Except as otherwise required by this rule, no license is required for manufacturers performing maintenance, repairs or corrections to an installation for the purpose of customer service.

(9) Nothing contained in the exceptions listed in this rule exempt a person from necessary registration with the Oregon Construction Contractors Board.

(10) The licensing exceptions established by this rule do not exempt the work performed from complying with ORS Chapter 446 and the rules and standards adopted thereunder.

Stat. Auth.: ORS 446.176, 446.400 & 446.405

Stats. Implemented: ORS 446.230

Hist.: BCA 1-1990, f. & cert. ef. 1-2-90; BCA 10-1992, f. 6-15-92, cert. ef. 7-1-92; BCD 2-1994, f. 1-14-94, cert. ef. 2-1-94; BCD 15-1995, f. 9-15-95, cert. ef. 1-1-96; BCD 19-1995, f. 12-15-95, cert. ef. 1-1-96; BCD 22-1998, f. 11-9-98, cert. ef. 1-1-99

Educational Provider

918-515-0020

Minimum Requirements of Educational Provider

All manufactured dwelling installation education and continuing education classes used to satisfy the requirements of this rule shall be approved by the Division. All instructors teaching required manufactured dwelling installation education and continuing education classes shall be employees of the division or approved educational providers. To be approved as an educational provider for manufactured dwelling installers, limited installers, limited skirting installers and installation inspectors, an individual shall meet the following requirements:

(1) Have a minimum of 3,200 hours experience in one or more of the following areas:

- (a) As a supervisor of manufactured dwelling installations;
- (b) As a supervisor of manufactured dwelling service or repair;
- (c) As a supervisor in the building construction industry;
- (d) In design work related to the building construction industry;
- (e) As an Oregon-certified manufactured dwelling installation inspector;

(f) Completion of a two-year educational institution program in a construction-related field that is recognized by the Division; or

(g) Any combination of experience or education from subsections

(a) through (f) of this section totaling 3,200 hours.

(2) Have successfully completed the following:

(a) Attendance at a Division-approved manufactured dwelling and cabana installation education program; and

(b) Received a passing grade of 90 percent on the Division-approved examination covering ORS Chapter 446, OAR 918, divisions 500 and 515 and the **Oregon Manufactured Dwelling Standard**.

(3) The applicant shall provide to the Division the following:

(a) A copy of a personal photo identification with submittal of any Division applications;

(b) A completed Division application;

(c) The required application fee; and

(d) A class curriculum for Division approval.

(4) Verification of experience shall be submitted in the form of signed statements by past or present employers, or other verification acceptable to the Division. Verification may not be provided by a member of the applicant's immediate family, by a live-in companion or by any person dependent upon the applicant. The Division may contact any person to verify experience of an applicant.

(5) Licensed manufactured dwelling installers and certified manufactured dwelling installation inspectors are not required to show evidence of Section (4) of this rule.

(6) Personal photo identification shall be required for admission to all required manufactured dwelling installation examinations.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 446.176, 446.400 & 446.405

Stats. Implemented: ORS 446.395

Hist.: BCA 1-1990, f. & cert. ef. 1-2-90; BCA 10-1992, f. 6-15-92, cert. ef. 7-1-92; BCD 2-1994, f. 1-14-94, cert. ef. 2-1-94; BCD 19-1995, f. 12-15-95, cert. ef. 1-1-96; BCD 1-1997, f. 2-24-97, cert. ef. 4-1-97; BCD 22-1998, f. 11-9-98, cert. ef. 1-1-99; BCD 8-2005, f. & cert. ef. 4-1-05

918-515-0030

Course Curriculum Requirements for Educational Provider Training

(1) The course curriculum shall be submitted to the Division for approval and shall include a detailed description of course content and materials.

(2) The course curriculum for manufactured dwelling installers, limited installers and manufactured dwelling installation inspectors shall, at a minimum, include the following areas of training:

(a) Definitions, as provided in the **Oregon Manufactured Dwelling and Park Specialty Code** adopted in OAR 918-500-0020;

(b) License and registration requirements;

(c) Permits and penalties;

(d) Installer and limited installer qualifications;

(e) Location and stand of manufactured dwellings and cabanas;

(f) Foundation systems;

(g) Structural connections;

(h) Anchoring systems;

(i) Electrical utility, crossover and fixture connections;

(j) Plumbing utility, crossover and fixture connections;

(k) Mechanical crossover and appliance connections;

(l) Fuel gas utility, crossover and appliance connections;

(m) Fire protection and separation;

(n) Underfloor enclosures, access and ventilation;

(o) Alternate manufactured dwelling uses;

(p) Accessory buildings and structures; and

(q) Alterations, repairs and additions.

(3) The course curriculum for manufactured dwelling skirting installers shall, at a minimum, include the following areas of training:

(a) Definitions, as provided in the **Oregon Manufactured Dwelling and Park Specialty Code** adopted in OAR 918-500-0020;

(b) License and registration requirements;

(c) Permits and penalties;

(d) Skirting installer qualifications;

(e) Foundation systems;

(f) Perimeter support;

(g) Anchoring systems;

(h) Underfloor enclosures;

(i) Plumbing and electrical access;

(j) Underfloor vapor retarders;

(k) Underfloor access and ventilation;

(l) Appliance venting;

(m) Carport and awning support;

(n) Attached garages and cabanas;

(o) Home access and egress;

(p) Underfloor fire protection and separation; and

(q) Accessory buildings and structures.

(4) Within 30 days of notification of any change in course curriculum requirements adopted by the Division, the provider shall submit a revised curriculum to the Division for approval.

(5) The provider shall notify the Division in writing seven days prior to each class, indicating the time, date and location of the class. Division or Board representatives shall be permitted to audit any class, without fee or cost for entry.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 446.176, 446.400 & 446.405

Stats. Implemented: ORS 446.395

Hist.: BCA 1-1990, f. & cert. ef. 1-2-90; BCA 10-1992, f. 6-15-92, cert. ef. 7-1-92; BCD 2-1994, f. 1-14-94, cert. ef. 2-1-94; BCD 19-1995, f. 12-15-95, cert. ef. 1-1-96; BCD 1-1997, f. 2-24-97, cert. ef. 4-1-97; BCD 22-1998, f. 11-9-98, cert. ef. 1-1-99; BCD 1-2002, f. 1-28-02, cert. ef. 4-1-02

918-515-0040

Continuing Approval of Education Providers

Educational Providers approved by the Division shall:

(1) Revise and modify course curriculum to include statute, rule and standard changes to meet any additional course requirements established by the Division;

(2) Submit a list of the students in attendance to the Division within ten days of each class provided; and

(3) Attend all continuing education courses required by the Division.

Stat. Auth.: ORS 446.176, 446.400 & 446.405

Stats. Implemented: ORS 446.395

Hist.: BCA 1-1990, f. & cert. ef. 1-2-90; BCA 10-1992, f. 6-15-92, cert. ef. 7-1-92; BCA 2-1994, f. 1-14-94, cert. ef. 2-1-94; BCD 19-1995, f. 12-15-95, cert. ef. 1-1-96; BCD 1-1997, f. 2-24-97, cert. ef. 4-1-97; BCD 22-1998, f. 11-9-98, cert. ef. 1-1-99

918-515-0060

Scope of Work

Approved Education Providers may:

(1) Provide training and continuing education under the Division approved course curriculum to persons applying for license as a man-

ufactured dwelling and cabana installer, limited installer, limited skirting installer and manufactured dwelling installation inspector; and

(2) Charge fees for conducting training.

Stat. Auth.: ORS 446.176, 446.400 & 446.405

Stats. Implemented: ORS 446.395

Hist.: BCA 1-1990, f. & cert. ef. 1-2-90; BCA 10-1992, f. 6-15-92, cert. ef. 7-1-92; BCD 2-1994, f. 1-14-94, cert. ef. 2-1-94; BCD 19-1995, f. 12-15-95, cert. ef. 1-1-96; BCD 1-1997, f. 2-24-97, cert. ef. 4-1-97

918-515-0080

Revocation or Suspension of Provider Approval

Approval as an educational provider may be suspended or revoked for misuse of a Division examination, providing false records or information to the Division, helping or allowing a person to cheat or failure to comply with the requirements of ORS Chapter 446, these rules or any other applicable State laws.

Stat. Auth.: ORS 446.176, 446.400 & 446.405

Stats. Implemented: ORS 446.395

Hist.: BCA 1-1990, f. & cert. ef. 1-2-90; BCA 10-1992, f. 6-15-92, cert. ef. 7-1-92; BCD 2-1994, f. 1-14-94, cert. ef. 2-1-94; BCD 19-1995, f. 12-15-95, cert. ef. 1-1-96; BCD 1-1997, f. 2-24-97, cert. ef. 4-1-97; BCD 22-1998, f. 11-9-98, cert. ef. 1-1-99

Manufactured Dwelling Installer License

918-515-0110

Requirements for Installer License

(1) To be licensed as a manufactured dwelling installer, an applicant shall meet the following minimum experience requirements:

(a) 1,600 hours experience as a manufactured dwelling installer in another state or 1,600 hours experience as an Oregon licensed limited installer or limited skirting installer;

(b) 3,200 hours experience servicing or repairing manufactured dwellings;

(c) 3,200 hours experience in the construction of manufactured dwellings;

(d) 3,200 hours experience as a building construction supervisor;

(e) 1,600 hours experience as an active Oregon certified manufactured dwelling installation inspector;

(f) Completion of a one year college program in a construction related field which is recognized by the Board; or

(g) Any combination of experience or education from subsections (a) through (f) of this section totaling 3,200 hours.

(2) In addition to the requirements in section (1) of this rule, applicants shall have:

(a) Attended a Division-approved manufactured dwelling installation education program; and

(b) Received a passing grade of 75 percent on the Division approved examination.

(3) Verification of experience shall be submitted in the form of signed statements by past or present employers. Verification may not be provided by a member of the applicant's immediate family, by a live-in companion or by any person dependent upon the applicant. The Division may contact any person to verify experience of an applicant.

(4) In addition to the completed application form and application fee, an applicant shall provide:

(a) Personal photo identification for admission to all required manufactured dwelling examinations and with submittal of the Division's license application;

(b) If the applicant is required to register with the Construction Contractors Board, the applicant shall provide proof of registration; and

(c) If the applicant is required to carry Workers' Compensation insurance, the applicant shall provide proof of insurance.

Stat. Auth.: ORS 446.176, 446.400 & 446.405

Stats. Implemented: ORS 446.395

Hist.: BCA 1-1990, f. & cert. ef. 1-2-90; BCA 10-1992, f. 6-15-92, cert. ef. 7-1-92; BCD 2-1994, f. 1-14-94, cert. ef. 2-1-94; BCD 19-1995, f. 12-15-95, cert. ef. 1-1-96; BCD 1-1997, f. 2-24-97, cert. ef. 4-1-97; BCD 22-1998, f. 11-9-98, cert. ef. 1-1-99; BCD 8-2005, f. & cert. ef. 4-1-05

918-515-0150

Installer Responsibilities and Limits

(1) Work covered by an installers license shall be limited to:

(a) Preparing the site and stand for the installation of the manufactured dwelling or cabana;

(b) Installing manufactured dwellings, cabanas, skirting, under-floor vapor retarder, ventilation, access and temporary steps;

(c) Installing the support, tie-down, ERB's and the structural connections for manufactured dwellings and cabanas;

(d) Providing setbacks, clearances and fire life and safety protection;

(e) Providing plumbing and electrical utility connections;

(f) Providing plumbing, electrical and mechanical cross-over, appliance and fixture connections of and to the manufactured dwelling or cabana as permitted by these rules;

(g) Install appliance exhaust ducts and terminations when required;

(h) Performing plumbing, mechanical and electrical tests when required; and

(i) Serving as the supervisor of individuals licensed by the Division as limited installers.

(2) An Installer shall, at a minimum:

(a) Assure the manufactured dwelling or cabana stand is in compliance with the **Oregon Manufactured Dwelling and Park Specialty Code** adopted in OAR 918-500-0020 prior to the installation of the manufactured dwelling or cabana;

(b) Assure all setbacks, clearances and fire life and safety installations are in compliance with the **Oregon Manufactured Dwelling and Park Specialty Code** adopted in OAR 918-500-0020;

(c) Perform electrical and plumbing tests if the respective plumbing and electrical connections were made by the installer;

(d) Close and secure all access panels and covers on or under the manufactured dwelling or cabana;

(e) Assure the underfloor dryer and range exhaust ducts are roughed in if the manufactured dwelling is equipped with or provides for the installation of such an appliance requiring exhaust ducts;

(f) Assure that all doors and windows are adjusted, secured in place and operational;

(g) Assure all ship-loose flue vents and chimneys are installed, secured in place and capped according to their listing;

(h) Where the installer also installs the skirting, comply with OAR 918-515-0490(1);

(i) Affix a certification tag to each manufactured dwelling or cabana installed;

(j) Complete all reporting and application forms required by these rules; and

(k) Leave the manufacturer's installation instructions at the installation site to be available at the time of the inspection if used for any part of the installation;

(l) Assure all portions of the manufactured dwelling installation performed by the installer are in compliance with the **Oregon Manufactured Dwelling and Park Specialty Code** adopted in OAR 918-500-0020; and

(m) Correct all applicable nonconformances within 30 days of receipt of a correction notice from the authority having jurisdiction.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 446.176, 446.400 & 446.405

Stats. Implemented: ORS 446.395

Hist.: BCA 1-1990, f. & cert. ef. 1-2-90; BCA 10-1992, f. 6-15-92, cert. ef. 7-1-92; BCD 2-1994, f. 1-14-94, cert. ef. 2-1-94; BCD 19-1995, f. 12-15-95, cert. ef. 1-1-96; BCD 1-1997, f. 2-24-97, cert. ef. 4-1-97; BCD 22-1998, f. 11-9-98, cert. ef. 1-1-99; BCD 1-2002, f. 1-28-02, cert. ef. 4-1-02

Certification Tags

918-515-0300

Requirements for Installer Certification Tags

(1) Licensed manufactured dwelling installers and limited skirting installers installing manufactured dwellings, cabanas, tie-downs, ERB's and skirting shall affix a Division-issued certification tag to the manufactured dwelling, cabana or skirting upon completion of the installation, and prior to inspection by the authority having jurisdiction.

(2) Certification tags may be purchased in bulk by licensed installers, manufactured dwelling dealers and limited skirting installers. An application to purchase certification tags shall be submitted to the Division in duplicate and accompanied by the appropriate tag fee.

(3) Only licensed installers and licensed limited skirting installers may be assigned certification tags by the dealer or Division. Certification tags shall be affixed only by licensed installers and licensed limited skirting installers upon completion of the installation.

(4) The person purchasing certification tags from the Division shall be responsible for their security, use and reporting.

(5) The Division may sell a maximum two-month supply of certification tags to a manufactured dwelling dealer based on monthly installations and certification tag reports submitted to the Division.

(6) The Division or a manufactured dwelling dealer may issue a maximum of 30 certification tags to an installer at one time and a maximum of 30 certification tags to a limited skirting installer at one time.

(7) Certification tags assigned to licensed installers and limited skirting installers can only be transferred by the Division. Tags are not refundable and are void when not affixed to the assigned manufactured dwelling or cabana.

(8) If an installer or limited skirting installer license is suspended, revoked or expires, all unused certification tags assigned to that person shall be returned to the Division.

(9) If a manufactured dwelling dealer is no longer in business or changes ownership, all unused certification tags assigned to the original dealer shall be returned to the Division.

Stat. Auth.: ORS 446.176, 446.400 & 446.405

Stats. Implemented: ORS 446.240

Hist.: BCA 1-1990, f. & cert. ef. 1-2-90; BCA 10-1992, f. 6-15-92, cert. ef. 7-1-92; BCD 2-1994, f. 1-14-94, cert. ef. 2-1-94; BCD 19-1995, f. 12-15-95, cert. ef. 1-1-96; BCD 22-1998, f. 11-9-98, cert. ef. 1-1-99

918-515-0310

Certification Tag Installation

Certification tags shall be affixed to the manufactured dwelling, cabana or skirting in a permanent manner and shall be located:

(1) On a cabana: In a visible location on an exterior wall;

(2) On a manufactured dwelling: In a visible location on the exterior wall at the rear end of the manufactured dwelling and near the insignia or HUD label; and

(3) On skirting: In a visible location near the utility connections.

Stat. Auth.: ORS 183.325 - 410, 446.400, 446.405, 455.010 - 130 & 455.610

Stats. Implemented: ORS 446.395

Hist.: BCA 1-1990, f. & cert. ef. 1-2-90; BCD 10-1992, f. 6-15-92, cert. ef. 7-1-92; BCD 19-1995, f. 12-15-95, cert. ef. 1-1-96; BCD 22-1998, f. 11-9-98, cert. ef. 1-1-99; BCD 1-2002, f. 1-28-02, cert. ef. 4-1-02

918-515-0330

Denial of Certification Tags

The Division may deny any request for certification tags when:

(1) An inspection reveals that a manufactured dwelling, cabana, skirting, tie-down, or ERB installation is not installed according to the **Oregon Manufactured Dwelling Standard**, and no corrective action is taken by the installer as required by OAR 918-515-0150(2)(n);

(2) An installer's license or limited skirting installer's license has expired, or been suspended or revoked;

(3) There is evidence of certification tag misuse as described in these rules;

(4) An installer, limited skirting installer or manufactured dwelling dealer has failed to report the use of installer certification tags within 60 days of their use; or

(5) An installer, limited skirting installer or manufactured dwelling dealer has a supply of unused and unreported certification tags exceeding the quantities allowed in OAR 918-515-0300(5) and (6).

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 446.176, 446.400 & 446.405

Stats. Implemented: ORS 446.395

Hist.: BCA 1-1990, f. & cert. ef. 1-2-90; BCA 10-1992, f. 6-15-92, cert. ef. 7-1-92; BCD 2-1994, f. 1-14-94, cert. ef. 2-1-94; BCD 19-1995, f. 12-15-95, cert. ef. 1-1-96; BCD 22-1998, f. 11-9-98, cert. ef. 1-1-99

918-515-0340

Monthly Certification Tag Report

(1) A manufactured dwelling dealer, licensed installer or limited skirting installer who has purchased certification tags directly from the Division shall submit a certification tag report to the Division on the last day of each month and prior to requesting additional certification tags.

(2) A certification tag report need not be filed for those months in which no installations were made and no certification tags were used.

(3) Licensed installers and limited skirting installers who receive certification tags from a manufactured dwelling dealer are not required to submit certification tag reports. Dealers who order certification tags from the Division shall fill out a separate certification tag report for each installer for which certification tags were issued and used.

(4) Certification tag reports shall contain the following information for each individual installation:

(a) The certification tag number;

(b) The city and county installation location;

(c) The date of the installation;

(d) The name of the manufactured dwelling manufacturer;

(e) The manufactured dwelling serial number;

(f) The type of structure: Single-wide, double-wide; triple-wide, multi-wide or two-story;

(g) The dealer's name;

(h) Installer's name and license number; and

(i) Any other information the Division deems necessary.

Stat. Auth.: ORS 446.176, 446.400 & 446.405

Stats. Implemented: ORS 446.240

Hist.: BCA 1-1990, f. & cert. ef. 1-2-90; BCA 10-1992, f. 6-15-92, cert. ef. 1-1-96; BCD 19-1995, f. 12-15-95, cert. ef. 1-1-96; BCD 22-1998, f. 11-9-98, cert. ef. 1-1-99

Licensing

918-515-0350

Issuance and Possession of License

(1) A manufactured dwelling installer license, limited installer license, temporary limited installer license and limited skirting installer license shall be issued to the individual named on the application and shall not be transferable.

(2) The licensee shall physically possess the license and one photo identification when at a job site.

(3) The licensee shall provide satisfactory evidence of being licensed when requested to by the authority having jurisdiction.

(4) The licensee shall notify the Division in writing within 30 days of any address change.

Stat. Auth.: ORS 446.400 & 446.405

Stats. Implemented: ORS 446.400 & 446.405

Hist.: BCD 19-1995, f. 12-25-95, cert. ef. 1-1-96; BCD 22-1998, f. 11-9-98, cert. ef. 1-1-99

918-515-0360

License Renewal

(1) Licenses issued under ORS Chapter 446 and 918-515-0480 shall expire on January 1 of the second year following issuance.

(2) An application for renewal of a current license shall provide:

(a) Evidence of Construction Contractors Board registration and bond;

(b) Evidence of continuing education credits; and

(c) The required renewal fees as set forth in OAR 918-500-0100.

(3) 45 days prior to license expiration the Division shall mail each licensee a license renewal application.

(4) A license renewal application must be submitted to the Division prior to the expiration date of the license. Persons wishing to apply for a license after their license has expired must reapply for a new license and meet all requirements of a new applicant. The Division shall not be responsible for notification if the licensee has changed addresses without notifying the Division within 30 days of the address change.

Stat. Auth.: ORS 446.176, 446.400 & 446.405

Stats. Implemented: ORS 446.400 & 446.405

Hist.: BCA 1-1990, f. & cert. ef. 1-2-90; BCA 10-1992, f. 6-15-92, cert. ef. 7-1-92; BCA 2-1994, f. 1-14-94, cert. ef. 2-1-94; BCD 19-1995, f. 12-15-95, cert. ef. 1-1-96; Renumbered from 918-515-0130; BCD 22-1998, f. 11-9-98, cert. ef. 1-1-99

918-515-0370

License Suspension and Revocation

(1) The administrator may suspend or revoke a manufactured dwelling installer license, limited installer license or limited skirting installer license issued by the Division.

(2) The basis for such suspension or revocation of a license may include violations to applicable statutes, rules, standards or the following:

(a) Failure to submit required reports and applications on time to the Division;

(b) Failure to provide direct supervision of limited installers;

(c) Allowing a limited installer to perform work outside the scope of a limited installer license;

(d) Hiring unlicensed persons to perform installation work;

(e) Allowing installation work to be conducted on a site where no manufactured dwelling installation permits have been issued;

- (f) Failure to affix certification tags upon completion of the installation, if required;
- (g) Failure to complete corrective action when required by the Division or authority having jurisdiction;
- (h) Failure to complete required continuing education classes; and
- (i) Failure to renew the license prior to expiration.
Stat. Auth.: ORS 446.176, 446.400 & 446.405
Stats. Implemented: ORS 446.400
Hist.: BCD 19-1995, f. 12-15-95, cert. ef. 1-1-96; BCD 22-1998, f. 11-9-98, cert. ef. 1-1-99

Continuing Education

918-515-0380

Continuing Education Requirements

- (1) Licensed installers, limited installers and limited skirting installers shall attend Division-approved continuing education classes.
- (2) Continuing education classes shall only be provided by the Division or a Division-approved provider and shall be conducted for statute, code, rule or standard changes and at other times as determined to be necessary by the Board.
- (3) Prior to the end of the license period, licensees will be notified by the Division of continuing education requirements and class availability.
- (4) The Division shall not renew licenses of licensees who did not attend required continuing education classes.
- (5) If a licensee has failed to attend the required continuing education classes, the licensee may attend the current Division-approved installation education program prior to the expiration of the license.
Stat. Auth.: ORS 446.400 & 446.405
Stats. Implemented: ORS 446.400 & 446.405
Hist.: BCD 19-1995, f. 12-15-95, cert. ef. 1-1-96; BCD 22-1998, f. 11-9-98, cert. ef. 1-1-99

Limited Installer Licenses

918-515-0400

Minimum Requirements for Limited Installer License

- To be licensed as a manufactured dwelling limited installer, an applicant shall:
 - (1) Provide personal identification;
 - (2) Submit to the Division a completed application, together with the required fees; and
 - (3) Attend a Division-approved manufactured dwelling installation education program.
Stat. Auth.: ORS 446.176, 446.400 & 446.405
Stats. Implemented: ORS 446.395
Hist.: BCA 1-1990, f. & cert. ef. 1-2-90; BCA 10-1992, f. 6-15-92, cert. ef. 7-1-92; BCD 2-1994, f. 1-14-94, cert. ef. 2-1-94; BCD 19-1995, f. 12-15-95, cert. ef. 1-1-96; BCD 22-1998, f. 11-9-98, cert. ef. 1-1-99

918-515-0415

Temporary Limited Installer License

- A temporary limited installer license allows persons to perform all of the work performed by a limited installer, subject to the following conditions:
 - (1) The temporary license shall be valid for a period of 60 days and all work performed under this license shall be under the direct supervision of a licensed installer;
 - (2) An employer may purchase pre-numbered blank temporary installer license packets which include an application form and blank license, and when the application is completed may issue the temporary license to their employee. The licensee shall be in the personal possession of the license at all times that the person is working as a temporary installer; and
 - (3) Each temporary license application form shall be completed, dated, and signed by the applicant on the first day of work by the person to whom the license is issued. The application shall be removed from the packet and mailed to the Division within 24 hours of the day the licensee signs the application.
Stat. Auth.: ORS 446.176, 446.400 & 446.405
Stats. Implemented: ORS 446.400 & 446.405
Hist.: BCD 19-1995, f. 12-15-95, cert. ef. 1-1-96; BCD 22-1998, f. 11-9-98, cert. ef. 1-1-99; BCD 8-2005, f. & cert. ef. 4-1-05

918-515-0430

Scope of Work Allowed as a Limited Installer

- A licensed limited installer may:

- (1) Assist a licensed installer in the installation of a manufactured dwelling or cabana when under the direct supervision of licensed installer; or
- (2) Assist a licensed limited skirting installer in the installation of manufactured dwelling or cabana skirting or any of the work described in OAR 918-515-0485(1) when under the direct supervision of a licensed limited skirting installer.
Stat. Auth.: ORS 183.325 - 410, 446.230, 446.240, 455.010 - 130 & 455.610
Stats. Implemented: ORS 446.395
Hist.: BCA 1-1990, f. & cert. ef. 1-2-90; BCA 10-1992, f. 6-15-92, cert. ef. 7-1-92; BCD 1-1997, f. 2-24-97, cert. ef. 4-1-97

Limited Skirting Installer License

918-515-0480

Requirements for Limited Skirting Installer License

- To be licensed as a limited skirting installer, an applicant shall:
 - (1) Provide personal identification;
 - (2) Submit a completed application, together with the fee required in OAR 918-500-0100;
 - (3) Attend a Division-approved manufactured dwelling installation education program;
 - (4) Provide proof of Construction Contractors Board registration, if the applicant is required to register with the Construction Contractors Board; and
 - (5) Provide proof of workers compensation insurance, if the applicant is required to carry workers' compensation insurance.
Stat. Auth.: ORS 183.325 - 410, 446.400, 446.405, 455.130 & 455.610
Stats. Implemented: ORS 446.400 & 446.405
Hist.: BCD 19-1995, f. 12-15-95, cert. ef. 1-1-96; BCD 22-1998, f. 11-9-98, cert. ef. 1-1-99

918-515-0485

Limited Skirting Installer Responsibilities and Limits

- Work covered by a limited skirting installers license shall be limited to:
 - (1) Installation of manufactured dwelling and cabana skirting, temporary steps, underfloor vapor retarder, ventilation, tie-downs, perimeter foundation supports, appliance exhaust terminations and underfloor skirting access;
 - (2) Affixing a certification tag to the manufactured dwelling or cabana skirting;
 - (3) Completing all reports and application required by the Division and by these rules;
 - (4) Serving as the supervisor of individuals licensed by the Division as limited installers; and
 - (5) Any work described in OAR 918-515-0150 when under the direct supervision of a licensed installer.
Stat. Auth.: ORS 183.325 - 410, 446.400, 446.405, 455.130 & 455.610
Stats. Implemented: ORS 446.400 & 446.405
Hist.: BCD 19-1995, f. 12-15-95, cert. ef. 1-1-96; BCD 1-1997, f. 2-24-97, cert. ef. 4-1-97; BCD 22-1998, f. 11-9-98, cert. ef. 1-1-99

918-515-0490

Limited Skirting Installer Responsibilities to Consumer

- A limited skirting installer shall, at a minimum:
 - (1) Install the skirting, underfloor skirting access, underfloor ventilation and underfloor dryer and range exhaust ducts and terminations through the skirting when required;
 - (2) Ensure all work performed is in compliance with the **Oregon Manufactured Dwelling Standard**;
 - (3) Affix a certification tag to each manufactured dwelling or cabana on which skirting has been installed.
 - (4) Complete all reporting and application forms required by OAR 918-515-0300, 918-515-0340 and 918-515-0360.
 - (5) Notify the authority having jurisdiction upon completion of the installation work; and
 - (6) Correct all nonconforming skirting installations within 30 days of receipt of a correction notice from the authority having jurisdiction.
[Publications: Publications referenced are available from the agency.]
Stat. Auth.: ORS 183.325 - 410, 446.400, 446.405, 455.130 & 455.610
Stats. Implemented: ORS 446.400 & 446.405
Hist.: BCD 19-1995, f. 12-15-95, cert. ef. 1-1-96; BCD 1-1997, f. 2-24-97, cert. ef. 4-1-97; BCD 22-1998, f. 11-9-98, cert. ef. 1-1-99

DIVISION 520

HEAT PRODUCING APPLIANCES

918-520-0010

Heat Producing Appliance Installation Standards

All fuel-burning appliances, including but not limited to ranges, ovens, water heaters, furnaces, illuminating appliances and clothes dryers shall be installed to the **Oregon Manufactured Dwelling Standard**.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 183.325 - 410, 446.230, 446.240, 455.010 - 130 & 455.610

Stats. Implemented: ORS 446.400 & 446.405

Hist.: BCA 1-1990, f. & cert. ef. 1-2-90; BCA 32-1991(Temp), f. & cert. ef. 9-30-91;

BCA 6-1992, f. 3-24-92, cert. ef. 3-27-92; BCA 10-1992, f. 6-15-92, cert. ef. 7-1-92;

BCD 19-1995, f. 12-15-95, cert. ef. 1-1-96

918-520-0015

Construction and Installation of Fireplace/Stoves

(1) Solid fuel-burning factory-built fireplaces and fireplace stoves and other wood-burning appliances installed in manufactured dwellings or park trailers, except wood-burning pellet-fired appliances and gas-burning only stoves and fireplaces, shall be constructed, tested and listed according to the Department of Housing and Urban Development **Manufactured Home Construction and Safety Standards** dated October 25, 1995, (**24 CFR 3280, Subpart F**) and shall be installed according to the **Oregon Manufactured Dwelling Standard**; and

(2) Wood stoves, wood-burning fireplaces and other wood-burning appliances as defined in ORS 468A.005, installed in manufactured dwellings or park trailers shall be certified by the Oregon Department of Environmental Quality (DEQ) pursuant to ORS 468A.470 for new wood stove installation or ORS 468A.475 for replacement or retrofitted wood stoves.

(3) The following wood-burning equipment is exempt from the DEQ requirements in Section (2) of this rule but are not exempt from Section (1) of this rule:

(a) Antique wood stoves built before 1940 and meeting the definition in ORS 468A.510;

(b) Wood stoves that were purchased as new prior to July 1, 1986, and that have not yet been installed or used;

(c) Wood-burning cook stoves;

(d) Wood-burning pellet-fired appliances;

(e) Gas-burning only stoves and fireplaces; and

(f) Solid fuel-burning factory-built fireplaces and fireplace stoves and other wood-burning appliances installed by the manufactured dwelling manufacturer at the time of construction that meet the requirements of the **Manufactured Home Construction and Safety Standards** dated October 25, 1995, (**24 CFR 3280, Subpart F**).

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 183.325 - 410, 446.230, 446.240, 455.010 - 130 & 455.610

Stats. Implemented: ORS 446.400 & 446.405

Hist.: BCA 10-1992, f. 6-15-92, cert. ef. 7-1-92; BCD 19-1995, f. 12-15-95, cert. ef. 1-1-96; BCD 22-1998, f. 11-9-98, cert. ef. 1-1-99

918-520-0020

Installation of Pellet-Fired Appliances

Pellet-fired appliances shall be installed in manufactured dwellings and park trailers according to the **Oregon Manufactured Dwelling Standard**.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 183.325 - 410, 446.230, 446.240, 455.010 - 130 & 455.610

Stats. Implemented: ORS 446.400 & 446.405

Hist.: BCA 1-1990, f. & cert. ef. 1-2-90; BCA 10-1992, f. 6-15-92, cert. ef. 7-1-92; BCD 19-1995, f. 12-15-95, cert. ef. 1-1-96; BCD 22-1998, f. 11-9-98, cert. ef. 1-1-99

918-520-0030

Pellet-Fired Appliance Reference Standards

(1) Pellet-fired appliances for use in manufactured dwellings and park trailers shall be tested and listed by an approved testing laboratory or testing agency to the following standards:

(a) **Underwriter's Laboratories ("U.L.") Standard No. 1482, Sections 1 through 10 and 15 through 45** only (Solid Fuel Room Heaters), 1988 edition, revised September, 1988;

(b) **U.L. Standard No. 127** (Factory Built Fireplaces), 1988 edition, revised January, 1989;

(c) **U.L. Standard No. 103**, 1989 edition, revised February, 1989, or No. 641 (Chimneys & Flue Pipes), 1986 edition;

(d) **U.L. Standard No. 507** (Electric Fans), 1977 edition, revised December, 1988; and

(e) **U.L. Standard No. 391, Sections 2, 3, 7, 20 through 36, 66 through 69 and Table 54.1** only (Solid-Fuel Furnaces), 1981 edition, revised October, 1983.

(2) Brands when required by the above standards, may be substituted with pelletized fuel for the purpose of conducting tests to these standards.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 183.325 - 410, 446.230, 446.240, 455.010 - 130 & 455.610

Stats. Implemented: ORS 446.230

Hist.: BCA 1-1990, f. & cert. ef. 1-2-90; BCA 10-1992, f. 6-15-92, cert. ef. 7-1-92

918-520-0040

Pellet-Fired Appliance Testing

In conjunction with the standards required in OAR 918-520-0030, all pellet-fired appliances shall be tested using the following test criteria:

(1) General Tests:

(a) A test enclosure, complying with the requirements of **U.L. 1482**, shall be used to evaluate the appliance. Thermocouple locations on the walls, ceiling, and floor shall be selected as if the appliance were any other heat-producing solid fuel burning appliance. In addition, thermocouples shall be located on the appliance itself at all critical locations including, but not limited to, the pellet hopper, the auger tube, the firebox, the exhaust manifold and all electrical components;

(b) If the appliance is back-vented through the wall, particular attention shall be paid to locating an adequate number of thermocouples on the vent system and in the wall penetration. The construction of the wall shall simulate typical manufactured dwelling construction;

(c) The flue gas temperatures shall be measured at the vent collar on a forced draft appliance and at the draft inducer fan on an induced draft appliance. Temperatures in the venting system shall be measured at the chimney connection to the appliance, if a chimney is used.

(2) Normal Temperature Tests:

(a) Operate the appliance in a normal configuration at 100 percent power demand until equilibrium temperatures are reached at all locations;

(b) The approximate fuel consumption of the appliance shall be determined by weighing a small amount of pellets, placing them in the hopper, and timing its consumption; and

(c) Measure and record total electrical power consumption during this test. Instrumentation shall be supplied to measure the line voltage and the amperage.

(3) Abnormal Temperature Tests: All tests shall start from the equilibrium temperatures established in the previous normal temperature tests:

(a) Blower Failure (Hot Air Circulator):

(A) Disconnect the power from the blower or hot air circulator and let the appliance operate as it will until equilibrium temperatures are reached or all temperatures start to decline; and

(B) Reconnect the heat circulating fan and allow the appliance to return to equilibrium temperatures and record any observations.

(b) Draft Inducer Fan Failure: Disconnect the draft fan and operate as in subsection (3)(a) of this rule. At the conclusion of this test, reconnect the draft fan and return to equilibrium conditions. Record any observations;

(c) Electrical Component Failure: The testing or listing agency shall simulate failures in other electrical components in the appliance. Run a test with the auger motor disconnected to determine if there is any danger of the pellets burning back through the auger into the hopper. Run a test where a power failure is simulated with the appliance running at equilibrium temperatures and 100 percent power demand;

(d) Door Ajar:

(A) This test is normally performed on stick-fueled appliances to determine the amount of spillage and associated hazards from combustion products emitted from the firebox when the door is open. Perform this test for 30 minutes on pellet burning appliances and record the observations. No hazardous conditions must be encountered. Hazardous conditions would include excessive flames and sparks emitted from the firebox, or a sharp rise in carbon monoxide in the atmosphere of the test chamber;

(B) Carbon monoxide in the atmosphere shall be measured at approximately one-hour intervals during all tests.

(e) Excess Load: Bring the appliance to equilibrium temperatures and then add an excess quantity of pellets to the firebox. The excess load depends on the configuration of the firebox, but shall be to the maximum capacity of the firebox or at least ten times the amount of pellets that is normally in the fire chamber at 100 percent power. After the pellets are added, the appliance shall operate at 100 percent power demand with the excess fuel, and temperatures observed and recorded at 10-minute intervals until they peak out at all points of measurement and start to decline;

(f) The inside and outside of the pellet hopper shall not exceed 250 degrees fahrenheit during the abnormal temperature tests required by this rule.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 183.325 - 410, 446.230, 446.240, 455.010 - 130 & 455.610

Stats. Implemented: ORS 446.230

Hist.: BCA 1-1990, f. & cert. ef. 1-2-90; BCA 10-1992, f. 6-15-92, cert. ef. 7-1-92

918-520-0050

Pellet-Fired Appliance Construction Standards

A pellet-fired appliance shall be equipped with the following:

(1) Integral door(s) or shutter(s) designed to close the pellet-fired appliance fire chamber opening.

(2) A complete means for venting to the exterior.

(3) A combustion air inlet.

(4) A hearth extension, when required by the listing.

(5) A means to securely attach the pellet-fired appliance to the manufactured dwelling.

(6) A listed factory-built exhaust vent designed to be attached directly to the pellet-fired appliance.

(7) A listed factory-built exhaust vent equipped with and containing as part of its listing a termination device(s).

(8) A combustion air inlet which conducts the air directly into the fire chamber and is designed to prevent material from the fire chamber dropping onto the area beneath the manufactured dwelling.

(9) A combustion air inlet constructed to resist the entrance of rodents when terminating beneath the manufactured dwelling.

Stat. Auth.: ORS 183.325 - 410, 446.230, 446.240, 455.010 - 130 & 455.610

Stats. Implemented: ORS 446.230

Hist.: BCA 1-1990, f. & cert. ef. 1-2-90; BCA 10-1992, f. 6-15-92, cert. ef. 7-1-92

918-520-0060

Pellet-Fired Appliance Electrical Equipment

Electrical material, devices, appliances, fittings and other equipment installed, intended for use in or attached to pellet-fired appliances shall be tested and listed for its intended use.

Stat. Auth.: ORS 446

Stats. Implemented: ORS 446.230

Hist.: BCA 1-1990, f. & cert. ef. 1-2-90

918-520-0070

Pellet-Fired Appliance Marking

(1) Pellet-fired appliance markings shall conform with the following:

(a) All markings shall be on a label or tag suitable to last the life of the appliance or stamped or embossed into the appliance;

(b) All labels or tags shall be installed in a permanent manner to last the life of the appliance;

(c) Labels or tags shall not be made of materials such as paper or plastics which are subject to deterioration from heat;

(d) All required markings shall be located to be easily readable when the appliance is properly installed; and

(e) All printed information on all markings shall have lettering no smaller than 1/16-inch except where specifically required by this rule.

(2) There shall be a permanent marking with 1/4-inch high letters near the door stating: **"WARNING, do not open door(s) while operating appliance."**

(3) There shall be a permanent marking with 3/8-inch high letters on the outside of the fuel hopper stating: **"WARNING, for use with recommended pelletized fuel only."**

(4) A label provided by the listing agency shall be permanently attached to the appliance with the following information:

(a) The name and identification mark of the testing laboratory and listing agency;

(b) The following wording: **"This pellet-fired appliance has been constructed, tested and listed for use in manufactured**

dwellings and park trailers according to OAR 918-520-0020 through 918-520-0110";

(c) The specific type(s) and size(s) of pelletized fuel for which the appliance is listed;

(d) The minimum horizontal and vertical clearances to combustibles;

(e) The appliance input rating, lighting and shutdown;

(f) The specific hearth size and material requirements;

(g) The appliance manufacturer's name and address; and

(h) The appliance model number, serial number and listing number.

(5) Field application of listing labels shall only be made by the listing agency.

Stat. Auth.: ORS 183.325 - 410, 446.230, 446.240, 455.010 - 130 & 455.610

Stats. Implemented: ORS 446.230

Hist.: BCA 1-1990, f. & cert. ef. 1-2-90; BCA 10-1992, f. 6-15-92, cert. ef. 7-1-92; BCD 22-1998, f. 11-9-98, cert. ef. 1-1-99

918-520-0080

Pellet-Fired Appliance Test Reports

Pellet-fired appliance test reports from the testing laboratory shall be made available by the dealer, manufacturer or testing laboratory within 48 hours upon request by the Division.

Stat. Auth.: ORS 446.185

Stats. Implemented: ORS 446.230

Hist.: BCA 1-1990, f. & cert. ef. 1-2-90; BCD 22-1998, f. 11-9-98, cert. ef. 1-1-99

918-520-0090

Pellet-Fired Appliance Fuels

(1) Pellet-fired appliances shall be tested with the pelletized fuel with which the appliance is intended to be used.

(2) All fuel substitutes or supplements shall be approved by the testing laboratory or listing agency and included in the listing and the operating instructions.

Stat. Auth.: ORS 446

Stats. Implemented: ORS 446.230

Hist.: BCA 1-1990, f. & cert. ef. 1-2-90

918-520-0100

Acceptable Laboratories for Pellet-Fired Appliances

Testing laboratories testing pellet-fired appliances shall be approved by the Oregon State Electrical Board for limited electrical testing as required by ORS 479.610 and 479.760.

Stat. Auth.: ORS 446

Stats. Implemented: ORS 446.230

Hist.: BCA 1-1990, f. & cert. ef. 1-2-90

918-520-0110

Instructions for Pellet-Fired Appliances

(1) Operating instructions shall be provided with each appliance. The instructions shall be approved by the testing laboratory and shall include at least the following directions and information covering:

(a) The proper size and types of fuel to be used with the appliance;

(b) The use of the appliance;

(c) The operation, lighting and shut down of the appliance; and

(d) Its proper maintenance.

(2) Installation instructions shall be provided with each appliance.

These instructions shall be approved by a testing or listing agency and shall include, but is not limited to, directions for the installations, clearances to combustibles, venting, grounding and all electrical and mechanical connections.

Stat. Auth.: ORS 446

Stats. Implemented: ORS 446.230

Hist.: BCA 1-1990, f. & cert. ef. 1-2-90

DIVISION 525

SAFETY AND CONSTRUCTION STANDARDS FOR RECREATIONAL VEHICLES

918-525-0000

Reasonable Notice to Interested Parties

Before the adoption, amendment or repeal of any rule relating to the construction or inspection of recreation vehicles adopted under ORS 446.003 to 446.280 and 446.990, the Building Codes Division shall give notice of the proposed adoption, amendment or repeal:

(1) In the Secretary of State's Bulletin referred to in ORS 183.360 at least 15 days before the effective date; and

(2) By mailing a copy of the notice to persons on the Manufactured Structures and Parks Section's mailing list established under ORS 183.335(7) and the Capitol Press Room.

Stat. Auth.: ORS 446

Stats. Implemented: ORS 183.335

Hist.: BCA 1-1990, f. & cert. ef. 1-2-90; BCA 30-1993, f. 12-1-93, cert. ef. 1-1-94

918-525-0005

Definitions

The following definitions shall apply to OAR 918, divisions 520, 525 and 530 and are in addition to those included in ORS 446.003:

(1) "Accessible" means having access thereto, but which may require removal of an access panel or opening a door.

(2) "Accessory Building" means an accessory building which specifically includes, but is not limited to, cabanas, ramadas, storage sheds and garages.

(3) "Accessory Structure" means an accessory structure which specifically includes, but is not limited to, awnings, carports, decks, steps and ramps.

(4) "Additional Living Space," as used in these rules has two meanings:

(a) As it relates to a cabana, means a freestanding, self-supporting accessory building installed adjacent to a recreational vehicle and subject to OAR 918-530-0320; or

(b) As it relates to additions to a recreational vehicle, means any attached structure that is dependent upon the recreational vehicle for support or systems. These attached structures shall be within the 400 square foot maximum allowable gross floor area of a non-motorized recreational vehicle, as identified in OAR 918-525-0035(1), (2) and (4) and are subject to OAR 918-525-0040(1)(a), (b), (c) and (d) standards for recreational vehicles or park trailers as appropriate.

(5) "Adjustment of Equipment" means the adjustment of the rate, flow, speed, temperature, etc. as necessary for the continued operation of the equipment but does not include the repair, replacement, conversion, alteration or addition to any equipment.

(6) "Anchoring System" means any equipment or device designed to secure a recreational vehicle for the purpose of resisting uplift, sliding and overturning.

(7) "Authority Having Jurisdiction" means the Building Codes Division or local government appointed by the administrator to inspect and issue permits for installation, alteration or conversion of recreational vehicles, equipment, accessory buildings and accessory structures.

(8) "Controlled Fill" means fill intended to bear a structural load in which the fill material is placed in layers of soil, crushed stone or masonry waste material, compacted and tested to ensure it meets specified compaction standards determined by laboratory tests of soil samples from the fill material.

(9) "Conversion" as used in this rule has three meanings:

(a) "Conversion" as defined in ORS 446.003(9) relates to changing an existing recreational vehicle use such as a van conversion or bus conversion;

(b) "Conversion" as described in ORS 446.003(2)(b)(B) relates to changing equipment from one fuel source to another and could include other conversions of the recreational vehicle equipment; or

(c) "Conversion" also relates to changing a recreational vehicle to another use or occupancy such as to a utility trailer or a concession stand.

(10) "Design Option" means an option to a model or model group submitted with the original model or with a model supplement.

(11) "Earthquake-resistant Bracing System" means a California-approved and certified anchoring system, bracing system or other devices designed and constructed to protect the health and safety of the occupants of, and reducing damage to, a park trailer in the event of an earthquake.

(12) "Field Technical Service" means the clarification of technical data, including but not limited to Division interpretations, investigations or training relating to the application of laws, rules, standards and regulations administered and enforced by the Building Codes Division.

(13) "Full Foundation System" means a California-approved and certified, engineered system of prefabricated foundation supports installed to the pier manufacturer's installation instructions.

(14) "Insignia" means a state insignia of compliance. (See ORS 446.003 for further information.)

(15) "Installation" means the work performed and the operations involved in placing, supporting and securing a park trailer on a site.

(16) "Labeled" means equipment or materials, used in the manufacture or installation of a recreational vehicle, to which has been attached a label, symbol or other identifying mark of a nationally recognized testing laboratory, inspection agency or other organization, which evaluates products to nationally recognized standards and periodically inspects production of equipment and materials to show compliance with those standards for usage in a specified manner.

(17) "Listing Agency" means an agency that:

(a) Is regularly engaged in conducting its own tests, or listing, labeling or contracting its testing procedures to a nationally recognized testing agency;

(b) Maintains a periodic inspection program on production of currently listed products; and

(c) Publishes, at a minimum, an annual report which is used to determine whether products have been tested to such national standards and found safe for use in a specified manner.

(18) "Load Bearing Device" means any equipment or device used in the support of a recreational vehicle including, but not limited to, footings, piers, caps and shims.

(19) "Main Frame" means the part of the structural system of a recreational vehicle normally used to transfer design load to the support system.

(20) "Maintenance of Equipment" means performing routine tasks such as lubricating or changing filters, washers, fuses or bulbs as necessary for the continued operation of the equipment but does not include the replacement, conversion, alteration or addition of or to any equipment.

(21) "Minor Repair" means a simple repair such as replacing broken glass, fittings, devices or fixtures, using approved component parts, but does not include the repair or replacement of major portions of the structural, plumbing, electrical or mechanical systems or conversions, alterations or additions.

(22) "Model" means an individual recreational vehicle designated by the manufacturer to be manufactured to a specific floor plan, which includes specific structural components, plumbing, electrical and mechanical equipment, and installed and located in accordance with the plans submitted to the division.

(23) "Model Group" means two or more models with identical floor plans and plumbing, electrical and mechanical systems but identified by different names, numbers or letters.

(24) "Municipality" means a city, county or other unit of local government otherwise authorized by law to enact codes.

(25) "Noncompliance" means a failure of a recreational vehicle, equipment or installation to comply with these rules or the codes and standards described in OAR 918-525-0040.

(26) "Notice of Violation" means written notification by the division stating the recreational vehicle or equipment may not be used, rented, leased or sold or offered for sale, rent or lease due to violations of ORS Chapter 446 or these rules. (The Notice of Violation is commonly referred to as a "Red Tag," "Stop Work Order" or "Prohibited Sales Notice.")

(27) "Option Ready" means a provision made during the manufacture of a recreational vehicle to facilitate the future installation of an appliance or other equipment (e.g., air conditioner, generator, dishwasher).

(28) "Park Trailer" or "Recreational Park Trailer" means a recreational vehicle built on a single chassis, mounted on wheels, designed to provide recreational, seasonal or temporary living quarters which may be connected to utilities necessary for operation of installed fixtures and appliances, and with a gross trailer area not exceeding 400 square feet when in the set-up mode. Such a vehicle shall be referred to and identified by the manufacturer or converter as a recreational vehicle. (See OAR 918-525-0035.)

(29) "Pier" means that portion of the support system between the footing and the recreational vehicle.

(30) "Plan Supplement" means the revision, modification or updating of an existing division-approved plan.

(31) "Prefabricated Cabana" means a cabana built at an off-site location and transported to the site for installation but does not include

a temporary fabric or tent rooms located adjacent to a recreational vehicle.

(32) “Prefabricated Pier” means a listed or approved pier which is manufactured at an off-site location but does not include concrete blocks.

(33) “Ramada” means a stationary structure having a roof extending over a recreational vehicle, which may also extend over a patio or parking space for motor vehicles, and is used principally for protection from snow, ice, sun or rain.

(34) “Readily Accessible” means having direct access without the necessity of removing a panel, door or similar obstruction.

(35) “Recreational Vehicle” means a vehicle as defined in ORS 446.003(37) and specifically includes camping trailers, camping vehicles, motor homes, park trailers, bus conversions, van conversions, tent trailers, travel trailers, truck campers, combination vehicles which include a recreational vehicle use and any vehicle converted for use or partial use as a recreational vehicle. Recreational Vehicle does not include a station wagon, sports utility vehicle, van, bus, truck cab-over, utility vehicle or special use vehicle capable of providing eating or sleeping facilities unless the vehicle is also equipped with a holding tank, liquid petroleum gas or a 110 to 240 volt electrical systems to be used in conjunction with the eating or sleeping facilities.

(36) “Recreational Vehicle Site” means a designated parcel of land designed to accommodate a recreational vehicle, its accessory structures or buildings and accessory equipment for the exclusive use of the occupants recreational vehicle.

(37) “Regulated Repair” means an alteration, repair or conversion regulated by the codes and standards described in OAR 918-525-0040 but excludes those items described in ORS 446.003(2)(b) and OAR 918-525-0350(2).

(38) “Repair” means the reconstruction or renewal of any part of an existing recreational vehicle or piece of equipment for the purpose of its maintenance.

(39) “Repair Operation” means any person in the business of making alterations, repairs or conversions to recreational vehicles or recreational vehicle equipment regulated by the division under ORS Chapter 446 and these rules.

(40) “Replacement in Kind” means replacing equipment or accessories with approved like equipment or accessories such as switches, thermostats, fittings, elements or motors, but does not include the replacement of major portions of the structural, plumbing, electrical or mechanical systems.

(41) “Site” see “Recreational Vehicle Site.”

(42) “Skirting” means a weather-resistant material used to enclose the space below the recreational vehicle.

(43) “Stabilizing Devices” means all components of the anchoring system and support systems such as piers, footings, ties, anchoring equipment, ground anchors and any other equipment which supports or secures the recreational vehicle to the ground.

(44) “Stand” means that area of the recreational vehicle site which has been reserved for the placement of a recreational vehicle or accessory structure.

(45) “Support System” means a combination of footings, piers, caps and shims that will, when properly installed, support the weight of the recreational vehicle, and all imposed live loads.

(46) “Tag” means a label or insignia issued by the Building Codes Division and applied to recreational vehicles to indicate compliance with state laws, rules and regulations. (See insignia.)

(47) “Technician” means a quality assurance technician approved by the division to perform inspections according to a repair operation’s quality assurance manual.

(48) “Testing Laboratory” or “Testing Agency” means an organization:

(a) In the business of testing equipment and systems;

(b) Qualified and equipped to perform or to observe experimental testing to approved standards;

(c) Not under the jurisdiction or control of any single manufacturer or supplier for an affected industry;

(d) Publishing reports, including specific information about the equipment and systems tested and found safe for use in a specified manner; and

(e) Whose methods and standards have been approved by the division.

(49) “Travel Mode” means the overall size of the recreational vehicle as it travels on a highway including all horizontal projections except for expandable rooms, retractable awnings, exterior plumbing, mechanical or electrical fixtures or equipment or other minor exterior attachments.

(50) “Visual inspection” means an inspection by the division of the visible portions of completed construction for the purpose of identifying code violations or approving and issuing an insignia of compliance.

Stat. Auth.: ORS 446.160

Stats. Implemented: ORS 446.160

Hist.: BCA 1-1990, f. & cert. ef. 1-2-90; BCA 30-1993, f. 12-1-93, cert. ef. 1-1-94; BCD 25-1996, f. 11-8-96, cert. ef. 1-1-97; BCD 11-1997, f. 7-23-97, cert. ef. 1-1-98; BCD 9-1999, f. 7-14-99, cert. ef. 9-1-99; BCD 29-2000, f. & cert. ef. 12-19-00

918-525-0015

Objective

The provisions of OAR 918, divisions 525 and 530 apply to the design, manufacture and installation of recreational vehicles manufactured, remanufactured, converted, altered, repaired, rented, leased, sold, installed or offered for rent, lease or sale in Oregon as authorized by ORS 446.155.

Stat. Auth.: ORS 446.185

Stats. Implemented: ORS 446.155

Hist.: BCA 30-1993, f. 12-1-93, cert. ef. 1-1-94; BCD 9-1999, f. 7-14-99, cert. ef. 9-1-99

918-525-0020

Equipment and Equipment Installations

(1) All equipment and equipment installations in the thermal, fire and life safety, plumbing, mechanical and electrical systems of recreational vehicles or intended for use in recreational vehicles shall be subject to the provisions of these rules.

(2) The Division may accept for approval equipment and equipment installations listed and labeled by a testing agency using standards approved by the Division.

(3) The Administrator, or persons authorized by the Administrator, shall be the final approval authority in cases which present an immediate hazard to the health and safety of owners and occupants of the recreational vehicle in question.

(4) If the Division determines that listed or labeled equipment and equipment installations are not adequate for the protection of health, safety and the general welfare, then the Division may revoke the approval for installation in recreational vehicles manufactured, sold, rented, leased or offered for sale, rent or lease in Oregon.

Stat. Auth.: ORS 446.155

Stats. Implemented: ORS 446.155

Hist.: BCA 1-1990, f. & cert. ef. 1-2-90; BCA 30-1993, f. 12-1-93, cert. ef. 1-1-94; BCD 9-1999, f. 7-14-99, cert. ef. 9-1-99

918-525-0035

Allowable Floor Areas

(1) The maximum gross floor area of a recreational vehicle, including park trailers but not including motorized recreational vehicles, is limited to 400 square feet in the set-up mode including all tip-outs, slide-outs, expandable rooms and other horizontal projections. The 400-square-foot limitation does not include:

(a) Vertical multi-level additions such as basements, second stories, lofts (mezzanines) or overhead storage with a maximum ceiling height of five feet;

(b) Any space less than five feet in height which does not increase the size of the recreational vehicle or extend horizontally beyond the recreational vehicle floor line;

(c) Bay windows, walk-a-bays and other window projections with a floor or platform at least 12 inches above the vehicle floor;

(d) Space occupied by drawbars, couplings, hitches or lights;

(e) Exterior chassis mounted decks, landings, platforms or porches that are not enclosed;

(f) Eaves, awnings or porch roof overhangs; or

(g) Freestanding, self-supporting cabanas approved for use as accessory buildings adjacent to the park trailer according to OAR 918-530-0320.

(2) Factory-built porches, decks, roof overhangs and other similar construction that is built by the manufacturer and connected to and supported by a recreational vehicle shall not be enclosed with walls, glass or other solid materials if the gross floor area of the

enclosure and the recreational vehicle combined would exceed 400 square feet.

(3) The gross floor area of a recreational vehicle shall not be increased through the use of a manufactured dwelling, another recreational vehicle, or through any other means except as specifically permitted by these rules.

(4) Additions that are structurally attached to a recreational vehicle and depend on the recreational vehicle for structural support or that are connected to the plumbing, mechanical or electrical systems of the recreational vehicle, shall be considered part of the recreational vehicle, constructed to the recreational vehicle or park trailer codes as described in OAR 918-525-0040(1) and shall be included within the maximum 400-square-foot area allowed for the recreational vehicle.

(5) In addition to OAR 918-525-0035(1), the gross floor area of a combination vehicle shall not exceed 400 square feet of gross floor area if there is no permanent separation between the recreational vehicle and the other use (i.e., horse trailer/recreational vehicle). When a combination vehicle has a permanent wall separating the two uses, only the recreational vehicle portion of the combination vehicle is limited to the maximum 400 square feet of gross floor area. The maximum allowable size of a combination vehicle, in the travel mode, is limited by the regulations of the Oregon Department of Transportation.

Stat. Auth.: ORS 446.003 & 446.160

Stats. Implemented: ORS 446.003 & 446.160

Hist.: BCD 25-1996, f. 11-8-96, cert. ef. 1-1-97; BCD 9-1999, f. 7-14-99, cert. ef. 9-1-99; BCD 10-2000(Temp), f. 6-21-00, cert. ef. 6-23-00 thru 12-19-00; BCD 29-2000, f. & cert. ef. 12-19-00

918-525-0040

Minimum Safety Standards

(1) The following standards are adopted by reference as the standards under which recreational vehicles, accessory buildings and accessory structures are to be manufactured or constructed:

(a) As amended in Section 5 of this rule, the **American National Standards Institute (ANSI) Standards** appearing in **Pamphlet ANSI A119.2 (1999 edition)**, the **National Fire Protection Association (NFPA) Standards** appearing in **Pamphlet NFPA 1192 (1999 edition)** both under the title “**Standard for Recreational Vehicles**” and those standards referenced within are adopted as the Division’s standards for the construction, manufacture, alteration, repair and conversion of recreational vehicles except park trailers;

(b) As amended in Section 6 of this rule, the **American National Standards Institute (ANSI) Standards** appearing in **Pamphlet ANSI A119.5 (1998 edition)** under the title “**Standard for Recreational Park Trailers**” and those standards referenced within are adopted as the Division’s standards for the construction, manufacture, alteration, repair and conversion of park trailers;

(c) The **National Fire Protection Association (NFPA) Standards** appearing in **Pamphlet NFPA 70 (1999 edition)** under the title “**National Electrical Code**” and those standards referenced within are adopted as the Division’s standards for the construction, manufacture, alteration, repair and conversion of electrical equipment and installations in recreational vehicles except park trailers;

(d) As amended in Section 7 of this rule, the **National Fire Protection Association (NFPA) Standards** appearing in **Pamphlet NFPA 70 (1999 edition)** under the title “**National Electrical Code**” and those standards referenced within are adopted as the Division’s standards for the construction, manufacture, alteration, repair and conversion of electrical equipment and installations in park trailers;

(e) The **Oregon One and Two Family Dwelling Specialty Code**, as adopted in OAR 918, division 480, and those standards referenced within are adopted as the Division’s standards for the construction, manufacture, alteration, repair and conversion of accessory buildings and accessory structures used in conjunction with recreational vehicles.

(2) Repairs to damaged recreational vehicles shall conform to the following:

(a) Repairs to a recreational vehicle made before or at the time of sale to the first consumer shall conform to the Division’s standards in effect at the time the repairs are performed; and

(b) All repairs to a recreational vehicle after the initial sale to the first consumer shall conform to the Division’s standards in effect at the time of original construction.

(3) Unaltered used recreational vehicles, when required, shall conform to the Division’s standards in effect at the time of original manufacture and may be verified by the Division through a visual inspection.

(4) Alterations performed on a recreational vehicle by the manufacturer, repair operation or dealer shall conform to the Division’s standards in effect at the time of the inspection.

(5) In addition to all other local, state and federal laws and regulations and the standards identified in subsection (1)(a) of this rule, recreational vehicles equipped with fuel transfer/dispensing systems, for sale, rent, lease or offered for sale, rent or lease in Oregon shall conform to the following requirements:

(a) All fuel transfer/dispensing systems and equipment shall only be accessible from the exterior of the recreational vehicle;

(b) All fuel transfer/dispensing systems shall have a remote emergency manual shut off;

(c) All fuel transfer/dispensing equipment, including but not limited to tanks, pumps, hoses, valves and nozzles, shall be protected from damage from road impact;

(d) Fuel transfer/dispensing system compartments or enclosures shall be made of non-porous and non-combustible material, sealed from the interior atmosphere of the recreational vehicle and adequately vented at the top and bottom of the compartment with a minimum net free area of 50 square inches for each vent;

(e) Fuel transfer/dispensing storage tanks shall be provided with a method of venting while fuel is being dispensed from the recreational vehicle;

(f) Fuel transfer/dispensing storage tanks shall be limited in size to a maximum of thirty gallons;

(g) Fuel transfer/dispensing systems shall only use automatic closing, non-sparking, manual type fuel nozzles;

(h) Fuel transfer/dispensing nozzles shall be able to be locked when they are in the storage position;

(i) Fuel transfer/dispensing systems shall have a siphon break installed up stream of the fuel filler hose to prevent fuel from siphoning;

(j) Fuel transfer/dispensing systems shall be designed in such a manner as to prevent the flow of fuel when the fuel dispensing nozzle is in the storage position;

(k) Fuel transfer/dispensing hoses shall be listed to UL Standard 330;

(l) All fuel transfer/dispensing equipment, including but not limited to tanks, pumps, valves and nozzles shall be manufactured for use with flammable liquids and shall meet nationally recognized standards acceptable to the Division;

(m) Fuel transfer/dispensing hoses shall be limited in length to a maximum of five feet from the side of the recreational vehicle;

(n) All fuel transfer/dispensing equipment, including but not limited to tanks, pumps, hoses, valves and nozzles shall be pressure tested to 4 pounds per square inch;

(o) All 110 to 240 volt electrical equipment located on the outside of the recreational vehicle and within three feet of the fuel transfer/dispensing equipment shall meet the requirements of **Articles 500 and 501 of the National Electrical Code, Pamphlet NFPA 70 (1999 edition)** for Class 1, Group D, Division 2;

(p) Recreational vehicles designed for or equipped with fuel transfer/dispensing systems shall be designed so the end of the fuel dispensing nozzle cannot reach within three feet of any heat source or appliance combustion air inlet on the recreational vehicle;

(q) Recreational vehicles designed for or equipped with fuel transfer/dispensing systems shall be designed so there are no openings into the recreational vehicle within three feet of the fuel transfer/dispensing equipment vent;

(r) The recreational vehicle manufacturer shall only install fuel transfer/dispensing systems or a Division registered and certified recreational vehicle repair operation. Manufacturers shall not make any provisions for future retrofit installations of fuel transfer/dispensing systems;

(s) Fuel transfer/dispensing systems shall be provided with an acceptable method of grounding during fuel transfers to protect against any potential electrical static discharge; and

(t) All recreational vehicles equipped with fuel transfer/dispensing systems shall have a permanent label with one-inch-high red block letters visible to the operator during the transfer of fuel from a recre-

ational vehicle. The label shall be made of materials that will not deteriorate when in contact with petroleum. The label shall state:

NO SMOKING; BEFORE DISPENSING FUEL, TURN OFF ALL ENGINES AND FUEL-BURNING APPLIANCES AND GROUND THE RV; DO NOT DISPENSE FUEL WITHIN 20 FEET OF AN OPEN FLAME OR WITHIN 10 FEET OF A STRUCTURE OR ANOTHER RECREATIONAL VEHICLE.

(6) In addition to the standards identified in subsection (1)(b) of this rule, park trailers over 8-1/2 feet (2.59 meters) wide in the travel mode, for sale, rent, lease or installation or offered for rent, lease or sale in Oregon shall have:

(a) Two unobstructed paths to exit, located remote from each other in the loft (mezzanine) or second story and arranged to provide a means of unobstructed travel to the outside of the vehicle. One of the exits shall be through an egress window installed in the loft (mezzanine) or second story meeting the requirements of **Chapter 3, Section 3-3 of ANSI A119.5 (1998 edition)**; and

(b) A smoke alarm installed in any loft (mezzanine) or second story to the requirements of **Chapter 3, Section 3-4 of ANSI A119.5 (1998 edition)**.

(7) In addition to the standards identified in subsection (1)(d) of this section and **Article 552-43(a) of the National Electrical Code, Pamphlet NFPA 70 (1999 edition)**, park trailers over 8-1/2 feet (2.59 meters) wide in the travel mode, for sale, rent, lease, installation or offered for sale, rent or lease in Oregon may be provided with up to two listed factory-installed power supply cords for the electrical feeders.

(8) Park trailers over 8-1/2 feet (2.59 meters) wide in the travel mode and accessory buildings and structures shall be constructed, sited and installed according to OAR 918, division 530. In conformance with ORS 446.185 and 446.200, the authority having jurisdiction shall not enact any other safety standards for the installation of park trailers.

(9) Park trailers over 8-1/2 feet wide in the travel mode shall not be equipped with fuel storage, transfer or dispensing equipment.

(10) Solid-fuel-burning appliances and unvented room heaters shall not be installed in recreational vehicles, except where specifically permitted in this rule. Park trailers over 8-1/2 feet (2.59 meters) wide may have wood-burning stoves, wood-burning fireplaces and pellet-fired appliances installed if they are approved and listed for manufactured home use installed according to OAR 918, division 520, except when the park trailer is located under a ramada.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 183.325 - 183.410 & 446.003 - 446.285

Stats. Implemented: ORS 446.185

Hist.: BCA 1-1990, f. & cert. ef. 1-2-90; BCA 22-1990(Temp), f. & cert. ef. 9-4-90; BCA 27-1990, f. 11-28-90, cert. ef. 11-30-90; BCA 16-1993, f. 8-12-93, cert. ef. 9-1-93; BCA 30-1993, f. 12-1-93, cert. ef. 1-1-94; BCD 16-1996, f. 8-6-96, cert. ef. 9-1-96; BCD 25-1996, f. 11-8-96, cert. ef. 1-1-97; BCD 11-1997, f. 7-23-97, cert. ef. 1-1-98; BCD 22-1998, f. 11-9-98, cert. ef. 1-1-99; BCD 9-1999, f. 7-14-99, cert. ef. 9-1-99; BCD 10-2000(Temp), f. 6-21-00, cert. ef. 6-23-00 thru 12-19-00; BCD 29-2000, f. & cert. ef. 12-19-00

918-525-0045

Park Trailer Disclosures

(1) Dealers and distributors shall present each potential buyer of a new park trailer with a Division disclosure statement to read and sign prior to the completion of the sales contract of any new park trailer. Prior to presenting disclosures to potential buyers and prior to any sale, dealers and distributors shall complete the disclosure in writing indicating the date, dealer's or distributor's name, address and Department of Motor Vehicles license number. Dealers and distributors shall give one signed copy of the disclosure to the buyer and retain one signed copy in the dealer's or distributor's files for not less than five years from the date of sale. Copies of signed disclosures shall be made available to the Division upon request.

(2) Dealers or distributors may reprint the Division's disclosure form or include the Division's disclosure statement within their own sales contract. If a dealer or distributor prints its own disclosure, the content shall be identical to the Division's disclosure statement and shall have not less than a 10 point type size.

Stat. Auth.: ORS 446.260

Stats. Implemented: ORS 446.260

Hist.: BCD 4-1998, f. 2-10-98, cert. ef. 7-1-98; BCD 29-2000, f. & cert. ef. 12-19-00

918-525-0055

Park Trailer License Requirements

Persons engaged in the business of installing park trailers, accessory structures and accessory buildings are not required to have a Division issued manufactured dwelling installer's license but are required

to be licensed by the Construction Contractors Board and comply with all applicable provisions of ORS Chapters 316, 656, 657 and 701. Persons in the business of making on-site electrical or plumbing installations shall be licensed by the Division according to ORS 479.620, 693.030 or 447.060.

Stat. Auth.: ORS 446.185

Stats. Implemented: ORS 446.185

Hist.: BCA 30-1993, f. 12-1-93, cert. ef. 1-1-94; BCD 29-2000, f. & cert. ef. 12-19-00

918-525-0060

Manufacturer's Quality Assurance Manual

(1) Each manufacturer of recreational vehicles seeking certification under OAR 918-525-0080 shall submit to the Division a manual outlining the quality assurance procedures to be followed at its particular manufacturing facility or facilities. If the quality assurance manual is applicable to more than one manufacturing facility, the manual shall adequately define procedures specific to each facility. The quality assurance manual shall be submitted in duplicate and contain:

(a) The name and address of the facility in which this quality assurance manual will be used;

(b) An organizational chart showing the accountability, by position, of the manufacturer's quality assurance personnel;

(c) A description of production tests, test procedures and test equipment required to determine compliance with this division of rules;

(d) A station-by-station description of each manufacturing facility's manufacturing process;

(e) A plant layout showing each stage of the production line;

(f) A list of quality assurance inspections required by the manufacturing facility at each station;

(g) Identification, by title, publisher, edition, date and publication number, those codes and standards to be enforced by the manufacturer's quality assurance program;

(h) A copy of the manufacturer's owners manual for each recreational vehicle produced under this quality assurance manual; and

(i) A description of procedures for the receipt, storage and handling of materials and components used in the manufacture of recreational vehicles.

(2) Each manufacturer shall supplement its quality assurance manual following each code change, change in production process or change to any item described in subsections (1)(a) through (i) of this rule and submit the supplement to the Division along with the fees in OAR 918-525-0510 according to section (1) of this rule.

Stat. Auth.: ORS 446.160

Stats. Implemented: ORS 446.160

Hist.: BCA 1-1990, f. & cert. ef. 1-2-90; BCA 30-1993, f. 12-1-93, cert. ef. 1-1-94; BCD 25-1996, f. 11-8-96, cert. ef. 1-1-97; BCD 9-1999, f. 7-14-99, cert. ef. 9-1-99

918-525-0065

Compliance Monitoring of Manufacturers

(1) To maintain consistent compliance with these rules the division:

(a) May inspect recreational vehicles at each facility selling, offering for sale or displaying for sale, the manufacturers products whether for wholesale, retail or consignment.

(b) May inspect recreational vehicles at all manufacturing facilities to evaluate the manufacturer's compliance with the rules adopted by the division.

(2) If the division determines that recreational vehicles produced by the manufacturer consistently fail to conform with the requirements of these rules, the manufacturer's quality assurance program or the pre-established acceptable quality level, the division may:

(a) Post a Notice of Violation on each recreational vehicle which fails to conform in accordance with OAR 918-525-0330;

(b) Remove the Insignia of Compliance from each recreational vehicle which fails to conform in accordance with OAR 918-525-0450(2);

(c) Increase inspections as necessary to assure adequate compliance in accordance with OAR 918-525-0080, 918-525-0310 and 918-525-0320;

(d) Rescind the manufacturer's certification in accordance with OAR 918-525-0080(4); or

(e) Require mandatory division training in accordance with OAR 918-525-0080(5).

(3) Fees for increased inspections or mandatory division training shall be set forth in OAR 918-525-0510 and 918-525-0520.

(4) Dealer lot monitoring inspections are paid through the insignia label fee set forth in OAR 918-525-0510.

Stat. Auth.: ORS 446.160

Stats. Implemented: ORS 446.160

Hist.: BCA 30-1993, f. 12-1-93, cert. ef. 1-1-94; BCD 14-1996(Temp), f. & cert. ef. 7-1-96; BCD 24-1996, f. & cert. ef. 11-8-96; BCD 1-2005, f. & cert. ef. 3-1-05

918-525-0070

Manufacturer Registration

(1) All manufacturers of recreational vehicles shall register with the division if the manufacturer produces or intends to produce two or more recreational vehicles per year that will bear or are required to bear an Oregon insignia of compliance and be offered for sale in Oregon. Manufacturing facility registration shall be renewed by August 1 of each year by submitting an application for renewal to the division, together with the renewal fee specified in OAR 918-525-0510.

(2) Manufacturers not registered or whose registration has expired will not be issued Oregon insignia of approval or receive Oregon plan review and approval or division inspections.

Stat. Auth.: ORS 446.160

Stats. Implemented: ORS 446.160

Hist.: BCA 1-1990, f. & cert. ef. 1-2-90; BCA 30-1993, f. 12-1-93, cert. ef. 1-1-94; BCD 25-1996, f. 11-8-96, cert. ef. 1-1-97; BCD 1-2005, f. & cert. ef. 3-1-05

918-525-0080

Manufacturing Facility Certification

(1) Each recreational vehicle manufacturer placed on a quality assurance system and authorized to use bulk insignia of compliance shall be certified by the division. Manufacturing facilities may be certified by the division if the following criteria are met:

(a) The manufacturer has registered with the division;

(b) The manufacturer has submitted and the division has approved the manufacturer's quality assurance manual;

(c) The manufacturer has division approved plans;

(d) The division has inspected a manufacturer's product and an inspection report has been issued verifying that the manufacturer's product meets the minimum safety standards adopted in OAR 918-525-0040; and

(e) Random units inspected by the division on dealer lots conform to the provisions of OAR 918-525-0065.

(2) The division may inspect a manufacturing facility and verify that facilities ability to follow the procedures outlined in its approved quality assurance manual.

(3) Certification inspections shall be performed at the division's convenience and at the inspection fee rates provided in OAR 918-525-0510.

(4) The division may rescind a manufacturing facility's certification if the division determines that any of the criteria identified in section (1) of this rule are not satisfied. The division shall notify a manufacturer in writing of its intent to decertify a manufacturing facility. The notice shall identify the circumstances and reasons for decertification. If the manufacturer fails to bring the facility into conformance with the requirements of these rules within the time specified by the division, the division may decertify the facility.

(5) As an alternative to decertifying the manufacturing facility, the division may require mandatory division training and increase the frequency of inplant inspections and dealer lot-monitoring. Violations identified on an inplant inspection report or a dealer lot monitoring report shall be corrected prior to the departure of the issuing inspector or a Notice of Violation shall be posted on the recreational vehicle. At the discretion of the issuing inspector, violations may be corrected after the departure of the issuing inspector if a summary of the corrective actions taken is submitted to the division within the time frame specified in OAR 918-525-0330.

(6) All certification inspection fees shall be as shown in OAR 918-525-0510(1) through (4).

Stat. Auth.: ORS 446.160

Stats. Implemented: ORS 446.160

Hist.: BCA 1-1990, f. & cert. ef. 1-2-90; BCA 30-1993, f. 12-1-93, cert. ef. 1-1-94; BCD 1-2005, f. & cert. ef. 3-1-05

918-525-0090

Change of ownership

(1) If there is a change in the ownership of a recreational vehicle manufacturer or repair operation, the new owner shall register with the Division within ten days of the date of change according to OAR 918-525-0070.

(2) If the new owner intends to operate according to the current approved quality assurance manual, the new owner shall indicate their intent in the written notice of change of ownership.

(3) If the new owner does not intend to operate under the current approved quality assurance manual, the new owner shall submit to the Division a new quality assurance manual within 30 days of the change in ownership when required by OAR 918-525-0060 or 918-525-0150.

Stat. Auth.: ORS 446.160

Stats. Implemented: ORS 446.160

Hist.: BCA 1-1990, f. & cert. ef. 1-2-90; BCA 30-1993, f. 12-1-93, cert. ef. 1-1-94; BCD 25-1996, f. 11-8-96, cert. ef. 1-1-97

918-525-0100

Change of Name or Address

When a manufacturer or repair operation changes its name, address or location, the manufacturer or repair operation shall notify the Division in writing within ten days of the date of change. The notice shall be accompanied by an Application for Manufacturer Registration Form, together with the fee required by OAR 918-525-0510.

Stat. Auth.: ORS 446.160

Stats. Implemented: ORS 446.160

Hist.: BCA 1-1990, f. & cert. ef. 1-2-90; BCA 30-1993, f. 12-1-93, cert. ef. 1-1-94; BCD 25-1996, f. 11-8-96, cert. ef. 1-1-97

918-525-0110

Vehicle Identification

(1) Recreational vehicles offered for sale in Oregon shall bear an identifying serial number.

(2) The serial number shall be in a visible location approved by the Division and shall be applied during the first stage of production.

Stat. Auth.: ORS 466

Stats. Implemented: ORS 446.170

Hist.: BCA 1-1990, f. & cert. ef. 1-2-90; BCA 30-1993, f. 12-1-93, cert. ef. 1-1-94

Repair Operations

918-525-0120

Repair Operation Requirements

(1) Each repair operation shall assure that alterations, conversions or to recreational vehicles or recreational vehicle equipment regulated by the Division are made according to the standards adopted by the Division in OAR 918-525-0040 and are inspected according to the following. Each regulated recreational vehicle alteration, repair or conversion is inspected by:

(a) The Division; or

(b) A Division-approved quality assurance technician in a registered and certified repair operation monitored by the Division according to OAR 918-525-0130, 918-525-0140, and 918-525-0160.

(2) Each recreational vehicle which has been altered, repaired or converted shall bear an insignia of compliance issued by the Division according to OAR 918-525-0430.

Stat. Auth.: ORS 446.160

Stats. Implemented: ORS 446.160

Hist.: BCD 25-1996, f. 11-8-96, cert. ef. 1-1-97

918-525-0130

Repair Operation Registration

(1) All repair operations shall register with the Division each facility or operation which performs Division-regulated alterations, conversions of or to recreational vehicles and recreational vehicle equipment. Repair operation registration shall be renewed by July 31 of each year by submitting an application for renewal registration to the Division, together with the renewal fee specified in OAR 918-525-0510.

(2) Repair operations not registered or whose registration has expired will not receive inspections or be issued Oregon insignia of compliance from the Division.

Stat. Auth.: ORS 446.160

Stats. Implemented: ORS 446.160

Hist.: BCD 25-1996, f. 11-8-96, cert. ef. 1-1-97

918-525-0140

Repair Operation Certification and Technician Approval

(1) Repair operations may be certified by the Division and issued bulk insignia of compliance if the the repair operation had:

(a) Registered with the Division;

(b) Employed one or more quality assurance technicians approved by the Division according to these rules; and

(c) Submitted, and the Division has approved, the repair operation's quality assurance manual according to OAR 918-525-0150.

(2) A person wishing to be approved by the Division as a quality assurance technician shall successfully complete a Division-approved training class.

(3) Random unannounced monitoring inspections shall be performed by the Division to confirm alterations, repairs or conversions are being made in compliance with the codes and standards adopted in OAR 918-525-0040 and the approved quality assurance manual.

Stat. Auth.: ORS 446.160

Stats. Implemented: ORS 446.160

Hist.: BCD 25-1996, f. 11-8-96, cert. ef. 1-1-97

918-525-0150

Repair Operation's Quality Assurance Manual

(1) Each repair operation seeking certification under these rules shall submit to the Division a manual outlining the quality assurance procedures to be followed at its particular repair operation. If the quality assurance manual is applicable to more than one location, the manual shall adequately define procedures specific to each location. The quality assurance manual shall be submitted in duplicate and contain a minimum of the following information:

(a) The name and address of each repair operation in which this quality assurance manual will be used;

(b) Identification of the owners/operators of the repair operation;

(c) Identification of the quality assurance technician(s) approved by the Division to oversee the repair operation's quality assurance program;

(d) A description of quality assurance procedures used to determine the operation's ability to comply with the Division's rules, codes and standards;

(e) A list of quality assurance inspections used by the repair operation to verify compliance with the codes, standards and this division of rules; and

(f) A description of all tests and testing methods used to verify compliance with the codes, standards and this Division of rules.

(2) Each repair operation shall supplement its quality assurance manual to reflect applicable changes in the code, quality assurance process, or any item described in subsections (1)(a) through (f) of this rule and submit the supplement to the Division within ten days of the change along with the required fees in OAR 918-525-0510 according to section (1) of this rule.

Stat. Auth.: ORS 446.160

Stats. Implemented: ORS 446.160

Hist.: BCD 25-1996, f. 11-8-96, cert. ef. 1-1-97

918-525-0160

Compliance Monitoring of Repair Operations

(1) To assure consistent compliance with the Division's rules, codes and standards adopted in OAR 919-525-0040 and the certified repair operation's quality assurance manual, the Division shall:

(a) Inspect recreational vehicles at all certified repair operations not less than once each year;

(b) Evaluate the certified repair operation's compliance with the rules adopted by the Division; and

(c) Evaluate the effectiveness of the certified repair operation's quality assurance program and compliance to its approved quality assurance manual.

(2) A Division inspector shall post a Notice of Violation if violations identified during a monitoring inspection are not corrected prior to the inspector's departure. The inspector may allow violations to be corrected after the inspector's departure if the repair operation submits to the Division a summary of the corrective action taken within 20 days.

Stat. Auth.: ORS 446.160

Stats. Implemented: ORS 446.160

Hist.: BCD 25-1996, f. 11-8-96, cert. ef. 1-1-97

918-525-0170

Repair Operation Compliance Procedures

(1) If the Division determines a certified repair operation or the recreational vehicles altered, repaired or converted by a certified repair operation consistently fail to conform with the requirements of this division of rules, the codes or standards adopted in OAR 918-525-0040 or the certified repair operation's quality assurance program, the Division may:

(a) Post a Notice of Violation on each recreational vehicle which fails to conform according to OAR 918-525-0330;

(b) Remove the Insignia of Compliance from each recreational vehicle which fails to conform according to OAR 918-525-0450(2);

(c) Increase Inspections as necessary to assure adequate compliance in accordance with OAR 918-525-0150, 918-525-0310, and 918-525-0320; or

(d) Decertify the facility according to section (2) of this rule if the repair operation fails to bring the facility into conformance with the requirements of these rules within the time specified by the Division.

(2) If the Division determines the repair operation consistently fails to comply with this division of rules, the codes or standards adopted in OAR 918-525-0040 or the repair operation's approved quality assurance manual the Division may revoke or suspend a repair operation's certification for up to one year.

(a) The Division shall notify a repair operation in writing of its intent to revoke or suspend the repair operation's certification.

(b) The notice shall identify the circumstances and reasons for the revocation or suspension.

(c) The repair operation may continue to operate during the revocation or suspension period if inspections are performed by the Division according to OAR 918-525-0120(1)(a) and 918-525-0320.

(d) As an alternative to revoking or suspending a repair operation's certification, the Division may require mandatory Division-approved training and increase the frequency of monitoring inspections until such time that the Division is satisfied with the performance of the repair operation.

(3) The Division may charge fees for increased inspections or training according to OAR 918-525-0510 and 918-525-0520.

Stat. Auth.: ORS 446.160

Stats. Implemented: ORS 446.160

Hist.: BCD 25-1996, f. 11-8-96, cert. ef. 1-1-97

Plans and Specifications

918-525-0210

General — Plans and Specifications

(1) All persons engaged in the manufacture of two or more recreational vehicles requiring an Oregon insignia of compliance, shall apply to the Division for plan approval prior to construction. The application shall be submitted in duplicate on forms supplied by the Division and shall include:

(a) Two copies of complete plans as required by OAR 918-525-0220; and

(b) The fees as provided in OAR 918-525-0510.

(2) The Division may provide visual inspections of each individual recreational vehicle in lieu of the required plan review.

(3) Persons intending to construct or install an accessory building or accessory structure shall have approved plans from the authority having jurisdiction prior to construction or installation. Plans shall be submitted according to the **Oregon One and Two Family Dwelling Specialty Code** as adopted by OAR 918, division 480.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 446

Stats. Implemented: ORS 446.160

Hist.: BCA 1-1990, f. & cert. ef. 1-2-90; BCA 30-1993, f. 12-1-93, cert. ef. 1-1-94; BCD 29-2000, f. & cert. ef. 12-19-00

918-525-0220

Plan Approval Plan Requirements

(1) Plans submitted to the division shall indicate the nature and extent of the work proposed and all options. Plans shall meet the following requirements.

(2) General: Plans shall be on substantial paper or cloth, be a minimum of 8-1/2 x 11 inches but not exceed 17 x 22 inches, and shall show at least the following:

(a) Fire and Life Safety:

(A) Floor plan and all design options drawn to scale showing all window sizes, exit locations, the gross floor area and egress requirements;

(B) Design and proposed use of each room, space and area, including lofts;

(C) Fire separation walls when required;

(D) Location of required smoke detector, carbon monoxide detector and liquefied petroleum gas (LPG) detector;

(E) Fire extinguisher location;
(F) Locations of drain, water, gas and electrical supply connections; and
(G) Exterior elevations indicating all vehicle fuel filler locations, all appliance combustion air inlets, engine exhaust locations and LPG discharges.

(b) Mechanical:

(A) Location of all appliances and fixtures;
(B) Description of all materials, appliances, fittings, pipe, tubing, vents and ducts;
(C) Schematics of all piping system designs;
(D) Maximum developed length of fuel piping required;
(E) Maximum Btuh input rating of all fuel-burning appliances;
(F) Source of combustion air for each appliance;
(G) Size of openings for combustion air, except an integral part of an approved appliance;
(H) Types of fuels used;
(I) Diameter, length, and type of pipe and tubing;
(J) Capacity and location of liquid fuel tanks and LPG cylinders;
(K) Size, location, and construction of fuel storage compartments;

(L) Location of fuel piping indicating protection for concealed tubing;

(M) Clearances between range burners and combustible materials and methods of protection where required;

(N) Size, length, type and location of vents and vent connectors;

(O) Details showing the design and construction of air supply and return systems including type, width, and gauge of warm air ducts and size of openings for return circulating air duct insulation specified when required; and

(P) Size and location of circulating air supply inlet.

(c) Electrical:

(A) Floor plan indicating location of all electrical receptacles, appliances and equipment;

(B) Type and rating of all appliances, fixtures, wire, cable fittings, panels and equipment;

(C) Specifications of power supply assembly;

(D) Number of circuits;

(E) Number and location of outlets on each circuit;

(F) Number of fixtures;

(G) Number of fixed appliances;

(H) Conductor sizes;

(I) Voltage;

(J) Method of grounding all exposed noncurrent carrying metal parts of the vehicle;

(K) Method of grounding appliances;

(L) Location of distribution panel and minimum working space; and

(M) Method of neutral conductor isolation.

(d) Plumbing:

(A) Description of all materials, fixtures, fittings, pipe tubing, shower stalls and walls, including applicable listings;

(B) Diameter and type of pipe and tubing;

(C) Size and type of fittings;

(D) Diagram of potable water supply system, waste, vent and drain system; and

(E) Diagram of holding tank flushing systems.

(3) In addition to the plans identified in Sections (1) and (2) of this rule, manufacturers of park trailers exceeding 8-1/2 feet (2.59 meters) wide in the travel mode shall submit two sets of structural plans to the division according to the requirements of this rule. Structural plans shall be on substantial paper or cloth, be a minimum of 8-1/2 x 11 inches but not exceed 17 x 22 inches, and shall show at least the following:

(a) If a park trailer is being built to the prescriptive methods of **Chapter 5 of ANSI A119.5-1998**, a cross sectional drawing of the park trailer shall be submitted to the division with each floor plan including the following:

(A) The size, species and grade of floor joists, exterior wall studs and roof rafters;

(B) When applicable, the name of the truss manufacturer and truss listing agency;

(C) The type, thickness and span index of all floor, wall and roof sheathing;

(D) Structural connections between the chassis, floor, walls and roof;

(E) Lofts or attic storage areas;

(F) Size and design of steel chassis frame; and

(G) Method and location of provisions for attachment of anchoring systems.

(b) If a park trailer is being built to an alternate method or using alternate materials according to **Chapter 5, Subsection 5-1.2 of ANSI A119.5-1998**, structural plans shall be submitted to the division which shall include:

(A) Structural analysis, calculations, reports, test data and other accepted engineering practices used by the manufacturer to validate the design conforms with **Chapter 5, Section 5-3 of ANSI A119.5-1998**;

(B) A cross-sectional drawing of the park trailer as described in subsection (a) of this section;

(C) Construction drawings showing structural framing details and layouts of frames, floors, walls, roofs and chassis; and

(D) Specifications of all material used in the construction of the park trailer.

(c) One set of the approved structural plans required by Subsection (a) or (b) of this section shall be filed with the division and one set shall be kept on file and made available to the inspector at each manufacturing facility using that design.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 446.160

Stats. Implemented: ORS 446.160

Hist.: BCA 1-1990, f. & cert. ef. 1-2-90; BCA 30-1993, f. 12-1-93, cert. ef. 1-1-94; BCD 25-1996, f. 11-8-96, cert. ef. 1-1-97; BCD 11-1997, f. 7-23-97, cert. ef. 1-1-98; BCD 22-1998, f. 11-9-98, cert. ef. 1-1-99

918-525-0240

Nonconforming Application and Plans

(1) If an application or plans submitted to the Division do not conform with the requirements of these rules the Division shall send a written notice within 20 working days of the date the application or plans were determined by the Division to be nonconforming. The notice shall identify all deficiencies requiring correction.

(2) If an applicant fails to submit a completely corrected application and plans within 30 days of the date of the notice, the application shall be considered abandoned and all fees submitted shall be forfeited to the Division. If abandoned, the applicant may reapply and submit the appropriate fees as provided in OAR 918-525-0510.

(3) Minor application and/or plan discrepancies may be corrected by and at the discretion of the Division at the time of review.

Stat. Auth.: ORS 446

Stats. Implemented: ORS 446.160

Hist.: BCA 1-1990, f. & cert. ef. 1-2-90; BCA 30-1993, f. 12-1-93, cert. ef. 1-1-94

918-525-0250

Evidence of Division Approval

(1) One copy of division approved plans and specifications will be returned to the manufacturer. An approved copy shall be retained by the manufacturer and be made available for use during the division inspection.

(2) Approved plans and specifications shall be stamped, signed and dated by the division.

(3) Misuse or unauthorized reproduction of a division approval stamp is grounds for decertification of a manufacturer under OAR 918-525-0080(4).

Stat. Auth.: ORS 446

Stats. Implemented: ORS 446.160

Hist.: BCA 1-1990, f. & cert. ef. 1-2-90; BCA 30-1993, f. 12-1-93, cert. ef. 1-1-94; BCD 1-2005, f. & cert. ef. 3-1-05

918-525-0260

Plan Approval Expiration and Renewal

(1) Recreational vehicle plan approvals expire 12 months from the date of Division approval.

(2) Plan approval shall be renewed prior to the expiration date by submission of a Division Plan Approval Renewal Application Form in duplicate accompanied by fees as shown in OAR 918-525-0510. Plans shall not be submitted with plan approval renewal applications.

(3) Except for a change in model name or designation, no change or modification may be made in plans when plan renewal is filed.

(4) Expired plans may be resubmitted per OAR 918-525-0210 and 918-525-0220.

Stat. Auth.: ORS 446
 Stats. Implemented: ORS 446.160
 Hist.: BCA 1-1990, f. & cert. ef. 1-2-90; BCA 30-1993, f. 12-1-93, cert. ef. 1-1-94

918-525-0270

Model Name Change and Model Supplement

A manufacturer may revise or modify an existing approved plan by submitting, in duplicate, to the Division, a plan approval supplement application, revised or modified plans per OAR 918-525-0210, along with the fees set by OAR 918-525-0510, prior to the expiration date of the existing plan.

Stat. Auth.: ORS 446.185
 Stats. Implemented: ORS 446.185
 Hist.: BCA 30-1993, f. 12-1-93, cert. ef. 1-1-94

Inspections

918-525-0310

Required Inspections

(1) Any person manufacturing, selling, renting, leasing, or offering for sale, rent or lease any recreational vehicle within the State of Oregon must request that the Division perform an inspection and attach an Oregon insignia of compliance if any of the following conditions exist:

- (a) A newly manufactured recreational vehicle which does not bear an Oregon insignia of compliance;
- (b) The recreational vehicle bears an Oregon insignia of compliance, but has been subject to an alteration, conversion, or repair;
- (c) The recreational vehicle has left the manufacturer's, distributor's or dealer's facility with a "Notice of Violation" or "Red Tag"; or

(d) An in-plant inspection or dealer lot report indicates violations have not been corrected through the normal inspection process.

(2) The Division is not obligated to provide recreational vehicle inspections when the recreational vehicles are:

- (a) Previously lawfully registered and titled by any state department of motor vehicles within the United States;
- (b) Previously issued an ownership document by the Division, under ORS 446.571, or recorded in the deed records of a county, under ORS 446.626;

(c) Exempt from registration, title, or ownership document requirements because of United States government ownership;

(d) Manufactured in Oregon, but designated by the manufacturer as an out-of-state delivery, and delivered by the manufacturer or its agent to a purchaser in another state;

(e) Manufactured out-of-state, and not destined for an Oregon purchaser, but may be passing through Oregon to its out-of-state destination;

(f) Inspected by certified manufacturers at the manufacturing facilities; or

(g) Inspected by certified quality assurance technicians at the times and places of the alterations, repairs, or conversions.

(4) Any person installing a park trailer over 8-1/2 feet wide in the travel mode or an earthquake-resistant bracing system on a park trailer must request an inspection by the authority having jurisdiction.

(5) Any person constructing or installing an accessory building or accessory structure must request all required inspections from the authority having jurisdiction.

(6) Division Inspection fees are as provided in OAR 918-525-0510.

Stat. Auth.: ORS 446.160
 Stats. Implemented: ORS 446.160, 2005 OL, Ch. 89
 Hist.: BCA 1-1990, f. & cert. ef. 1-2-90; BCA 30-1993, f. 12-1-93, cert. ef. 1-1-94; BCD 25-1996, f. 11-8-96, cert. ef. 1-1-97; BCD 9-1999, f. 7-14-99, cert. ef. 9-1-99; BCD 29-2000, f. & cert. ef. 12-19-00; BCD 28-2005, f. 12-30-05, c. cert. ef. 1-1-06

918-525-0320

Inspection and Approval

(1) Any person, other than a certified manufacturer manufacturing and offering for sale a recreational vehicle within the state of Oregon shall request Division inspection and approval of each vehicle according to these rules.

(2) Any person, other than a certified repair operation, who performs regulated repairs on a recreational vehicle within the state of Oregon shall request a Division inspection and approval of each vehicle according to these rules.

(3) A request for inspection shall:

(a) Be made on forms supplied by the Division, and received by the Division at least five working days prior to the desired date of inspection; and

(b) Indicate the location, make, model and serial number of the vehicle.

(4) Fees shall be as established in OAR 918-525-0510 and 918-525-0520 and are payable upon completion of each inspection.

(5) All work involving alteration, repair or installation shall be accessible for inspection.

Stat. Auth.: ORS 446.160
 Stats. Implemented: ORS 446.160
 Hist.: BCA 1-1990, f. & cert. ef. 1-2-90; BCA 30-1993, f. 12-1-93, cert. ef. 1-1-94; BCD 25-1996, f. 11-8-96, cert. ef. 1-1-97

918-525-0325

Inspection of Prototype Models

A manufacturer of recreational vehicles may build a prototype model prior to plan approval under the following conditions:

(1) Prior to beginning construction, the manufacturer shall notify the Division and request an inspection. The inspection may be made during or upon completion of the vehicle.

(2) The number of prototype models to be built prior to plan approval shall be approved in advance by the Division.

(3) Prototype models may only be constructed at manufacturing facilities that have been registered and certified under OAR 918-525-0070 and 918-525-0080.

Stat. Auth.: ORS 446.160
 Stats. Implemented: ORS 446.160
 Hist.: BCA 1-1990, f. & cert. ef. 1-2-90; BCA 30-1993, f. 12-1-93, cert. ef. 1-1-94; BCD 25-1996, f. 11-8-96, cert. ef. 1-1-97

918-525-0330

Notice of Violation

(1) When an inspection reveals that a recreational vehicle, the equipment or installation violates any provision of the statutes or administrative rules, the Division shall serve upon the renter, lessor, seller, distributor, owner, repair operation, manufacturer or agent thereof a copy of the inspection report giving details of the violations. The Division may also post a Notice of Violation on the recreational vehicle, equipment or installations.

(2) Violations shall be corrected within 20 days from the date of such notice or at a later date if approved by the Division.

(3) If the violations are not corrected in the allotted time, the Division may withdraw any previously issued insignia of compliance.

(4) The recipient of a Notice of violation shall inform the Division in writing within 20 days of the date of the notice of the action taken to correct the violations. A recreational vehicle, equipment or installation subject to a Notice of Violation shall not be moved without Division approval.

(5) When a Notice of Violation has been posted on the recreational vehicle, equipment or installation such notice shall not be removed until authorized by the Division. A Notice of Violation may only be removed by Division representatives or a person specifically authorized by the Division. A recreational vehicle or equipment posted with a Notice of Violation shall not be displayed or offered for sale, rent or lease.

Stat. Auth.: ORS 446.160
 Stats. Implemented: ORS 446.160
 Hist.: BCA 1-1990, f. & cert. ef. 1-2-90; BCA 30-1993, f. 12-1-93, cert. ef. 1-1-94; BCD 25-1996, f. 11-8-96, cert. ef. 1-1-97

918-525-0350

Alteration, Conversion and Repair

(1) Alterations, conversions or repairs of thermal, fire and life safety, plumbing, mechanical or electrical equipment installations on a recreational vehicle bearing an Oregon insignia, without the required inspections will void the insignia. Insignias on recreational vehicles damaged beyond repair shall be returned to or appropriated by the Division.

(2) The following shall not constitute an alteration, conversion or repair:

(a) Minor repairs with approved component parts as defined in OAR 918-525-0005;

(b) Conversion of listed fuel-burning appliances in accordance with the terms of their listing;

(c) Adjustment and maintenance of equipment as defined in OAR 918-525-0005;

(d) Replacement of equipment or accessories in kind as defined in 918-525-0005; or

(e) Installation of option ready appliances, equipment or accessories where pre-plumbing or wiring was provided by the manufacturer.

Stat. Auth.: ORS 446.160

Stats. Implemented: ORS 446.160

Hist.: BCA 1-1990, f. & cert. ef. 1-2-90; BCA 30-1993, f. 12-1-93, cert. ef. 1-1-94; BCD 25-1996, f. 11-8-96, cert. ef. 1-1-97

918-525-0360

Field Technical Service

The Division may provide Field Technical Service when requested in writing and accompanied by the fees set by OAR 918-525-0510.

Stat. Auth.: ORS 446

Stats. Implemented: ORS 446.160

Hist.: BCA 1-1990, f. & cert. ef. 1-2-90; BCA 30-1993, f. 12-1-93, cert. ef. 1-1-94

918-525-0370

Permit Requirements

(1) No person shall alter, convert or repair a recreational vehicle without first obtaining an inspection from the Division except for:

(a) Those repairs, conversions or alterations that are exempted by OAR 918-525-0350; or

(b) Those repairs, conversions or alterations performed by a certified repair operation.

(2) No person shall install a park trailer over 8-1/2 feet wide in the travel mode without first obtaining an installation permit from the authority having jurisdiction.

(3) No person shall construct or install an accessory building or accessory structure without first obtaining all required permits and approvals from the authority having jurisdiction. The local authority having jurisdiction may require compliance with planning, zoning, health, sanitation, flood plain, sewage disposal, fire mitigation and accessibility regulations prior to issuing permits or approvals.

(4) The permit application for the construction, alteration or repair shall be accompanied by:

(a) Construction plans and specifications that meet all or part of the requirements of OAR 918-525-0220, if required by the Division; and

(b) Permit or inspection fees as set by OAR 918-525-0510.

(5) Permit applications and permit fees for the construction of accessory buildings, accessory structures or any other site-built construction shall be according to those regulations adopted by the authority having jurisdiction.

(6) Every permit issued under these rules shall expire by limitation and become null and void if the work authorized by the permit is not started within 180 days from the date the permit is issued, or if the work authorized by the permit is suspended or abandoned for a period of 180 days at any time after the work is started. A new permit shall be obtained before any work is resumed.

Stat. Auth.: ORS 446.185

Stats. Implemented: ORS 446.160

Hist.: BCA 30-1993, f. 12-1-93, cert. ef. 1-1-94; BCD 25-1996, f. 11-8-96, cert. ef. 1-1-97; BCD 9-1999, f. 7-14-99, cert. ef. 9-1-99; BCD 10-2000(Temp), f. 6-21-00, cert. ef. 6-23-00 thru 12-19-00; BCD 29-2000, f. & cert. ef. 12-19-00

Insignia of Compliance

918-525-0410

Procedure for Attaching Insignia

(1) An Oregon insignia of compliance must be securely attached to a specific recreational vehicle in the following manner:

(a) When a recreational vehicle is manufactured, the division, or a certified manufacturer, must attach the Oregon insignia of compliance to the outside surface of the exterior wall near the main entrance door, and placed 12 to 36 inches above the finished floor line; or

(b) When a recreational vehicle is altered, repaired, or converted, the division, or a certified quality assurance technician, must attach the Oregon insignia of compliance in an accessible location on or near the alteration, repair or conversion.

(2) Oregon insignias of compliance may only be attached to recreational vehicles by a Division inspector, a certified quality assurance technician at the time and place of alteration, repair or conversion, or a certified manufacturer at the manufacturing facility, or elsewhere if approved by the Division.

(3) Park trailer vehicles greater than 320 square feet, but less than 400 square feet, may be dual labeled by the manufacturer as both a park trailer recreational vehicle, and a manufactured home if the manufacturer meets all the requirements of OAR 918, divisions 500 and 525. Where the requirements for park trailer recreational vehicles and manufactured homes are different, the more stringent of the two requirements apply.

Stat. Auth.: ORS 446.160

Stats. Implemented: ORS 446.160

Hist.: BCA 1-1990, f. & cert. ef. 1-2-90; BCA 30-1993, f. 12-1-93, cert. ef. 1-1-94; BCD 25-1996, f. 11-8-96, cert. ef. 1-1-97; BCD 28-2005, f. 12-30-05, c cert. ef. 1-1-06

918-525-0420

Enforcement Actions for Non-Compliance

(1) Oregon insignias of compliance are non-transferable.

(2) Oregon insignias of compliance remain the property of the division, and may be withdrawn from a manufacturer, distributor, dealer, converter, installer, or any individual or business for any violation of these rules, or rules adopted by the division:

(3) Oregon insignias of compliance and repair operation insignias are not interchangeable.

Stat. Auth.: ORS 446.160

Stats. Implemented: ORS 446.160

Hist.: BCA 1-1990, f. & cert. ef. 1-2-90; BCA 30-1993, f. 12-1-93, cert. ef. 1-1-94; BCD 25-1996, f. 11-8-96, cert. ef. 1-1-97; BCD 28-2005, f. 12-30-05, c cert. ef. 1-1-06

918-525-0430

Application For Insignia

(1) Following registration, any required plan approvals and certification, recreational vehicle manufacturers and repair operations shall apply for insignias for each recreational vehicle, except as provided in OAR 918-525-0420. An Insignia Label Request shall be submitted to the Division in duplicate, together with appropriate insignia fees set by OAR 918-525-0510.

(2) Each certified recreational vehicle manufacturing facility shall submit to the Division, by the tenth day of each month, a Monthly Insignia Report for the preceding month showing:

(a) The name of the manufacturer;

(b) The location of the manufacturer's facility;

(c) The plant identification number;

(d) Insignia numbers;

(e) Serial numbers;

(f) Plan approval numbers;

(g) Makes and models;

(h) Dates of manufacture; and

(i) Destinations.

(3) Insignias may be requested in bulk as long as the number of insignias is not more than the manufacturer or repair operation would reasonably expect to use in one month.

(4) Individuals, non-certified repair operations or non-certified manufacturers shall apply for insignias for each recreational vehicle at the time the inspection is requested, except as provided in OAR 918-525-0420. An Insignia Label Request shall be submitted to the Division in duplicate, together with appropriate insignia fees set by OAR 918-525-0510.

Stat. Auth.: ORS 446.160

Stats. Implemented: ORS 446.160

Hist.: BCA 1-1990, f. & cert. ef. 1-2-90; BCA 30-1993, f. 12-1-93, cert. ef. 1-1-94; BCD 25-1996, f. 11-8-96, cert. ef. 1-1-97

918-525-0440

Denial of Insignia

(1) Bulk insignia requests may be denied or bulk insignias withdrawn if:

(a) The applicable plan approvals have not been acquired per OAR 918-525-0210;

(b) A recreational vehicle manufacturer or repair operation is not registered with the Division as required in OAR 918-525-0070 or 918-525-0130;

(c) A recreational vehicle manufacturing facility is not certified according to OAR 918-525-0080 or 918-525-0140;

(d) A Monthly Insignia Report is delinquent per OAR 918-525-0430(2);

(e) Through in-plant and/or dealer lot monitoring, the Division determines a recreational vehicle manufacturer is not manufacturing recreational vehicles according to the approved quality assurance manual or any other provisions of these rules; or

(f) Through a monitoring inspection, the Division determines a recreational vehicle repair operation is not performing alterations, repairs or conversions according to the approved quality assurance manual or any other provision of these rules.

(2) Individual insignia requests may be denied if:

(a) The recreational vehicle does not conform to the requirements of ORS Chapter 446, codes, standards or these rules;

(b) The recreational vehicle manufacturer is not registered and certified with the Division as required in OAR 918-525-0070; or

(c) The recreational vehicle repair operation is not registered and certified with the Division as required in OAR 918-525-0130.

Stat. Auth.: ORS 446.160

Stats. Implemented: ORS 446.160

Hist.: BCA 1-1990, f. & cert. ef. 1-2-90; BCA 30-1993, f. 12-1-93, cert. ef. 1-1-94; BCD 25-1996, f. 11-8-96, cert. ef. 1-1-97; BCD 9-1999, f. 7-14-99, cert. ef. 9-1-99

918-525-0450

Insignia Removal

(1) When a registered and certified recreational vehicle manufacturer or repair operation discontinues operations, it shall notify the division, in writing within ten days of the facility closure and return all unused insignias.

(2) The division may remove an insignia from a recreational vehicle if the vehicle, equipment or installation violates any provision of OAR 918, division 525 or ORS Chapter 446. The division shall notify the vehicle owner in writing of the violations. The division shall re-issue an insignia when the violations are corrected and the vehicle passes an inspection under OAR 918-525-0330.

(3) An insignia of compliance shall be removed and returned to the division by the local authority having jurisdiction when a recreational vehicle is converted to another occupancy or use. This does not waive the owner's responsibility to conform to other state or local requirements for the new occupancy or use.

(4) An insignia of compliance shall be removed and returned to the division when a recreational vehicle is attached to a permanent foundation. This does not waive the owner's responsibility to bring the recreational vehicle into conformance with the applicable Oregon Specialty Codes.

Stat. Auth.: ORS 446.160

Stats. Implemented: ORS 446.160

Hist.: BCA 1-1990, f. & cert. ef. 1-2-90; BCA 30-1993, f. 12-1-93, cert. ef. 1-1-94; BCD 25-1996, f. 11-8-96, cert. ef. 1-1-97; BCD 9-1999, f. 7-14-99, cert. ef. 9-1-99; BCD 1-2005, f. & cert. ef. 3-1-05

918-525-0460

Lost or Damaged Insignia

(1) When an insignia of compliance is lost or damaged, the owner shall notify the Division immediately in writing specifying the name of the manufacturer, the vehicle's serial number, and if possible, the insignia number and approximate date of manufacture.

(2) All damaged insignia shall be promptly returned to the Division. Damaged or lost insignias may be replaced by the Division. A replacement insignia shall be requested on an Insignia Request Application Form accompanied by the appropriate fees as set in OAR 918-525-0510.

(3) A replacement insignia may be requested only after a visual inspection indicates the recreational vehicle meets the requirements of these rules.

Stat. Auth.: ORS 446.160

Stats. Implemented: ORS 446.160

Hist.: BCA 1-1990, f. & cert. ef. 1-2-90; BCA 30-1993, f. 12-1-93, cert. ef. 1-1-94; BCD 25-1996, f. 11-8-96, cert. ef. 1-1-97

Fees

918-525-0510

Fees

All fees in this rule apply to the division only and do not apply to municipalities. The following fees shall be paid to and collected by the division. Fees which are billed by the division shall be paid within 30 days. Fees not received by the division within 90 days of the billing date shall be considered delinquent and all division services to the person or company will be suspended until all delinquent fees are received by the division:

(1) Inspection Fee:

(a) \$45 for an inspection requiring one hour or less;

(b) \$22.50 for every 30 minutes or fraction exceeding one hour, including travel time and mileage; and

(c) Mileage shall be paid at the rate established by the Oregon Department of Administrative Services.

(2) Field Technical Service Fee:

(a) \$45 for service requiring one hour or less;

(b) \$22.50 for every 30 minutes or fraction exceeding one hour, including travel time and mileage; and

(c) Mileage shall be paid at the rate established by the Oregon Department of Administrative Services.

(3) Out-of-State Inspection or Field Technical Service Fee: In addition to the hourly charges of subsections (a) and (b) of this section, the division shall be reimbursed for actual cost based on published air fare and/or equivalent, plus necessary surface transportation and cost for food and lodging consistent with the allowances established by the Oregon Department of Administrative Services for authorized state employee travel.

(4) Reinspection Fee: Same fee schedule as noted in sections (1), (2), and (3) of this rule.

(5) Quality Assurance Manual Fee: \$30 for initial review of manuals and \$20 for review of manual supplements. This fee includes the initial issuance of five insignia to certified repair operations.

(6) Plan Renewal Fee: \$15 for administrative costs of renewing plans.

(7) Plan Supplement Fee: Same fee schedule as noted in sections (13) through (18) of this rule.

(8) Change of Name, ownership or Address Fee: \$20 for each change.

(9) Insignia Label Fee: \$25 per insignia for manufacturers and \$5 for a lot of five insignias for repair operations.

(10) Replacement Insignia Fee: \$25 per insignia for manufacturers and \$5 for a lot of five insignias for repair operations.

(11) Registration Fee: \$25 per manufacturer or operation.

(12) Annual Registration Renewal Fee: \$20 per manufacturer or operation.

(13) Plan Filing Fee: \$10 for each submittal.

(14) Plan Approval Model Fee: \$15.

(15) Plumbing Supplement Fees:

(a) Drain, waste and Vent: \$20 for each plan submitted;

(b) Potable Water: \$10 for each plan submitted.

(16) Electrical Supplement Fees:

(a) 12 Volt: \$20 for each plan submitted;

(b) 120 to 240 Volt: \$20 for each plan submitted;

(c) Generator: \$10 for each plan submitted.

(17) Mechanical Supplement Fee: \$10 for each plan submitted.

(18) Model Floor Plan Supplement Fee: \$15 for each plan submitted and \$5 for each model number supplement.

(19) Design Option, Plan Approval Model, or Number Change Fee: \$20.

(20) Recreational Vehicle Visual Inspection Fee: \$30. This fee includes the insignia label, one initial inspection and one reinspection.

(21) Recreational Vehicle Alteration Permit Fee: \$30. This fee includes one initial inspection and one reinspection.

(22) Permit Reinspection Fee: \$25.

(23) Park Trailer Installation Fee: \$105 per installation. This fee includes inspection of the stand and lot preparation; all support blocking; flood and wind anchoring devices; perimeter skirting; under-floor access and ventilation; temporary steps; and plumbing; mechanical and electrical connections, when all work is ready for inspection at one time.

(24) Park Trailer Installation Reinspection Fee: \$85 per reinspection.

(25) Municipalities shall establish their own fee schedule or may adopt the division's fee schedule through local ordinance for the installation of park trailers.

(26) Fees for the construction or installation of accessory buildings and accessory structures shall be those required by the authority having jurisdiction.

(27) A municipality's permit and plan review fees shall be reasonable and shall not exceed the cost of administering the program per ORS 455.210.

Stat. Auth.: ORS 446.160 & 446.176

Stats. Implemented: ORS 446.160 & 446.176

Hist.: BCA 1-1990, f. & cert. ef. 1-2-90; BCA 10-1992, f. 6-15-92, cert. ef. 7-1-92; BCA 30-1993, f. 12-1-93, cert. ef. 1-1-94; BCD 14-1996(Temp), f. & cert. ef. 7-1-96; BCD

24-1996, f. & cert. ef. 11-8-96; BCD 12-1998(Temp), f. 6-2-98, cert. ef. 7-1-98 thru 12-27-98; BCD 23-1998, f. 11-9-98, cert. ef. 11-15-98; BCD 9-1999, f. 7-14-99, cert. ef. 9-1-99; BCD 29-2000, f. & cert. ef. 12-19-00; BCD 1-2005, f. & cert. ef. 3-1-05

918-525-0520

Additional Fees

(1) When the Division determines that a person has failed to obtain required inspections, permits, insignia and/or plan review, requiring Division staff to work outside normal business hours, the person shall be charged additional fees as described in sections (3) and (4) of this rule.

(2) Persons who sell or ship vehicles or equipment known to be out of compliance or requiring inspections or reinspections prior to sale or shipment requiring Division staff to work outside normal business hours, shall be charged additional fees as described in sections (3) and (4) of this rule.

(3) Persons requesting or requiring inspections or field technical service, outside normal business hours of the Division, shall be charged fees at 1-1/2 times the amounts required by OAR 918-525-0510, except for travel expenses.

(4) Persons requesting or requiring inspections or field technical service on recognized state holidays shall be charged double the amounts required by OAR 918-525-0510, except for travel expenses.

Stat. Auth.: ORS 446.176, 455.210 & 455.220

Stats. Implemented: ORS 446.176, 455.210 & 455.220

Hist.: BCA 1-1990, f. & cert. ef. 1-2-90; BCA 10-1992, f. 6-15-92, cert. ef. 7-1-92; BCA 30-1993, f. 12-1-93, cert. ef. 1-1-94; BCD 29-2000, f. & cert. ef. 12-19-00; BCD 31-2005, f. 12-30-05, cert. ef. 1-1-06

DIVISION 530

PARK TRAILER AND CABANA INSTALLATION STANDARDS

918-530-0005

Park Trailers and Cabana Installation Standards — General

(1) All park trailers exceeding 8-1/2 feet in width shall be installed to the installation requirements in OAR 918-530-0005 through 918-530-0340 except for park trailers installed temporarily on display or in storage and not occupied or intended to be occupied. This exception does not include park trailers installed in recreational vehicle parks, mobile home parks or subdivisions.

(2) All site-built and prefabricated cabanas used in conjunction with a park trailer shall be installed according to the manufacturer's installation instructions, the **Oregon One and Two Family Dwelling Specialty Code** and the provisions of OAR 918-530-0010 through 918-530-0340.

(3) Where a license or registration is required for specific work, persons performing that work shall be licensed or registered.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 446.185

Stats. Implemented: ORS 446.185

Hist.: BCA 30-1993, f. 12-1-93, cert. ef. 1-1-94; BCD 9-1999, f. 7-14-99, cert. ef. 9-1-99

918-530-0010

Site Preparation

(1) Each site shall be suitable for its intended use and shall comply with applicable federal, state and local laws.

(2) When, during preparation of the site, unforeseen factors such as rock formation, high ground water levels, springs or biological generated gasses are encountered, corrective work shall be taken prior to the siting of the park trailer or accessory building and structure.

(3) Grades shall slope downward away from patios, stands, walls, skirting, foundations and water supply wells.

(4) Site grading and drainage shall:

(a) Provide a diversion of any surface water away from the park trailer, accessory building and structures and stands except as necessary for controlled irrigation; and

(b) Prevent standing water and soil saturation from becoming detrimental to structures and site use.

(5) Park trailer stands without a subsurface drainage system shall have a crown gradient for surface drainage acceptable to the authority having jurisdiction.

(6) Grading, plantings or drainage systems shall be constructed to prevent erosion of the park trailer stand from high velocity water runoff.

(7) Where natural soils or controlled fill (free of grass and organic material) are used, such soils or fill shall support the loads imposed by the support system of the park trailer and cabana placed thereon.

(8) Up to 6" of non-compacted crushed rock or gravel, no smaller than 3/4" minus, may be placed on a park trailer or cabana stand without affecting the soil bearing capacity of the stand.

(9) Provisions shall be made to reduce moisture and humidity in under-floor spaces by installing a continuous membrane sheeting vapor barrier to cover the ground surface or pavement within the perimeter enclosure of the park trailer or cabana stand. A uniform six mil black polyethylene, linear low density poly (6x) sheet material or other approved equivalent membrane vapor barrier materials shall be installed for this purpose according to the following:

(a) Membrane seams shall be overlapped by at least eight inches;

(b) Edges of the sheeting shall extend to the perimeter of the park trailer;

(c) Stones or bricks shall be placed over seams and around the point of contact of the sheeting with the perimeter enclosure on a spacing of approximately eight feet to maintain a reasonable seal between sheets and the foundation material;

(d) All holes, tears and penetrations in the membrane shall be adequately patched and sealed with permanent tape;

(e) Under-floor continuous membrane sheeting vapor barrier shall not contact wood that is not treated foundation grade lumber; and

(f) Under-floor continuous membrane sheeting vapor barrier shall not be placed under concrete slabs.

Stat. Auth.: ORS 446.185

Stats. Implemented: ORS 446.185

Hist.: BCA 30-1993, f. 12-1-93, cert. ef. 1-1-94; BCD 9-1999, f. 7-14-99, cert. ef. 9-1-99

918-530-0020

Foundation Systems

(1) This rule prescribes Oregon standards for siting, design and installation of park trailer foundation systems and identifies acceptable foundation systems.

(2) The authority having jurisdiction may approve an unusual installation design not contained in these rules.

(3) Except for axles, wheels, tires, hitches and transportation lights designed to be detached from the vehicle, no portion of a park trailer transportation platform (chassis) shall be removed before or after the park trailer is installed. Detached transportation equipment shall be left on the site for future use and may not be sold to a dealer or recycler.

(4) The foundation, whether a site-built or site-assembled system of stabilizing devices, shall be capable of transferring design vertical loads and other loads unique to local sites due to wind, seismic and water conditions imposed by or on the structure into the underlying soil bedrock without failure and constructed of materials acceptable to the authority having jurisdiction.

(5) Footings shall be a minimum of 256 square inches of pressure-treated wood on all six sides, precast concrete or poured-in-place concrete, including unreinforced slabs or runners. Footings shall be at least equal in area to the piers they support. Footings shall be placed level on a stand free of grass and organic materials.

(6) Piers shall be spaced at a maximum of four feet on center under the main frame (I-beam or channel beam) and if the park trailer exceeds 11 feet in width, piers shall be placed at eight feet on center under the sidewalls. Pier spacing under the sidewalls shall be increased to four feet on center under all loft areas. Pier spacing may be offset up to six inches for obstructions such as outriggers, cross members, axles and utilities. Piers shall not exceed 36 inches in height under the main frame (I-beam or channel beam) or 48 inches under the sidewalls. Piers shall be:

(a) Constructed of a single stack of open 8" x 8" x 16" concrete blocks with open cells placed vertically upon the footing. Single stacked block piers shall be installed with the 16-inch dimension perpendicular to the main frame (I-beam or channel beam). The pier blocks shall be capped with concrete or wood pier caps equal in area to the top of the pier blocking then shimmed tight to the bottom of the main frame (I-beam or channel beam) with wood blocks and wedges;

(b) Designed by a registered professional architect or engineer and approved by the authority having jurisdiction; or

(c) Prefabricated piers tested, listed and labeled by a nationally recognized testing and listing laboratory. Prefabricated piers shall be tested to their dead load plus superimposed live load equal to three times the required live load using the test procedures in **24 CFR 3280.401**. Prefabricated piers and load bearing devices shall be permanently marked or labeled with the following information:

- (A) The product's intended use;
 - (B) The product manufacturer's name and location;
 - (C) The product's model or identification number;
 - (D) The product's design loads or capacity;
 - (E) The product's tested or calculated loads;
 - (F) The name, logo or identification mark of the testing laboratory and listing agency; and
 - (G) The product's test report and listing numbers.
- (d) Piers may be replaced in part with approved earthquake-bracing system components.

(e) Piers may be replaced in whole with an approved full foundation system.

(7) Earthquake-resistant bracing systems and full foundation systems when used with a park trailer shall be:

(a) Approved and certified by the state of California Department of Housing and Community Development;

(b) Labeled to identify the component's model or identification number, manufacturer's name and location, testing and listing laboratory name or logo, testing and listing report numbers, California certification expiration date, components tested or calculated loads, and minimum design loads or capacity;

(c) Installed according to the manufacturer's installation instructions; and

(d) Provided with installation instructions to be left on the job site for the inspectors use.

(8) A minimum clearance of 18 inches shall be maintained beneath the lowest member of the main frame (I-beam or channel beam).

(9) Under the main frame, (I-beam or channel beam) pier supports shall be placed not more than two feet from the exterior of each end wall. All pier supports shall be installed (centered) directly under and perpendicular to each main frame of the park trailer.

(10) Retaining walls used to resist the lateral displacement of soil and other materials shall be designed to resist the lateral pressure of the retained material in accordance with accepted engineering practices. A retaining wall shall not rely on the park trailer for support. Retaining walls shall be constructed of treated foundation grade wood, concrete, masonry or other approved materials or combinations of these materials according to the **Oregon Structural Specialty Code**.

(11) All fill and backfill soil surrounding the park trailer shall be compacted to not allow displacement. Soil grading around the park trailer shall allow water to drain away from the park trailer at a slope of 1/2-foot vertical for every 12 feet horizontal.

(12) Regardless of the type foundation system provided, the foundation construction shall assure a level park trailer or cabana floor.

(13) All lumber and concrete described in these rules are identified by their nominal sizes only. Actual sizes may vary from 1/8-inch to 3/4-inch.

(14) All poured in place concrete shall cure seven days prior to installation of the park trailer or cabana and shall have a compressive strength not less than 2,500 pounds per square inch in 28 days.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 446.185

Stats. Implemented: ORS 446.185

Hist.: BCA 30-1993, f. 12-1-93, cert. ef. 1-1-94; BCD 9-1999, f. 7-14-99, cert. ef. 9-1-99; BCD 10-2000(Temp), f. 6-21-00, cert. ef. 6-23-00 thru 12-19-00; BCD 29-2000, f. & cert. ef. 12-19-00

918-530-0040

Anchoring Systems

(1) To resist overturning and lateral movement from high winds, all park trailers installed in the following counties shall be anchored: Clatsop, Tillamook, Lincoln, Coos, Curry, Multnomah, Hood River, Sherman, Gilliam, Morrow and Umatilla; Lane and Douglas if located within 20 miles of the coast; and Wasco County if located within 30 miles of the Columbia River.

(2) To resist movement and reduce damage, all park trailers installed in designated flood plain areas shall be anchored when required by a municipality or the Federal Emergency Management Agency (FEMA).

(3) Anchoring systems shall be designed and tested according to **24 CFR 3280.306**. Anchoring systems shall be:

(a) Designed by a registered professional engineer or architect and approved by the authority having jurisdiction; or

(b) Manufactured, tested, listed and labeled as capable of meeting all the requirements of this rule. Each manufactured anchoring system shall be installed according to the manufacturer's installation instructions. Each manufactured anchoring system shall be permanently marked or labeled with the following information:

- (A) The product's intended use;
- (B) The product manufacturer's name and location;
- (C) The product's model or identification number;
- (D) The product's design loads or capacity;
- (E) The product's soil classification and soil depth when applicable;
- (F) The product's tested or calculated loads;
- (G) The name, logo or identification mark of the testing laboratory and listing agency; and
- (H) The product's test report and listing numbers.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 446.185

Stats. Implemented: ORS 446.185

Hist.: BCA 30-1993, f. 12-1-93, cert. ef. 1-1-94; BCD 9-1999, f. 7-14-99, cert. ef. 9-1-99

918-530-0050

Skirting

(1) Skirting on park trailers and cabanas shall be installed where specifically required by local ordinance.

(2) Skirting shall be of material suitable for exterior exposure. Untreated wood shall not be nearer than 5-1/2 inches to any earth, unless separated by three inches of metal or foundation grade lumber. Field cut ends, notches and drilled holes of pressure-treated foundation grade lumber shall be retreated in the field according to AWP A M4.

(3) Skirting shall be installed according to the material manufacturer's installation instructions and these rules.

(4) Skirting shall be adequately secured to assure stability, minimize vibration, susceptibility to wind damage and to compensate for possible frost heave.

(5) All holes or gaps between the skirting and the ground or other locations shall be substantially sealed to limit the entrance of wind and water.

(6) Access openings through skirting shall be not less than 18" x 24" and located as close as practical to the utilities so fuel, electric, water and sewer connections located under the park trailer are accessible for inspection, service and repair. Such access panels or doors shall not require tools or operation of more than four devices to remove or open. There shall be a minimum 30-inch access space directly in front of each access panel or door.

Stat. Auth.: ORS 446.185

Stats. Implemented: ORS 446.185

Hist.: BCA 30-1993, f. 12-1-93, cert. ef. 1-1-94; BCD 9-1999, f. 7-14-99, cert. ef. 9-1-99

918-530-0060

Ventilation of Skirting

(1) Provisions shall be made to minimize condensation in under-floor areas through ventilation openings.

(2) If combustion air for heat-producing appliance(s) is taken from within the under-floor areas, ventilation shall be adequate to assure proper operation of appliances.

(3) A minimum of four ventilation openings shall be provided from the under-floor space to the exterior. A ventilation opening shall be placed at, or as near to, each corner as practicable and as high as practicable, except in flood hazard areas where the ventilation opening shall be near the bottom of the skirting. The total net free area for ventilation shall be 200 square inches or one square foot for every 300 square feet of under-floor area whichever is less. Openings shall provide cross ventilation on at least two sides. The openings shall be covered with 1/4-inch corrosion resistant wire mesh or with louvered openings with not less than 1/8-inch screen to retard entry of dry veg-

etation, waste materials, or rodents. The net free area of a vent shall not be diminished in size by vent hardware.

(4) Intake air for indoor ventilation purposes shall not be drawn from under floor spaces of the park trailer or cabana. (This does not include combustion air.)

Stat. Auth.: ORS 446.185

Stats. Implemented: ORS 446.185

Hist.: BCA 30-1993, f. 12-1-93, cert. ef. 1-1-94; BCD 9-1999, f. 7-14-99, cert. ef. 9-1-99

918-530-0070

Electrical Connections

(1) Park trailers shall be connected to power sources according to **Article 552 of the National Electrical Code Pamphlet NFPA 70 (1999 edition)** and shall have a minimum 30 ampere rated power supply assembly and a maximum of two 50 ampere rated power-supply assemblies.

(2) Accessory equipment, structures and buildings shall not be powered by the park trailer electrical system.

(3) At the time of installation, all park trailers shall be tested to the following criteria:

(a) All 110 volt electrical receptacle outlets shall be subjected to a polarity test to determine all connections have been made properly; and

(b) All electrical lights, equipment, ground fault circuit interrupters and appliances shall be subjected to an operational test to demonstrate all equipment is connected and in working order.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 446.185

Stats. Implemented: ORS 446.185

Hist.: BCA 30-1993, f. 12-1-93, cert. ef. 1-1-94; BCD 9-1999, f. 7-14-99, cert. ef. 9-1-99

918-530-0080

Plumbing Connections

Park trailers and cabanas shall be connected to water sources and waste disposal terminals according to the **Oregon Plumbing Specialty Code** and to the following standards:

(1) A full way shutoff valve shall be provided on the water supply serving each park trailer site.

(2) The water inlet shall be connected to the site water supply outlet by an approved flexible connector not less than 3/4-inch nominal diameter or by other approved means identified in the **Oregon Plumbing Specialty Code**.

(3) Where static water pressure exceeds 80 pounds per square inch, a pressure regulator shall be installed.

(4) The water distribution system of the park trailer and cabana and the supply connection shall be subjected to a test to assure there is no evidence of leakage under normal operating pressure. If water under normal operating pressure is not available, the park trailer and cabana water distribution system shall show no evidence of leakage, by sustaining 80 pounds per square inch of air pressure for 15 minutes.

(5) Each park trailer and cabana shall be connected to the sewer inlet by means of a three-inch diameter drain connector consisting of approved pipe, not less than schedule 40, appropriate directional fittings and listed and approved shielded flexible connectors at each end of the pipe.

(6) The park trailer and cabana drainage piping system shall be connected to the lot or site drain inlet and tested by allowing water to flow into all fixtures and receptors, including the clothes washer stand-pipe, for a period of three minutes. If water under pressure is not available, the drainage piping system shall be tested by dumping at least three gallons of water into each fixture and receptor. Each P-trap shall be visible during this test to assure there is no evidence of leaks.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 446.185

Stats. Implemented: ORS 446.185

Hist.: BCA 30-1993, f. 12-1-93, cert. ef. 1-1-94; BCD 9-1999, f. 7-14-99, cert. ef. 9-1-99

918-530-0090

Mechanical

(1) Mechanical equipment installed outside of and not supported by the park trailer or cabana shall be mounted two inches above grade on a level concrete slab not less than three inches thick, a three-inch thick precast reinforced concrete slab or be mounted according to the applicable equipment manufacturer's installation instructions.

(2) Mechanical equipment shall not be installed:

(a) In a manner which obstructs any exit door;

(b) In a window opening which is part of an emergency egress system; and

(c) Where it might obstruct sidewalks or any means of egress from the park trailer or cabana.

(3) Exhaust duct systems of clothes dryers, applicable cook tops and other appliances shall not terminate beneath the park trailer or cabana. Exhaust ducts shall be routed through the skirting to the exterior. Exhaust duct installations shall have no dips or traps and shall be installed according to the applicable appliance manufacturer's installation instructions.

(4) Moisture or heat producing appliances, such as dryers and applicable cook tops, shall be vented to the outside atmosphere to insure moisture-laden air is carried out beyond the perimeter of the park trailer.

(5) Exhaust ducts shall be installed according to the appliance manufacturer's installation instructions and the following requirements:

(a) The duct shall be a minimum of four inches in diameter unless otherwise specified by the appliance manufacturer;

(b) The duct material shall be metal or listed flexible metal if approved by the appliance manufacturer;

(c) There shall be no dips in the duct run;

(d) There shall be no screws, mechanical fasteners, screens or any other obstructions extending into any interior portion of the duct;

(e) The total length of the duct shall not exceed 15 feet unless otherwise specified by the appliance manufacturer;

(f) There shall not be more than two 90-degree elbow fittings or four 45-degree elbow fittings installed in the duct run; and

(g) The duct termination shall be equipped with a back-draft damper.

(6) When installed, adequate distance shall be maintained under the park trailer and cabana for an external air conditioning or heat pump duct. The external air conditioning or heat pump duct shall be supported off the ground, providing a one-inch minimum ground clearance and be supported and connected according to the appliance manufacturer's installation instructions. Ducts shall not be crushed, dented, compressed, have sharp bends or stress at the connections. All tears, holes and penetrations in ducts shall be repaired and sealed.

(7) Inlets or outlets of an exhaust vent, combustion air vent, return air vent, or any other vent opening capable of conveying air or gasses into or out of the park trailer or cabana, or to or from any appliance used in conjunction with the park trailer, shall not be located in an area where an accessory building is to be sited.

(8) Inlets or outlets of an exhaust vent, combustion air vent, return air vent, condensation drain or any other vent opening capable of conveying air or gasses into or out of the park trailer or cabana, or to or from any appliance used in conjunction with the park trailer or cabana, shall not be located under the park trailer when located over a basement.

(9) Condensation drains from air conditioning, heat pumps, evaporative coolers, dehumidifiers, refrigeration equipment or any other appliance shall not terminate under a park trailer or cabana.

(10) Mechanical installations not a part of the park trailer shall be in conformance with the **Oregon One and Two Family Dwelling Specialty Code**.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 446.185

Stats. Implemented: ORS 446.185

Hist.: BCA 30-1993, f. 12-1-93, cert. ef. 1-1-94; BCD 9-1999, f. 7-14-99, cert. ef. 9-1-99

918-530-0100

Fuel Supply

(1) All fuel gas piping systems serving park trailers and cabanas shall be designed and constructed according to applicable provisions of the **Oregon Mechanical Specialty Code**.

(2) Where fuel gas is provided, each park trailer site shall have a listed gas shut off valve installed upstream from the park trailer site gas outlet. Such valve shall not be located under any park trailer or cabana. The outlet shall be equipped with a cap or plug to prevent discharge of gas whenever the park trailer site outlet is not connected to a park trailer or cabana.

(3) Each gas supply shall be connected to the park trailer with an approved six-foot flexible gas connector.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 446.185

Stats. Implemented: ORS 446.185

Hist.: BCA 30-1993, f. 12-1-93, cert. ef. 1-1-94; BCD 9-1999, f. 7-14-99, cert. ef. 9-1-99

918-530-0110

Access

(1) Required egress doors on park trailers shall be accessible by steps, temporary steps or ramps or have door thresholds within eight inches of grade.

(2) Except for temporary steps, all ramps, decks, hand rails, guard rails, stairs, steps, porches and landings constructed adjacent to a park trailer to be used by the occupants of the park trailer shall be constructed in conformance with the **Oregon One and Two Family Dwelling Specialty Code**.

(3) Temporary steps may be used for up to 30 days after the installation of a park trailer or cabana. Temporary steps shall be:

(a) Constructed a minimum of 30 inches wide, a maximum of 48 inches high, with an eight-inch maximum tread rise and a minimum nine-inch tread run;

(b) Constructed and cross braced with number two or better grade lumber;

(c) Provided with a handrail on one side at a minimum of 30 inches and maximum of 34 inches above the stair tread when there are three or more risers;

(d) Substantially level, supported and braced to prevent movement;

(e) Identified "temporary" in two-inch high letters by paint, label, decal or stencil; and

(f) Constructed so the top step is not more than 8-1/2 inches below the door threshold.

(4) Installation inspections shall not be approved until temporary steps have been removed and a permanent means of access has been provided to each required exit door on the park trailer.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 446.185

Stats. Implemented: ORS 446.185

Hist.: BCA 30-1993, f. 12-1-93, cert. ef. 1-1-94; BCD 9-1999, f. 7-14-99, cert. ef. 9-1-99

918-530-0120

Rodent Proofing

All cuts, holes or tears in the bottom board or floor insulation, including but not limited to areas around plumbing, mechanical and heating equipment penetrations shall be adequately repaired and sealed to prevent the entrance of rodents and limit heat loss.

Stat. Auth.: ORS 446.185

Stats. Implemented: ORS 446.185

Hist.: BCA 30-1993, f. 12-1-93, cert. ef. 1-1-94; BCD 9-1999, f. 7-14-99, cert. ef. 9-1-99

918-530-0310

Recreational Vehicle Accessory Building and Structure Size, Construction and Placement

(1) Every accessory building or accessory structure shall be designed and constructed according to OAR 918-525-0040(1)(e) and these rules.

(2) Accessory buildings, accessory structures or other adjacent structures shall not obstruct required egress windows, exit doors, appliance access, exhaust vents or ducts, chimney or flue pipes, combustion air inlets, drains, sewer vents or the utility access of a recreational vehicle or any other building. No hinged exit door shall be prevented from opening a full 90 degrees.

(3) Accessory buildings, accessory structures or any other adjacent structure shall not be permanently constructed or located in a manner which obstructs the movement or relocation of any recreational vehicle.

(4) General Setbacks and Clearances. A recreational vehicle, accessory building and accessory structure, in the recreational vehicle portion of a park, shall have a minimum five-foot clearance to property lines. A recreational vehicle, accessory building and accessory structure, in the recreational vehicle portion of a park, shall have a minimum ten-foot clearance to any park building or park boundary line abutting a public street or highway.

(5) Clearances to Structures on Adjacent Lots. A recreational vehicle in the recreational vehicle portion of a park, shall be a minimum of ten feet from any recreational vehicle or manufactured dwelling on an adjacent lot. A recreational vehicle, accessory structure or accessory building in the recreational vehicle portion of a park, shall be a minimum of six feet from an accessory structure or accessory building on an adjacent lot.

(6) Clearances to Structures on Same Lot. An accessory building, accessory structure or any other structure, in the recreational vehicle portion of a park, shall not be located closer than six feet from any recreational vehicle on the same lot except as provided below:

(a) An accessory building or accessory structure may be located adjacent to or within three feet of a recreational vehicle on the same lot if the accessory building or accessory structure is a cabana, awning, carport, deck, landing, ramp or stairs and is used specifically with that recreational vehicle;

(b) An accessory building or accessory structure may be located three to six feet from a recreational vehicle on the same lot if the accessory building or accessory structure is 120 square feet or less in floor area or its wall facing the recreational vehicle is a minimum of one-hour fire-resistive construction;

(c) A ramada may be located within the clearances specified in OAR 918-530-0340.

(7) In addition to the minimum setbacks described in section (6) of this rule and the size restrictions in OAR 918-525-0035, the total area of all accessory buildings and accessory structures on the same lot, in a recreation park, shall not exceed 400 square feet in area except as provided below:

(a) Where the accessory building is a cabana, the size restrictions in OAR 918-530-0320 shall apply;

(b) Where an accessory building or accessory structure has a six-foot clearance to all recreational vehicles, accessory buildings and accessory structures, the size limitations of this section shall not apply;

(c) Where an accessory building or accessory structure has a three-foot clearance and is provided with a minimum of one-hour fire-resistive construction on the wall facing any recreational vehicle, accessory building or accessory structure, the size limitations of this section shall not apply;

(d) Where the accessory structure is a deck, patio or ramada, the size limitations of this section shall not apply;

(e) Factory-built porches, decks, eaves, roof overhangs and other construction that is built by the manufacturer and connected to and supported by the recreational vehicle shall not be counted within the size limitations of this section; and

(f) Where more than one accessory building or accessory structure occupies the same space (i.e., landing, ramp or stairs under an awning or carport), the area shall only be counted once within the size limitations of this section.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 446.155, 446.185 & 446.240

Stats. Implemented: ORS 446.185 & 446.240

Hist.: BCA 30-1993, f. 12-1-93, cert. ef. 1-1-94; BCD 24-1994, f. 10-26-94, cert. ef. 11-1-94; BCD 9-1999, f. 7-14-99, cert. ef. 9-1-99, Renumbered from 918-535-0010; BCD 10-2000(Temp), f. 6-21-00, cert. ef. 6-23-00 thru 12-19-00; BCD 29-2000, f. & cert. ef. 12-19-00

918-530-0320

Cabanas

(1) A cabana may be installed or constructed as an accessory building to a recreational vehicle according to the following restrictions:

(a) Cabanas shall not be designed or constructed to include sleeping or cooking facilities;

(b) Cabanas shall be restricted in size to a total of 240 square feet of gross floor area per recreational vehicle; and

(c) Cabanas shall not contain gas, liquid or solid fuel-burning fireplaces, fireplace stoves, room heaters or pellet-fired appliances.

(2) Cabanas shall be designed and constructed as freestanding, self-supporting structures attached to a recreational vehicle only with appropriate flashing or sealing materials to provide a weather seal.

(3) Cabanas shall be designed and constructed in conformance with the **Oregon One and Two Family Dwelling Specialty Code** (OAR 918-525-0040(1)(e)) and this rule.

(4) Cabanas constructed at an off-site location shall comply with the rules for construction of prefabricated structures as provided in OAR 918-674-0005 through 918-674-0155.

(5) Each cabana shall have an exit door opening directly to the outside without passing through the recreational vehicle.

(6) Cabanas shall have smoke alarms installed according to **Section 316 of the Oregon One and Two Family Dwelling Specialty Code**, except that the smoke alarm in the cabana is not required to be interconnected with the smoke alarm(s) in the recreational vehicle.

(7) Cabanas do not include temporary fabric- or tent-type rooms or awnings enclosed with insect screen, lattice or similar materials that permit ventilation on at least three sides.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 446.185

Stats. Implemented: ORS 446.185

Hist.: BCA 30-1993, f. 12-1-93, cert. ef. 1-1-94; BCD 9-1999, f. 7-14-99, cert. ef. 9-1-99, Renumbered from 918-535-0020; BCD 10-2000(Temp), f. 6-21-00, cert. ef. 6-23-00 thru 12-19-00; BCD 29-2000, f. & cert. ef. 12-19-00

918-530-0330

Awnings and Carports

(1) A carport or awning (also known as a patio cover) shall be constructed as a freestanding, self-supporting structure in conformance with OAR 918-525-0040(1)(e) and these rules.

(2) An awning or carport shall not be enclosed with rigid or solid materials, panels or walls on more than one side according to ORS 446.003(4) and (7).

(3) An awning or carport can be enclosed with insect screen, lattice or similar materials that permit ventilation on at least three sides if provided with an egress door opening to the outside.

(4) An awning or carport shall not be enclosed with materials (i.e., tarps, canvas, plastic, glass, panels, walls or similar products) that would prevent the required ventilation or egress.

(5) Awnings or carports that are enclosed with solid materials (i.e., glass, plastic, panels, walls or similar products) shall be considered cabanas and shall be constructed to meet the requirements of OAR 918-530-0320.

(6) No loads shall be imposed on a recreational vehicle by attaching a rigid awning or carport except when factory built awnings, eaves or roof overhangs are manufactured as part of the original recreational vehicle.

(7) Rigid awnings and carports shall only be attached to a recreational vehicle with appropriate flashing and sealing material.

(8) This rule does not apply to temporary, transportable and flexible awnings and carports used with recreational vehicles.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 446.185

Stats. Implemented: ORS 446.185

Hist.: BCA 30-1993, f. 12-1-93, cert. ef. 1-1-94; BCD 9-1999, f. 7-14-99, cert. ef. 9-1-99, Renumbered from 918-535-0030; BCD 10-2000(Temp), f. 6-21-00, cert. ef. 6-23-00 thru 12-19-00; BCD 29-2000, f. & cert. ef. 12-19-00

918-530-0340

Ramadas

(1) A ramada shall be constructed on a recreational vehicle site only as an accessory to a recreational vehicle located on the same site.

(2) A ramada or any portion thereof shall have a clearance of not less than 36 inches in a vertical direction above the highest portion of a recreational vehicle roof and not less than 18 inches in a horizontal direction from each side of a recreational vehicle.

(3) Cross braces, architectural appurtenances, and structural ties shall not obstruct the installation or removal of any recreational vehicle.

(4) A ramada shall be designed and constructed as a freestanding, self-supporting structure in conformance with the **Oregon One and Two Family Dwelling Specialty Code** or the **Oregon Structural Specialty Code**.

(5) A ramada shall not be wholly or partially enclosed on any side or end.

(6) Ventilation openings shall be installed at the highest point in the ramada roof ten feet apart and shall have a minimum cross-sectional area of 28 square inches for each vent.

(7) Solid fuel-burning appliances such as fireplaces, wood stoves and pellet stoves shall not be permitted in recreational vehicles located under ramadas.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 446.185

Stats. Implemented: ORS 446.185

Hist.: BCA 30-1993, f. 12-1-93, cert. ef. 1-1-94; BCD 9-1999, f. 7-14-99, cert. ef. 9-1-99, Renumbered from 918-535-0040

DIVISION 550

OWNERSHIP DOCUMENT REQUIREMENTS

918-550-0000

Purpose and Scope

(1) OAR 918-550-0000 through 918-550-0600 establish requirements and procedures to obtain an ownership document for manufactured structures and establish the procedures necessary to exempt a manufactured structure from ownership document requirements or to obtain an ownership document for a manufactured structure that has been previously exempted pursuant to ORS 820.510 or 446.626 after May 1, 2005.

(2) These rules also describe the requirements for issuing a manufactured structure trip permit for the movement of a manufactured structure from one site to another.

(3) Nothing in these rules shall change any rights and liabilities of the various parties governed by the Uniform Commercial Code, ORS Chapter 79, and any applicable Oregon tax laws.

(4) These rules are intended to repeal all Department of Motor Vehicle rules, located in OAR 735, to the extent that they apply to the titling and registration of manufactured structures and manufactured structure trip permits.

Stat. Auth.: Ch. 655, 2003 OL, Sec. 147, ORS 446.571, 446.631 & 446.646

Stats. Implemented: ORS 446.566, 446.571, 446.576, 446.621, 446.631 & 446.636

Hist.: BCD 10-2005, f. 4-29-05, cert. ef. 5-1-05

918-550-0010

Definitions

For the purposes of this division of rules, the following definitions apply, unless the context requires otherwise:

(1) "Division" means the appropriate division within the Department of Consumer and Business Services, Building Codes Division, or the county who is acting on behalf of the department.

(2) "Land leaseholder" means the holder of a recorded leasehold estate of 20 years or more, if the lease specifically permits the owner of the manufactured structure to obtain an exemption under ORS 820.510(b).

(3) "Legal description of the manufactured structure" means the model year, make, width, length and vehicle identification number (VIN).

(4) "Lessor" means a person who transfers the right to possession and use of property under a lease as shown in the record of the county in which it is recordable by law.

(5) "Lien holder" means a person who holds a claim, encumbrance or charge on property for payment of a debt or obligation as shown in the record of the county in which it is recordable by law.

(6) "Mortgagee" means a person who takes, holds or receives a mortgage (such as a bank or lending institution.).

(7) "Owner" when referring to the owner of a manufactured structure is defined in ORS 801.375, but does not include a security interest holder or lessee, unless the owner of the manufactured structure is a land leaseholder.

(8) "Release" means the written or electronic relinquishment, concession, or giving up of right, claim or interest in a manufactured structure.

(9) "Security interest holder" means a person who holds an interest in property that secures payment or performance of an obligation pursuant to a security agreement.

(10) "Trust deed beneficiary" means the person designated in a trust deed as the person for whose benefits a trust deed is given. A trust deed conveys an interest in real property to a trustee in trust, to cure performance of an obligation owed to the beneficiary.

Stat. Auth.: ORS 446.646

Stats. Implemented: ORS 446.646

Hist.: BCD 10-2005, f. 4-29-05, cert. ef. 5-1-05

918-550-0100

Ownership Document Requirements

(1) Unless exempted under ORS 446.626 and OAR 918-550-0160, all owned manufactured structures in the State of Oregon must

be registered or titled with DMV, or be issued an ownership document by the division after May 1, 2005.

(2) A manufactured structure dealer, manufactured structure owner, or lender who applies for an ownership document shall submit a completed division approved application form to the division along with an appropriate fee. Dealers and lenders may apply on line using the division's LOIS electronic record system. Failure to complete the ownership application, or provide clear and accurate information, may result in delays in the issuance of the ownership document.

(3) If the owner is not in possession of the Department of Transportation's Certificate of Title or division's ownership document, or is unable to obtain a security interest holder's signature and is applying for an ownership document through the division, the owner must provide proof sufficient to the division concerning any questions about ownership of the structure, including security interests in the structure. The proof required may include but is not limited to:

(a) A division approved affidavit which establishes reasonable evidence of ownership, including security lienholder interests or releases;

(b) A copy of a bill of sale or other contract showing proof of ownership; or

(c) A division approved inheritance affidavit or other evidence from a probate estate.

Stat. Auth.: ORS 446.571, 446.621 & 446.646
Stats. Implemented: ORS 446.571 & 446.621
Hist.: BCD 10-2005, f. 4-29-05, cert. ef. 5-1-05

918-550-0120

Sale of a Used Manufactured Structure

If a purchaser submits a division approved notice of sale under ORS 446.641(8), the purchaser must include one or more of the following as acceptable proof of sale:

(1) A bill of sale from the current owner of record on the division's ownership document;

(2) A division ownership document or a Department of Transportation certificate of title to the structure that has a release of ownership signed by the owner; or

(3) Any other documents the division, in its discretion, finds as sufficient proof of sale.

Stat. Auth.: ORS 446.641 & 446.646
Stats. Implemented: ORS 446.641
Hist.: BCD 10-2005, f. 4-29-05, cert. ef. 5-1-05

918-550-0140

Notice of Transfer of Interest in Manufactured Structure

A person who releases, terminates, assigns or otherwise transfers an interest in a manufactured structure, shall within 30 days of the transfer, submit a completed division approved form to record the release, terminate, assign or otherwise transfer the interest in the manufactured structure.

Stat. Auth.: ORS 446.616 & 446.646
Stats. Implemented: ORS 446.616
Hist.: BCD 10-2005, f. 4-29-05, cert. ef. 5-1-05

918-550-0160

Recording of Manufactured Structure in County Deed Records

The owner of a manufactured structure, or a licensed manufactured structure dealer selling the structure, may file a division approved application to record the structure in county deed records, if the owner of the structure is also the owner or leaseholder of the land on which the structure is sited. To have the structure recorded in county records, the owner or dealer must submit a complete division approved form to the county assessor in the county where the structure will be located that includes but is not limited to:

(1) The name and address of each owner of the manufactured structure and each record owner of the land upon which the manufactured structure is located. If the names are not identical to the applicant, the applicant shall submit a statement explaining any discrepancy and that the applicant is in fact the same person as the structure owner; and

(2) The name and address of each lessor, mortgagee, trust deed beneficiary, or lien holder of record who holds an interest in the land and the name and address of each security interest holder or lien holder of record who holds an interest in the manufactured structure, including documentation that the security interest holder or lien holder has been notified of the intent to record the manufactured structure in the county deeds.

Stat. Auth.: ORS 446.626 & 446.646
Stats. Implemented: ORS 446.611 & 446.626
Hist.: BCD 10-2005, f. 4-29-05, cert. ef. 5-1-05

918-550-0180

Demonstration of Ownership for Lost or Misplaced Ownership Documents

(1) If a manufactured structure to be moved or sold is not recorded in the county deed records, an ownership document has not been issued for the structure, or the owner has misplaced the certificate of title, the owner shall submit a division approved affidavit with supporting documents which may include sales contracts and security interest agreements and releases, to the division which contain:

(a) A statement that the person making the affidavit is either the sole owner of the structure, or that the person who owns the structure with other persons, including the names of all the owners of the structure;

(b) A statement naming all of the persons who have had a security interest or lien in the manufactured structure identified in the affidavit; and

(c) A statement verifying that the information in the affidavit is true and accurate.

(2) If more than one person owns the manufactured structure, each owner must verify and sign the division approved affidavit.

(3) If the information on the division approved affidavit and any attached documents is reliable, consistent and supports the claim of ownership, the division may, in its discretion, issue an ownership document.

Stat. Auth.: ORS 446.616, 446.621, 446.631 & 446.646
Stats. Implemented: ORS 446.616, 446.621 & 446.631
Hist.: BCD 10-2005, f. 4-29-05, cert. ef. 5-1-05

918-550-0200

Abandoned Manufactured Structures

(1) If a landlord complies with the notice requirements of ORS 90.425 or 90.675 such that a manufactured structure is presumed abandoned, the landlord may apply for an ownership document by submitting a completed division approved application form and a division approved certification affirming the landlord has complied with ORS 446.581.

(2) If the holder of a possessory lien on a manufactured structure forecloses the lien, the holder may apply for an ownership document by submitting a completed division approved application form and division approved certification of the possessory lien foreclosure.

Stat. Auth.: ORS 446.581 & 446.646
Stats. Implemented: ORS 446.571 & 446.581
Hist.: BCD 10-2005, f. 4-29-05, cert. ef. 5-1-05

Trip Permits

918-550-0600

Trip Permit Requirements

(1) A trip permit is required to move a manufactured structure from one location to another unless exempted under ORS 446.631 & 446.646. A person desiring a trip permit to move a manufactured structure shall submit a completed division approved form to the division.

(2) In the case of a multiple-unit-manufactured structure, a trip permit is required for each unit. The manufactured structure trip permit fee, as provided in ORS 446.631 & 446.646 is required for each permit issued.

(3) An issued trip permit is valid for a single move from one situs to another as indicated on the permit. Trip permits expire 30 days after the date of issuance.

(4) A trip permit is valid for the owner of the structure and transporter listed on the permit.

(5) A permit may not be transferred to any person or a different manufactured structure.

(6) A trip permit issued by the division is not required to move a new manufactured structure to a destination outside of Oregon. However, a trip permit is required if a manufactured structure is being moved out of state, if the structure currently has an ownership document, or is exempt under ORS 446.626 and OAR 918-550-0160.

(7) Vehicle transporters who transport a manufactured structure for which a trip permit has been issued shall either forward a signed copy of the trip permit to the division within 10 days of the movement of the manufactured structure or electronically submit notice of the

completion of the move within 10 days using the division's online LOIS system.

Stat. Auth.: ORS 446.631
Stats. Implemented: ORS 446.631, 446.636 & 446.646
Hist.: BCD 10-2005, f. 4-29-05, cert. ef. 5-1-05

DIVISION 600

MANUFACTURED DWELLING PARKS AND MOBILE HOME PARKS

918-600-0005

Definitions

The following definitions shall apply to OAR 918, division 600 and are in addition to those definitions included in ORS Chapters 446 and 455:

(1) "Administrator" means the Administrator of the Building Code Division.

(2) "Authority Having Jurisdiction" means the Building Codes Division or local government which administers the manufactured dwelling or mobile home park program.

(3) "Building" means any permanent park structure such as wash-rooms, office building, recreation building and similar structures, owned by the park for the common use of all the tenants.

EXCEPTION: "Building" does not mean manufactured dwellings, recreational vehicles, manufactured dwelling accessory structures, awnings, cabanas, carports, and ramadas as defined in ORS 446.003 and other structures common to the tenant's lot such as greenhouses and storage sheds.

(4) "Park Electrical Wiring System" means all of the electrical wiring, fixtures, equipment, and appurtenances related to electrical installations within a mobile home or manufactured dwelling park, including the manufactured dwelling service equipment.

(5) "Park Street" or "Driveways" means a private way which affords principal means of access to abutting individual manufactured dwelling lots and auxiliary buildings.

(6) "Stand" means that area of the manufactured dwelling site which has been reserved for the placement of a manufactured dwelling or accessory structure.

Stat. Auth.: ORS 446.003
Stats. Implemented: ORS 446.062
Hist.: DC 66, f. & ef. 1-20-76; DC 3-1979, f. 1-5-79, ef. 2-1-79; DC 12-1982, f. 3-17-82, ef. 3-18-82; Renumbered from 814-028-0020; BCD 19-1995, f. 12-15-95, cert. ef. 1-1-96

918-600-0010

Scope

These rules and the **Oregon Manufactured Dwelling and Park Specialty Code** adopted in OAR 918-500-0020 establish minimum safety standards for the design and construction of mobile home and manufactured dwelling parks in accordance with ORS 446.003, 446.072 to 446.100, 446.145, and 446.270.

[Publications: Publications referenced are available from the agency.]
Stat. Auth.: ORS 446.095 & 446.100
Stats. Implemented: ORS 446.062
Hist.: DC 66, f. & ef. 1-20-76; DC 3-1979, f. 1-5-79, ef. 2-1-79; DC 12-1982, f. 3-17-82, ef. 3-18-82; Renumbered from 814-028-0010; BCD 19-1995, f. 12-15-95, cert. ef. 1-1-96; BCD 1-2002, f. 1-28-02, cert. ef. 4-1-02

918-600-0020

Permit Required

No person, firm or corporation shall establish, construct, enlarge, or alter any mobile home or manufactured dwelling park or cause the same to be done without first obtaining all required permits from issuing authority and paying the prescribed permit fee.

Stat. Auth.: ORS 446.062
Stats. Implemented: ORS 446.062
Hist.: DC 66, f. & ef. 1-20-76; DC 3-1979, f. 1-5-79, ef. 2-1-79; DC 12-1982, f. 3-17-82, ef. 3-18-82; Renumbered from 814-028-0030; BCD 19-1995, f. 12-15-95, cert. ef. 1-1-96

918-600-0030

Fees — Expiration — Validity

(1) Construction Permit Fee. The construction permit fee shall be as set forth in sections (5) and (6) of this rule or as established by the municipality administering the manufactured dwelling or mobile home park program and shall be paid to the authority having jurisdiction prior to beginning construction. Valuation of construction cost is to be determined by the authority having jurisdiction.

NOTE: The construction permit does not include building permits, manufactured

dwelling installation permits, electrical permits, or plumbing permits.

(2) Return of Plans. The authority having jurisdiction should, within 30 working days from the date of submission of a complete set of plans, approve or return the plans with noted modifications to the applicant.

(3) Plans Review Fee. The plan review fee shall be 65 percent of the permit fee and shall be paid to the authority having jurisdiction at the time of submitting plans and specifications for review.

(4) Expiration and Validity of Plans and Permits:

(a) Expiration of plan approval shall be one year after the date of approval if no construction permit is issued. The authority having jurisdiction may extend the time for action by the applicant for a period not exceeding 180 days upon written request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. In order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new review fee;

(b) Expiration of Construction Permits. Construction permits issued by the authority having jurisdiction under the provisions of these rules shall expire if the construction authorized by such permit is not commenced within 180 days from the date of such permit, or if the construction authorized by such permit is suspended for a period of 180 days, or abandoned at any time after the work is commenced. Before such construction can be recommenced, a new permit shall be first obtained to do so and the fee therefore shall be one-half the amount required for a new permit for such work, provided no changes have been made or will be made in the original plans and specifications for such permitted work and provided, further, that the duration of the suspension of work or abandonment has not exceeded one year;

(c) Validity. The issuance or granting of a permit or approval of plans and specifications shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of these rules. The issuance of a permit based upon plans and specifications shall not prevent the issuing agency from thereafter requiring the correction of errors in said plans or construction;

(d) Suspension or Revocation. The authority having jurisdiction may, in writing, suspend or revoke a permit issued under provisions of these administrative rules whenever the permit is issued in error or on the basis of incorrect information supplied, or in violation of any provisions of these administrative rules.

(5) Area Development Fee. The area development fee shall be determined from **Table 1** using the valuation for all facilities for which the permit is issued. The fees in **Table 1** shall be based on valuation **Table 2** or be determined by the applicant with documentation acceptable to the authority having jurisdiction. Permit fees shall be paid to the authority having jurisdiction before any work begins.

NOTE: The Area Development Permit does not include permits or related fees for buildings, manufactured dwelling installations, accessory buildings or structures, mechanical, plumbing or electrical systems; boilers, elevators, or permits required by other agencies.

(6) Other Inspection Fees:

(a) Inspections outside of normal business hours (Minimum charge — two hours), \$50/hr;

(b) Reinspection fee, \$50/ea;

(c) Inspections for which no fee is specifically indicated (Minimum charge — one-half hour), \$50/hr;

(d) Additional plan review required by changes, additions or revisions to approved plans (Minimum charge — one-half hour), \$50/hr;

(e) Consultation Fee (Minimum charge — one Hour) \$30/hr;

(f) A special inspection is required and a special inspection fee shall be paid before a permit may be issued for work started without a permit. The special inspection fee shall be equal to and in addition to the amount of the permit fee required by these rules;

(g) In addition to the called-for inspections, the authority having jurisdiction may make or require additional inspections to ensure compliance with the provisions or the code and laws;

(h) A reinspection fee may be assessed for each inspection or reinspection when the work for which an inspection is called is not completed or when required corrections are not made.

(7) Fee Refunds:

(a) Permit fees, license fees or other monies paid to the Division will be refunded only in the case of overpayment, duplicate payment or payments made in error or where otherwise required by law;

(b) Refunds of \$25 or less will only be made upon written request to the Division.

(c) Fees will not be refunded if a correct payment was made but the work for which the permit was issued was not begun or completed or the license application was not completed.

Table 1
Permit Fees

Total Valuation Fee	
\$1 to \$500	\$15
\$501 to \$2,000	\$15 for the first \$500 plus \$1.50 for each additional \$100 or fraction thereof, to and including \$2,000
\$2,001 to \$25,000	\$45 for the first \$2,000 plus \$9 for each additional \$1000 or fraction thereof, to and including \$25,000
\$25,001 to \$50,000	\$252 for the first \$25,000 plus \$6.50 for each additional \$1,000 or fraction thereof, to and including \$50,000
\$50,001 to \$100,000	\$414.50 for the first \$50,000 plus \$4.50 for each additional \$1,000 or fraction thereof, to and including \$100,000
\$100,001 to \$500,000	\$639.50 for the first \$100,000 plus \$3.50 for each additional \$1,000 or fraction thereof, to and including \$500,000
\$500,001 to \$1,000,000	\$2,039.50 for the first \$500,000 plus \$2 for each additional \$1,000 or fraction thereof, to and including \$1,000,000
\$1,000,000 and up	\$3,539.50 for the first \$1,000,000 plus \$2 for each additional \$1,000 or fraction thereof

NOTE: Table 1 is based on Table No. 3-A of the 1988 Uniform Building Code.

Table 2
Evaluations
Spaces Per Acre

Park Class	4	5	6	7	8	9	10	11	12
A	5901	5517	5197	4941	4685	4493	4365	4301	4237
B	5504	5120	4800	4544	4288	4096	3968	3904	3804
C	5312	5028	4608	4352	4269	3904	3776	3712	3648

NOTES:

(1) Table 2 is based on the 1990 evaluation for Mobile Home Parks published by the Oregon Department of Revenue.

(2) Deduct ten percent from the valuation of parks constructed East of the Cascade Summit.

(3) "Class A" parks contain paved streets, curbs and sidewalks.

(4) "Class B" parks contain paved streets, no curbs and no sidewalks.

(5) "Class C" parks contain no paved streets, no curbs but have sidewalks on one side of each street.

(6) When a park contains spaces in more than one class, figure the spaces in each class; then add them together to obtain the total valuation for the park.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 183.325 - 183.410 & 446.160

Stats. Implemented: ORS 446.160

Hist.: DC 66, f. & ef. 1-20-76; DC 3-1979, f. 1-5-79, ef. 2-1-79; DC 13-1981, f. 10-30-81, ef. 11-1-81; DC 12-1982, f. 3-17-82, ef. 3-18-82; DC 11-1983, f. & ef. 5-5-83; Renumbered from 814-028-0040; BCA 15-1991(Temp), f. 6-7-91, cert. ef. 7-1-91; BCA 35-1991, f. 10-23-91, cert. ef. 10-31-91; BCD 19-1995, f. 12-15-95, cert. ef. 1-1-96

DIVISION 650

RECREATION PARKS AND ORGANIZATIONAL CAMPS

918-650-0000

Reasonable Notice to Interested Parties

Before the adoption, amendment or repeal of any rule relating to the minimum safety standards for the design and construction of recreational parks and organizational camps as authorized in ORS 455.680, the Building Codes Agency shall give notice of the proposed adoption, amendment or repeal:

(1) In the Bulletin of the Secretary of State referred to in ORS 183.360 at least 15 days before the effective date.

(2) By mailing a copy of the notice to persons on the mailing list established under ORS 183.335(7) by the Manufactured Homes and Recreational Vehicles section of the Building Codes Agency.

(3) By mailing a copy of the notice to the following organizations:

- (a) Legislative Counsel;
- (b) Budget and Management Division, Executive Department;
- (c) League of Oregon Cities;

- (d) Association of Oregon Counties;
 - (e) United Press International and Associated Press;
 - (f) Trailer Life Association;
 - (g) Recreational Vehicle Industry Association; and
 - (h) Recreational Vehicle Association.
- Stat. Auth.: ORS 455.680, 456.755, 456.770 & 456.837
Stats. Implemented: ORS 183.335
Hist.: BCA 10-1987, f. & ef. 9-18-87; Renumbered from 814-029-0000

918-650-0005

Definitions

As used in OAR 918-650-0000 to 918-650-0085, unless the context requires otherwise, the following definitions apply:

(1) "Administrator" means the Administrator of the Building Codes Agency.

(2) "Agency" means the Building Codes Agency.

(3) "Alteration" means any change, addition or modification of roads, streets, spaces or construction, but does not include normal maintenance or replacement in kind.

(4) "Approved" means accepted in writing by the issuing authority.

(5) "Area" means the land within the property or boundary lines of a recreation park or organizational camp.

(6) "Building" is any structure used or intended for supporting or sheltering any use or occupancy regulated by the **State Building Code** as defined in ORS 455.010.

(7) "Campground." See Recreation Parks.

(8) "Camping Trailer." See Recreational Vehicle.

(9) "Combination Park" means a park which includes facilities for two or more types of recreation parks or a combination of a recreation park, organizational camp or mobile home park facility.

(10) "Construction" means work regulated by the **State Building Code** as defined in ORS 456.750.

(11) "Division" means the Health Division of the Department of Human Resources.

(12) "Facilities" means the permanent work, such as but not limited to, streets, roads, embankments, space, refuse collection stands, fire pit enclosures, fire protection equipment etc., but shall not include buildings and structures, and electrical and plumbing installations.

(13) "Hostel" means any establishment which has beds rented or kept for rent on a daily or weekly basis to travelers for a charge or fee paid or to be paid for rent or use of facilities, and which is operated, managed or maintained under the sponsorship of a nonprofit organization holding a valid exemption from federal income taxes under the **Internal Revenue Code of 1954** as amended.

(14) "Motor Home." See Recreational Vehicle.

(15) "Organizational Camp" means any area designated by the person establishing, operating, managing or maintaining the same as being for recreational use by groups or organizations. Organizational camp includes, but is not limited to, youth camps, scout camps, summer camps, day camps, nature camps, survival camps, athletic camps or camps operated and maintained under the guidance, supervision or auspices of religious, public and private educational systems and community service organizations.

(16) "Picnic Park." See Recreation Park.

(17) "Recreation Park" means an area designated by the person establishing, operating, managing or maintaining the same as being for picnicking or overnight camping by the general public or any segment of the public. Recreation park includes, but is not limited to, areas open to use free of charge or through payment of a tax or fee or by virtue of rental, lease, license, membership, association or common ownership. Recreation park includes, but is not limited to, areas divided into two or more lots, parcels, units or other interests for purposes of such use. Recreation park includes, but is not limited to, a "campground," a "picnic park," or a "recreational vehicle park":

(a) "Campground" means a recreation park which provides facilities and space for tents, tent vehicles, or camping vehicles;

(b) "Picnic Park" means a recreation park which is for day use only and provides no recreational vehicle or overnight camping spaces;

(c) "Recreational Vehicle Park" means a plot of land upon which two or more recreational vehicle sites are located, established or maintained for occupancy by recreational vehicles of the general public as temporary living quarters for recreational or vacation purposes.

(18) "Recreational Vehicle" means a unit, with or without motive power, which is designated for human occupancy, is used temporarily for recreational or emergency purposes. Recreational vehicles include:

(a) "Camping Trailer" means a vehicle unit mounted on wheels and constructed with collapsible partial side walls which fold when the unit is towed by another vehicle and unfold at the campsite to provide temporary living quarters for recreational, camping or travel use, and has a floor area of less than 220 square feet, excluding built-in equipment such as wardrobes, closets, cabinets, kitchen units or fixtures and bath or toilet rooms;

(b) "Motor Home" means a vehicular unit built on or permanently attached to a self-propelled motor vehicle chassis or on a chassis cab or van which is an integral part of the complete vehicle, and has a floor area of less than 220 square feet, excluding built-in equipment such as wardrobes, closets, cabinets, kitchen units or fixtures and bath or toilet rooms;

(c) "Park Trailer" means a vehicle built on a single chassis, mounted on wheels, designed to provide seasonal or temporary living quarters which may be connected to utilities for operation of installed fixtures and appliances, of such a construction as to permit set-up by persons without special skills using only hand tools which may include lifting, pulling and supporting devices and a gross trailer area not exceeding 400 square feet when in the set-up mode;

(d) "Travel Trailer" means a vehicular unit which has a roof, floor and sides and is mounted on wheels, but which is not of such size or weight as to require special highway movement permits when towed by a motorized vehicle, and has a floor area of less than 220 square feet, excluding built-in equipment such as wardrobes, closets, cabinets, kitchen units or fixtures and bath or toilet rooms;

(e) "Truck Camper" means a portable unit which has a roof, floor and sides and is designed to be loaded on and off the bed of a truck or pick-up truck, and has a floor area of less than 220 square feet, excluding built-in equipment such as wardrobes, closets, cabinets, kitchen units or fixtures and bath or toilet rooms.

(19) "Solid Waste" means decomposable or nondecomposable waste including but not limited to garbage, rubbish, refuse, ashes, waste paper and cardboard.

(20) "Space" means that portion of a park reserved for the location of a recreation vehicle, tent, tent vehicle or camping vehicle.

(21) "Temporary," as used in OAR 918, division 650 in the definition of "recreational vehicle," means a time period of six months or less.

(22) "Travel Trailer." See Recreational vehicle.

(23) "Truck Camper." See Recreational vehicle.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 455.680, 456.755, 456.770 & 456.837

Stats. Implemented:

Hist.: BCA 10-1987, f. & ef. 9-18-87; Renumbered from 814-029-0060

918-650-0010

Scope

OAR 918, division 650 establishes minimum safety standards for the design and construction of recreation parks and organizational camps as authorized in ORS 456.837.

EXCEPTIONS:

-1- These rules do not apply to parking areas offering access to beaches, marinas, boat ramps, piers, ski areas, rivers, trails and similar facilities, where no recreational vehicle utility connections are provided.

-2- The area development permit does not include permits or related fees for buildings, mobile home setups, mechanical, plumbing or electrical systems, boiler, or elevators, or permits required by other agencies as specified in OAR 918-650-0025.

Stat. Auth.: ORS 455.680, 456.755, 456.770 & 456.837

Stats. Implemented: ORS 455.680

Hist.: BCA 10-1987, f. & ef. 9-18-87; Renumbered from 814-029-0050

918-650-0015

Purpose

OAR 918, division 650 establish design and construction requirements for recreation parks and organizational camps for the purpose of protecting the life, health, safety and welfare of persons using these facilities.

Stat. Auth.: ORS 455.680, 456.755, 456.770 & 456.837

Stats. Implemented: ORS 455.680

Hist.: BCA 10-1987, f. & ef. 9-18-87; Renumbered from 814-029-0055

918-650-0020

Permit Required

No person, firm, corporation or government agency shall establish or enlarge the facilities of any recreation park or organizational camp or do any construction within the recreation park or organizational camp or cause the same to be done without first obtaining all required permits from the issuing authorities and paying the prescribed permit fees.

EXCEPTION: Applications for permits, submission of plans and payment of fees are not required for additions, alterations, relocation and maintenance of picnic tables, play equipment, fire pits and similar facilities in existing parks.

Stat. Auth.: ORS 455.680, 456.755, 456.770 & 456.837

Stats. Implemented: ORS 455.680

Hist.: BCA 10-1987, f. & ef. 9-18-87; Renumbered from 814-029-0065

918-650-0025

Coordinating Regulation

Permit Issuance:

(1) The application, plans, specifications, computations and other data filed by an applicant shall be reviewed by the jurisdiction or agency having permit authority. Such plans may be reviewed by other departments or agencies to verify compliance with any applicable laws under their jurisdiction. If the permitting authority finds that the work described in the application for a permit and the plans, specifications and other data filed therewith conform to the requirements of OAR 918, division 650 and other pertinent laws and ordinances, and that the fees specified in OAR 918-650-0030 have been paid, the permitting agency shall issue a permit to the applicant. Regulations which also apply to recreation parks and organizational camps are:

(a) Land Use. Land use shall comply with the regulations of the unit of government which has planning authority over the proposed construction site;

(b) Flood Zones. Buildings or areas used within a flood zone shall be approved by the agency having jurisdiction prior to the issuance of permits;

(c) Water Supply. Water supply systems shall comply with Oregon State Health Division Administrative Rules;

(d) Sewage Disposal. Sewage treatment and disposal facilities, including, but not limited to, on-site facilities, solid waste container wash-down facilities, gray water waste disposal systems, pit privies, vaults and chemical toilets, shall comply with Oregon Department of Environmental Quality Administrative Rules;

(e) Solid Waste Disposal. Solid waste disposal shall comply with the Oregon Health Division Administrative rules and such waste shall be disposed of in a manner which complies with the Oregon Department of Environmental Quality Administrative Rules;

(f) Eating and Drinking Establishments. Eating and drinking establishments shall comply with Oregon State Health Division Administrative Rules;

(g) Ice Machines. Ice machines shall comply with Oregon State Department of Agriculture Administrative Rules;

(h) State Building Code. Buildings and structures shall comply with the **Oregon State Building Code**, as defined in ORS 456.750(8), and Administrative Rules adopted pursuant thereto;

(i) Highway, Street and Driveway Permits. Access shall comply with the regulations of the city, county or State Highway Division having jurisdiction over access to the public roads;

(j) Fire Protection. Fire protection facilities shall comply with the requirements of the appropriate jurisdiction's fire protection regulations;

(k) Liquefied Petroleum Gas (LPG). Liquefied petroleum gas installations shall comply with the regulations of the Oregon State Fire Marshal. Such installations require permits. The person making such an installation shall be licensed by the State Fire Marshal and the installation shall be inspected by a deputy fire marshal;

(l) Swimming Pools and Spas. Swimming Pools and spas shall comply with the Oregon State Health Division Administrative Rules;

(m) Hostels. Hostels shall comply with the Oregon State Building Code and shall be licensed and maintained under Oregon State Health Division Administrative Rules;

(n) Engineers/Architects Design. When required, park and camp designs shall be prepared by an engineer or architect registered in Oregon and comply with the respective administrative rules of the Board of Engineering Examiners or Board of Architect Examiners.

(2) Recreation Park and Organizational Camp Operating License Required. The State Health Division shall issue, unless there is reason to believe noncompliance exists, an operating license for all recreation parks and organizational camps upon receipt of:

(a) A completed application on a form provided by the Health Division;

(b) The required fees; and

(c) Documents certifying that the facility is in compliance with:

(A) The provisions of ORS 446.310 to 446.350 and rules adopted pursuant thereto;

(B) The rules of the Building Codes Agency; and

(C) The applicable regulations in this rule.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 455.680, 456.755, 456.770 & 456.837

Stats. Implemented: ORS 455.680

Hist.: BCA 10-1987, f. & ef. 9-18-87; Renumbered from 814-029-0070

918-650-0030

Fees — Expiration — Validation

(1)(a) Area Development Fee. The area development fee shall be determined from **Table 1** using the valuation for all facilities for which the permit is issued. The fees in **Table 1** shall be based upon valuation **Table 2** for recreation parks or be determined by the applicant with documentation acceptable to the issuing authority. Permit fees shall be paid to the issuing authority before any work begins.

NOTE: The Area Development Permit does not include permits or related fees for buildings, manufactured dwelling installations, accessory buildings and structures, mechanical, plumbing or electrical systems, boilers, elevators, or permits required by other agencies as specified in OAR 918-650-0025.

Table 1

Total Valuation	Fee
\$1 to \$500	\$15
\$501 to \$2,000	\$15 for the first \$500 plus \$2 for each additional \$100 or fraction thereof, to and including \$2,000
\$2,001 to \$25,000	\$45 for the first \$2,000, plus \$9 for each additional \$1,000 or fraction thereof, to and including \$25,000
\$25,001 to \$50,000	\$252 for the first \$25,000, plus \$6.50 for each additional \$1,000 or fraction thereof, to and including \$50,000
\$50,001 to \$100,000	\$414.50 for the first \$50,000, plus \$4.50 for each additional \$1,000 or fraction thereof, to and including \$100,000
\$100,001 to \$500,000	\$639.50 for the first \$100,000, plus \$3.50 for each additional \$1,000 or fraction thereof, to and including \$500,000
\$500,001 to \$1,000,000	\$2,039.50 for the first \$500,000 plus \$2 for each additional \$1,000 or fraction thereof, to and including \$1,000,000
\$1,000,000 and up	\$3,539.50 for the first \$1,000,000 plus \$2 for each additional \$1,000 or fraction thereof

NOTE: **Table 1** is based on **Table 3-A** of the 1988 Uniform Building Code.

Table 2

RECREATION PARK VALUATION TABLE

CLASS OF PARK OR CAMP	SPACES PER ACRE							
	6	8	10	12	14	16	18	20
A	2637	2470	2320	2189	2074	1978	1907	1849
B	2483	2317	2176	2035	1920	1824	1754	1696
C	1792	1626	1485	1344	1229	1133	1062	1005

NOTES:

(1) **Table 2** is based on the 1990 evaluations for Recreational Vehicle Parks published by the Oregon Department of Revenue.

(2) Deduct ten percent from the valuation of parks and camps constructed east of the Cascade Summit.

(3) "Class A" parks and camps contain paved streets and electric, water and sewer service to each R.V. or camping space.

(4) "Class B" parks and camps contain electric, water and sewer service to each R.V. or camping space, but do not have paved streets.

(5) "Class C" parks and camps contain a combination of no more than two services involving electric, water or sewer and do not have paved streets.

(6) When a park or camp contains spaces in more than one class, figure the spaces in each class, then add them together to obtain the total valuation.

(7) The Area Development Permit does not include permits or related fees for buildings, manufactured dwelling installations, accessory buildings or structures; mechanical, plumbing or electrical systems; boiler, or elevators, or permits required by other agencies.

(8) See this rule for plan review and inspection fees based on this valuation.

(b) Plans Review Fee. The area development Plan Review Fee shall be 65 percent of the area development permit fee set forth in subsection (1)(a) of this rule and shall be paid to the issuing authority when plans and specifications are submitted for review;

(c) Other Fees:

(A) Inspections outside of normal business hours (minimum charge — two hours), \$50/hour;

(B) Reinspection fee, \$50/hour;

(C) Inspection for which no fee is specifically indicated (minimum charge — one-half hour), \$50/hour;

(D) Additional plan review required by changes, additions or revisions to approved plans (minimum charge — one-half hour), \$50/hour;

(E) Consultation fee (minimum one hour), \$30/hour.

(2) Other Fees:

(a) A special inspection is required and a special inspection fee shall be paid before a permit may be issued for work started without a permit. The special inspection fee shall be equal to and in addition to the amount of the permit fee required by these rules;

(b) Other Inspection Fees. In addition to the called for inspections, the issuing authority may make or require inspections of any construction work to confirm compliance with the provisions of this code and other laws which are enforced by the code enforcement agency;

(c) Reinspection Fees. A reinspection fee may be assessed for each inspection or reinspection when the work for which inspection is called is not complete or when corrections called for are not made.

NOTE: This subsection is not intended to require reinspection fees the first time a job is rejected for failure to comply with the requirements of this code, but is to control the practice of calling for inspections before the job is ready for such inspection or reinspection.

(3) Fee Refunds:

(a) Permit fees, license fees or other monies paid to the Agency will be refunded only in the case of overpayment, duplicated payment or payment made in error or where otherwise required by law;

(b) Refunds in the amount of \$25 or less will only be made upon written request;

(c) Fees will not be refunded if a correct payment was made but the work for which the permit was issued was not begun or completed or the license application was not completed.

(4) Expiration and Validity of Plans and Permits:

(a) Expiration of Plan Approval. Area Development plan approval shall expire one year after the date that the approval is granted if no area development permit is issued. Upon receipt of a written request from the applicant the issuing authority may extend the time for action by the applicant for a period of not to exceed 180 days. To renew action on an application after the expiration of a plan approval, the applicant shall resubmit plans and pay a new plan review fee;

(b) Expiration of Area Development Permit. An area development permit issued under OAR 918, division 650 shall expire if the work it authorizes is not commenced within 180 days from the date of issuance of the permit, or if the work is suspended or abandoned for 180 days at any time after it is commenced. A permittee holding an unexpired permit may apply for an extension of the time within which the work may be commenced under that permit. The time for action by the permittee shall not exceed 180 days. Requests for extensions shall be in writing, and no permit shall be extended more than once. If such work is not recommenced, before a permit or extension expires a new permit shall be obtained. The fee therefor shall be one-half the amount required for the first permit, provided that:

(A) No changes have been made in the original plans and specifications; and

(B) The duration of the suspension of work or abandonment has not exceeded one year.

(c) Validity. The issuance or granting of an area development permit or approval of area development plans and specifications shall not be construed to be a permit for, or approval of, any violation of any of the provisions of OAR 918, division 650. The issuance of a permit based upon plans and specifications shall not prevent the issuing agency from later requiring the correction of errors in such plans;

(d) Suspension or Revocation. The issuing authority may, in writing, suspend or revoke an area development permit issued under provisions of OAR 918, division 650 when the permit is issued in error or on the basis of incorrect information supplied, or in violation of any provision of OAR 918, division 650, or any other ordinances.

(5) County Fees. Counties shall not, for the kind of permits provided for by this section, enact or enforce any ordinance, rule or regulation fixing any permit fee that is higher than the fees provided by this section unless the county has the prior approval of the Administrator to do so. The Administrator shall approve any such fees if the Administrator finds, after notice and hearing, that the proposed fee or fees are reasonable and necessary to provide funds for the county to pay the expenses of carrying out effective enforcement of OAR 918, division 650 that are its responsibility to enforce.

Stat. Auth.: ORS 183.325-410, 455.170, 455.680, 456.755, 456.770 & 456.837

Stats. Implemented: ORS 455.680

Hist.: BCA 10-1987, f. & ef. 9-18-87; Renumbered from 814-029-0075; BCA 16-1991(Temp), f. 6-7-91, cert. ef. 7-1-91; BCA 36-1991, f. 10-23-91, cert. ef. 10-31-91

918-650-0035

Plans and Specifications

(1) Plans. With each application for a plan review the applicant shall submit four sets of construction plans and specifications. Plans and specifications shall be drawn to scale, of sufficient clarity to indicate the nature and extent of the work proposed and to show in detail that the construction will conform to all relevant laws, rules and regulations of the State of Oregon pertaining to recreation parks and organizational camps.

NOTE: The construction details that this section requires to be shown on plans may be required by rules other than OAR 918, division 650. However, these details are specified here in order to aid other agencies in determining compliance with their coordinating regulations.

(2) Design. All plans shall be designed in accordance with the requirements of the various codes and administrative rules and, where required, shall be designed by an architect/engineer registered in Oregon.

(3) Plan Format and Sequence. The following plan format and sequence specification are guidelines for both the designer and the plan reviewer. Deviations are permitted from strict compliance with the plan format and sequence specifications when such deviation will produce the same result:

(a) The cover sheet of each set of plans shall give the following:

(A) The name of the recreation park or organizational camp and the location (vicinity map);

(B) The name of the owner;

(C) The name of the operator;

(D) The name of the person who prepared or submitted the plans;

(E) The symbols used; and

(F) The design maximum occupancy load for organizational camps.

(b) The plot plan (on a separate sheet) shall include:

(A) Both proposed and existing construction; and

(B) A scale drawing of the general layout of the entire recreation park or organizational camp showing property survey monuments in the area of work and distances from park or camp boundaries to public utilities located outside the park or camp (indicated by arrows without reference to scale).

EXCEPTION: When the work involves an addition to, or a remodeling of, an existing recreation park or organizational camp, the plot plan shall show the facilities related to the addition and/or the facilities to be remodeled.

(4)(a) The following features shall be clearly shown and identified:

(A) The permanent buildings (dwellings, mobile homes, washrooms, recreation buildings, and similar structures);

(B) The fixed facilities in each space (fire pits, fire places or cooking facilities);

(C) The property line boundaries and survey monuments in the area of work;

(D) The location and designation of each space by number, letter or name; and

(E) Plans for combination parks shall also show which portions of the parks are dedicated to camp ground, organizational camp, mobile home park, picnic park, recreational vehicle park and joint use.

(b) Park and organizational camp utility systems shall be clearly shown and identified on a separate sheet:

(A) Location of space sewer connections, space water connections and service electrical outlets;

(B) Location and source of domestic water supply;

(C) Location of water and sewer lines (showing type, size and material);

(D) Park or camp street layout and connections to public street(s);

(E) Disposal systems, such as septic tanks and drain fields, recreational vehicle dump stations, gray water waste disposal sumps, wash-down facilities, sand filters, and sewer connections;

(F) Fire protection facilities, such as fire hydrants, fire lines, tanks and reservoirs, hose boxes and apparatus storage structures;

(G) Solid waste disposal system and solid waste collection features, such as refuse can platforms and supports, and wash-down facilities; and

(H) Liquid Petroleum Gas (LPG) tanks and gas lines.

(c) Park Topography. Park topography shall be shown in the area of work when any existing grade or slope exceeds five percent.

Stat. Auth.: ORS 455.680, 456.755, 456.770 & 456.837

Stats. Implemented: ORS 455.680

Hist.: BCA 10-1987, f. & ef. 9-18-87; Renumbered from 814-029-0080

918-650-0040

Inspections

(1)(a) General. All construction or work for which a permit is required by OAR 918, division 650 shall be subject to inspection by the issuing authority;

(b) It shall be the duty of the permit applicant to cause the work to be accessible and exposed for inspection purposes. Neither the employee nor the issuing authority shall be liable for expense entailed in removal or replacement of any material required to allow inspection.

(2)(a) Inspection Requests. It shall be the duty of the person doing the work authorized by a permit to notify the issuing authority that such work is ready for inspection. The issuing authority may require every request for inspection be filed at least three working days before such inspection is desired. Such requests may be in writing or by telephone at the option of the issuing authority;

(b) It shall be the duty of the person requesting any inspections required by OAR 918, division 650 to provide access to and means for proper inspection of such work.

(3) Approval Required. Approval shall be given only after an inspection has been made on each successive step in the construction as indicated on each of the inspections required in section (4) of this rule.

(4) Required Inspections. The issuing authority, upon notification from the permit holder or the permit holders agent, shall make the following inspections and shall either approve that portion of the construction as completed or shall notify the permit holder or agent where-in the same fails to comply with OAR 918, division 650:

(a) Rough Grading. When rough grading of roads and spaces are completed;

(b) Prior to Paving. Before any asphaltic concrete or portland cement concrete is placed;

(c) Final Inspection. A final inspection shall be made after finish grading and all permanent facilities are in place;

(d) Coordinating Regulation Inspections. Inspection required by the Coordinating Regulations specified in OAR 918-650-0025.

Stat. Auth.: ORS 455.680, 456.755, 456.770 & 456.837

Stats. Implemented: ORS 455.680

Hist.: BCA 10-1987, f. & ef. 9-18-87; Renumbered from 814-029-0085

918-650-0045

General Construction Requirements

General:

(1) Combination Parks. The portions of combination parks which are dedicated to campground, organizational camp, picnic park, mobile home park or recreational vehicle park use shall be identified and each use shall comply with the applicable regulations. Jointly used areas shall be designated accordingly.

(2) Space Separation and Designation. Building or space separation and space designation shall be as follows:

(a) The distance between buildings shall be as required in the **Structural Specialty Code**;

(b) The distance between spaces shall be as provided in OAR 918-650-0055(1);

(c) Spaces shall be identified by signs or markings corresponding to the letters, numbers or names indicated on the approved plans.

(3) Access. Each space designed for vehicular use within a recreation park or organizational camp shall have direct access to a park, street or road. The access shall be unobstructed by grade or vertical clearance or the entrance to such roads with impaired clearance shall be provided with warning signs.

(4) Street Width. Park streets intended for use by the public shall be of adequate width to accommodate the planned parking and traffic load. Each traffic lane shall be ten feet minimum width. Where parking is permitted on park streets, each parking lane shall be ten feet minimum width. All two-way streets without parking shall be 20 feet minimum width.

(5) Connection to a Public Way. The park street system shall have direct connection to a public way.

(6) Park Roads and Streets. Roads and streets intended for use by the public shall be designed for minimum nine-ton gross loads and streets and walkways shall be well drained. The street surface may be asphaltic-concrete, portland cement concrete, crushed rock, gravel or other approved surface material.

(7) Cleanable Construction. Fireplaces, fire pits or cooking facilities shall be of cleanable construction and designed to permit easy removal of ash and other waste.

(8) Screens. All openings, except doors with self-closing devices, into the outer air of permanent kitchens, dining rooms, toilets and shower facilities shall be effectively screened. Screens shall be not less than sixteen mesh per inch, and all screen doors shall be equipped with a self-closing device.

(9) Solid Waste Containers. Solid waste containers shall be in place at the time of final inspection. Solid waste containers or bins shall:

- (a) Have tight-fitting lids, covers or closable tops; and
- (b) Be durable, rust-resistant, water tight, rodent-proof and washable;

(c)(A) Containers in recreational vehicle parks shall be provided at a rate of one 30-gallon container for each four recreational vehicle parking spaces and be located within 300 feet of each recreational vehicle parking space. Containers may be grouped;

(B) Containers in picnic parks, campgrounds and organizational camps shall be provided at a rate of one 30-gallon container for each 20 occupants or fraction thereof that the camp or park is designed to accommodate. Containers may be grouped.

EXCEPTION: The requirement for solid waste containers in picnic parks, campgrounds and organizational camps may be waived by the regulating authority for areas not accessible by road.

(10) Water Systems in Flood Zones. Potable water systems located in, or partially in flood zones, shall be provided with valves to isolate that portion of the system in the flood zone from the rest of the system, and fittings shall be installed to permit flushing and treatment of the flood zone portion of the water system.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 455.680, 456.755, 456.770 & 456.837

Stats. Implemented: ORS 455.680

Hist.: BCA 10-1987, f. & cf. 9-18-87; Renumbered from 814-029-0090

918-650-0050 Toilets

(1) Toilet facilities complying with OAR 918-650-0025(1)(d) shall be provided in every recreation park or organizational camp. They shall be convenient and accessible and shall be located within 500-feet of any recreational vehicle space or camping site not provided with an individual toilet facility or sewer connection.

EXCEPTION: The requirement for toilets in picnic parks, camp grounds and organizational camps may be waived by the regulating authority for areas not accessible by road.

(2)(a) Sanitary facilities shall be as required in **Table 2**;

(b) Toilet Bowls. Toilet bowls for public use shall be elongated bowls with open-front seats. Any room with flush toilets shall be provided with a floor drain as required in the **Plumbing Specialty Code**;

(c) Signs. Toilets shall either be marked for the designated sex or be provided with a privacy lock. If not apparent, the location of toilets shall be indicated by appropriate direction signs;

(d) Flush Toilets and Showers. Flush toilets and showers and the buildings containing them shall be constructed in accordance with the **State Building Code**;

(e) Unisex Toilets. Toilet facilities designed to serve an occupant load of 15 persons or less may serve both sexes. Such toilet facilities shall be equipped with a urinal.

(3) Nonwater-Carried Toilets. Nonwater-carried toilets, including, but not limited to, chemical or vault toilets or pit privies, shall be constructed and located in accordance with the requirements of the Department of Environmental Quality.

**Table 2
Recreation Parks**

Number of Picnic, Camping or Parking Space	Number of Toilets		Lavatories for Parks with Flush Toilets ^{1, 2}	
	Men ^{1,2}	Women	Men	Women
1-15	1	1	1	1
16-30	1	2	1	2
31-60	2	3	2	3
61-100 ³	3	4	3	4

¹One additional lavatory shall be provided for each two toilets when more than six toilets are required.

²Urinals may be acceptable for not more than 1/3 of the toilets required in the men's facilities.

³Campgrounds in recreation parks and picnic parks with more than 100 spaces shall provide one additional toilet per sex for each additional 30 spaces or fraction thereof.

Organizational Camps

Design Maximum Number of Campers for Each Sex	Overnight		Day Use Only	
	for Every 10	for Every 20	for Every 20 ²	
Number of Toilets				
Men ¹	1			1
Women	1			1
Lavatories for Camps with Flush Toilets				
Men	1			1
Women	1			1
Bathing Facilities				
Tub or Shower ³				
Men		1		
Women		1		

¹Urinals may be acceptable for not more than 1/3 of the toilets required in the men's facilities.

²When the day use persons exceed 100, one toilet and one lavatory shall be provided for each additional 50 persons or fraction thereof.

³Bathing facilities are not required for camps where persons are present for three nights or less.

Toilets Required:

(4) Toilet facilities complying with OAR 918-650-0025(1)(d) shall be provided in every recreation park or organizational camp. They shall be convenient and accessible and shall be located within 500-feet of any recreational vehicle space or camping site not provided with an individual toilet facility or sewer connection.

EXCEPTION: The requirement for toilets in picnic parks, camp grounds and organizational camps may be waived by the regulating authority for areas not accessible by road.

(5)(a) Sanitary facilities shall be required as follows:

(A) Recreation Parks:

(i) 1-15 Picnic, Camping or Parking Spaces:

(I) Number of Toilets: Men^{1,2} — One; Women — One;

(II) Lavatories for Parks with Flush Toilets^{1,2}; Men — One; Women — One.

(ii) 16-30 Picnic, Camping or Parking Spaces:

(I) Number of Toilets: Men^{1,2} — One; Women — Two;

(II) Lavatories for Parks with Flush Toilets^{1,2}; Men — One; Women — 2.

(iii) 31-60 Picnic, Camping or Parking Spaces:

(I) Number of Toilets: Men^{1,2} — Two; Women — 3;

(II) Lavatories for Parks with Flush Toilets^{1,2}; Men — Two; Women — Three.

(iv) 61-100³ Picnic, Camping or Parking Spaces:

(I) Number of Toilets: Men^{1,2} — Three; Women — Four;

(II) Lavatories for Parks with Flush Toilets^{1,2}; Men — Three; Women — Four.

NOTES:

¹One additional lavatory shall be provided for each two toilets when more than six toilets are required.

²Urinals may be acceptable for not more than 1/3 of the toilets required in the men's facilities.

³Campgrounds in recreation parks and picnic parks with more than 100 spaces shall provide one additional toilet per sex for each additional 30 spaces or fraction thereof.

(B) Organizational Camps

(i) Design Maximum Numbers of Campers for Each Sex; Overnight for every 10:

(I) Number of toilets: Men¹ — One; Women — One;

(II) Lavatories for Camps with Flush Toilets: Men — One; Women — One;

(ii) Design Maximum Numbers of Campers for Each Sex; Overnight for every 20: Bathing Facilities Tub or Shower³: Men — One; Women — One.

(iii) Design Maximum Numbers of Campers for Each Sex; Day Use only for every 20²:

(I) Number of toilets: Men¹ — One; Women — One;

(II) Lavatories for Camps with Flush Toilets: Men — One; Women — One;

NOTES:

-1- Urinals may be acceptable for not more than 1/3 of the toilets required in the men's facilities.

-2- When the day use persons exceed 100, one toilet and one lavatory shall be provided for each additional 50 persons or fraction thereof.

-3- Bathing facilities are not required for camps where persons are present for three nights or less.

(b) Toilet Bowls. Toilet bowls for public use shall be elongated bowls with open-front seats. Any room with flush toilets shall be provided with a floor drain as required in the **Plumbing Specialty Code**;

(c) Signs. Toilets shall either be marked for the designated sex or be provided with a privacy lock. If not apparent, the location of toilets shall be indicated by appropriate direction signs;

(d) Flush Toilets and Showers. Flush toilets and showers and the buildings containing them shall be constructed in accordance with the **State Building Code**;

(e) Unisex Toilets. Toilet facilities designed to serve an occupant load of 15 persons or less may serve both sexes. Such toilet facilities shall be equipped with a urinal.

(6) Nonwater-Carried Toilets. Nonwater-carried toilets, including, but not limited to, chemical or vault toilets or pit privies, shall be constructed and located in accordance with the requirements of the Department of Environmental Quality.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 455.680, 456.755, 456.770 & 456.837

Stats. Implemented: ORS 455.680

Hist.: BCA 10-1987, f. & ef. 9-18-87; BCA 7-1988, f. & ef. 4-1-88; Renumbered from 814-029-0095; Administrative Reformatting 1-19-98

918-650-0055

Special Rules for Overnight Campgrounds

(1) Spacing. Each camping space shall be large enough to accommodate the designated class of recreational vehicle or tent and be located a minimum of ten feet from any other camping space, building or building appurtenance or any boundary line abutting upon a public street or highway, and five feet from any property line. The space area shall be designed to minimize the obstruction of any public or private roadway or walkway by vehicles or tents.

(2) Faucets. Camping space faucets and hydrants shall be equipped with an approved back flow prevention device as required by the **Plumbing Specialty Code**.

(3) Gray Water Waste Disposal System. Recreation parks which supply water shall provide a sewage disposal system or a gray water waste disposal sump for each six spaces that meets the requirements of the Department of Environmental Quality.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 455.680, 456.770, 456.755 & 456.837

Stats. Implemented: ORS 455.680

Hist.: BCA 10-1987, f. & ef. 9-18-87; Renumbered from 814-029-0100

918-650-0060

Special Rules for Organizational Camps

Sleeping Spaces. Permanently installed beds or bunks shall have:

(1) A minimum of 30 inches of lateral separation between beds and a minimum of 30 inch vertical separation between tiers of beds or between the top tier and the ceiling.

(2) A maximum of two tiers of bunks.

(3) Not less than ten inches of space between the floor and the underside of the beds. In lieu of such space, a bed may have a continuous base which is attached to the floor.

Stat. Auth.: ORS 455.680, 456.755, 456.770 & 456.837

Stats. Implemented: ORS 455.680

Hist.: BCA 10-1987, f. & ef. 9-18-87; Renumbered from 814-029-0105

918-650-0065

Temporary Recreation Parks

(1) The Administrator may exempt any requirement of OAR 918, division 650 regarding toilets, waste water disposal, spacing or plan

review and plan review fees, to meet special short-term campground needs if public health will not be endangered.

(2) Exemptions issued under this rule shall expire on the date stated in the exemption, but no exemption shall be valid for more than six months.

(3) The Administrator may establish reasonable conditions for the operation of a temporary park.

Stat. Auth.: ORS 455.680, 456.755, 456.770 & 456.837

Stats. Implemented: ORS 455.680

Hist.: BCA 10-1987, f. & ef. 9-18-87; Renumbered from 814-029-0109; BCA 15-1992(Temp), f. & cert. ef. 8-7-92; BCA 8-1993, f. 4-29-93, cert. ef. 5-1-93

918-650-0070

Alternate, Materials and Interpretations; Appeals

(1) These rules are not intended to prevent the use of any alternate material, design, or method of construction for recreation parks or organizational camps which the rules do not specifically prescribe, provided that the issuing authority has approved such alternate.

(2) Modifications. Wherever there are practical difficulties involved in carrying out the provisions of OAR 918, division 650, the issuing authority may grant modifications for individual cases, provided the issuing authority shall first find that a special individual reason makes the strict compliance with the letter of OAR 918, division 650 impractical and that the modification does not lessen any fire protection requirements or any degree of structural integrity or create any health or safety hazards. The details of any such action granting modifications shall be recorded and entered in the files of the issuing authority.

Stat. Auth.: ORS 455.680, 456.755, 456.770 & 456.837

Stats. Implemented: ORS 455.680

Hist.: BCA 10-1987, f. & ef. 9-18-87; Renumbered from 814-029-0110

918-650-0075

Existing Parks

(1) Parks or camps existing when OAR 918, division 650 are promulgated may have their existing use continued if the use was legal at the time of construction, provided that this continued use is not a threat to life, health, property, and general welfare of the public and is maintained in a safe and healthful condition.

(2) Any alteration to a recreation park or organizational camp shall comply with the requirements of OAR 918, division 650 for new parks or camps and ORS Chapter 446.

Stat. Auth.: ORS 455.680, 456.755, 456.770 & 456.837

Stats. Implemented: ORS 455.680

Hist.: BCA 10-1987, f. & ef. 9-18-87; Renumbered from 814-029-0115

918-650-0080

Enforcement

(1)(a) Permit Issuing Authority. As set forth in ORS 456.837, the permit issuing authority with respect to the construction of recreation parks and organizational camps is the Building Codes Agency;

(b) Delegation to Counties. The Administrator shall delegate to any county board of commissioners which requests any of the authority, responsibilities and functions of the Administrator relating to recreational parks, organizational camps and picnic parks as defined in ORS 446.310, including but not limited to plan review and sanitation inspections if the administrator determined that the county is willing and able to carry out the rules of the Administrator relating to such authority, responsibilities and functions. The Administrator shall review and monitor each county's performance under this subsection. In accordance with ORS 183.310 to 183.550, the Administrator may suspend or rescind a delegation under this subsection. If it is determined that a county is not carrying out such rules or the delegation is suspended, the unexpended portion of the fees collected under subsection (c) of this section shall be available to the administrator for carrying out the authority, responsibility and functions under this section;

(c) County Fees. The Administrator shall determine, by administrative rule, the amount of fee which the county may charge and retain for any function undertaken pursuant to subsection (b) of this section. The amount of the fees shall not exceed the costs of administering the delegated functions. The county, quarterly, shall remit 15 percent of the collected fees to the administrator for monitoring county programs and for providing informational material necessary to maintain a uniform state program;

(d) State Party to County Suit. In any action, suit or proceeding arising out of county administration of functions pursuant to subsec-

tion (b) of this section and involving the validity of a rule adopted by the administrator, the administrator shall be made a party to the action, suit or proceeding.

(2) Plan Review and Inspection. The issuing authority shall perform plan reviews and construction inspection to assure that the construction complies with the approved plans.

(3) Correction Notice for Violations. All deviations from the requirements of the statutes or OAR 918, division 650 shall be specified in writing and a copy furnished to the permittee. An additional copy of this notice may be posted at the site of work or mailed or delivered to the permittee or the permittee's agent at the address shown on the permit. The issuing authority may provide information as to the meaning or application of the statutes or OAR 918, division 650, but shall not design or layout work for contractors, owners, or user. Refusal, failure or neglect to correct deviations from the minimum standards specified in the notice of violation within 20 days of receipt or posting of the notice of violation shall be considered a separate violation of the statutes or chapter 918, division 650.

(4) Stop Orders. Whenever any work is being done contrary to the provisions of OAR 918, division 650, the issuing authority may order the work stopped by notice in writing served on any person engaged in causing such installation to be made, or by posting a copy thereof at the site of the installation, and thereafter no person shall proceed with the work until authorized to do so by the issuing authority.

(5) Suspension or Revocation. The issuing authority may, in writing, suspend or revoke a permit issued under provisions of OAR 918, division 650, whenever the permit is issued in error or on the basis of incorrect information supplied, or in violation of any rules, regulations or statute.

(6) Right of Entry. Whenever it may be necessary to make an inspection to enforce any provision of OAR 918, division 650, or whenever the issuing authority has reasonable cause to believe that there exists in any building or upon any premises any condition which makes that building or those premises unsafe under OAR 918, division 650, the issuing authority may enter that building or those premises at any reasonable time to inspect them or to perform any duty imposed upon the issuing authority by OAR 918, division 650. If that building or those premises be occupied, the issuing authority shall first present proper credentials and demand entry; and if that building or those premises be unoccupied, the issuing authority shall first make a reasonable effort to locate the owner or other persons having charge or control of the building or premises and demand entry. If such entry is refused, the issuing authority shall have recourse to every remedy provided by law to secure entry.

(7) Liability. The issuing authority or any employee charged with the enforcement of OAR 918, division 650, acting in good faith and without malice for the jurisdiction in the discharge of the issuing authority's duties, shall not thereby render themselves liable personally and the employee hereby is relieved from all personal liability for any damages that may accrue to person or property as a result of any act required or by reason of any act of omission in the discharge of the employee's duties. Any suit brought against the issuing authority or its employees, because of such act or omission performed by the issuing authority in the enforcement of OAR 918, division 650 shall be defended by the legal department of the jurisdiction until final termination of the proceedings.

(8) Unconstitutionality. If any section, subsection, sentence, clause or phrase of OAR 918, division 650 is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of OAR 918, division 650. The Building Codes Agency hereby declares that it would have passed OAR 918, division 650, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases which might subsequently be declared unconstitutional.

(9) Appeals. Any person aggrieved by the final decision of a county appeals board (or of the responsible officer of a county where no county appeals board exists) or of a subordinate officer of the Agency as to the application of any provision of OAR 918, division 650, may appeal that decision to the Administrator within 30 days after the date of the decision. The appellant shall submit a fee of \$20, payable to the Agency, with the appellant's request for appeal. The final decision of the county board or officer or the state officer shall be subject to review and final determination, as to the technical and scientific

applicability of OAR 918, division 650, by the appropriate appeals board.

Stat. Auth.: ORS 455.680, 456.755, 456.770 & 456.837

Stats. Implemented: ORS 455.680

Hist.: BCA 10-1987, f. & ef. 9-18-87; Renumbered from 814-029-0121

DIVISION 674

PREFABRICATED CONSTRUCTION

918-674-0000

Application, Scope and Purpose

(1) Application. The provisions of OAR 918-674-0000 through 918-674-0300 shall apply to all prefabricated structures other than a manufactured dwelling or recreational vehicle as defined under ORS 446.003.

(2) Purpose. The purpose of these rules is to provide uniform, minimum procedures for plan approval and inspection for the regulation of structures or portions thereof, that are wholly or partially prefabricated using closed construction at an off-site location.

(3) Scope. These rules shall apply to the design and construction of all prefabricated structures that are intended to be sold, leased or installed in Oregon.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 455.030, 455.100 & 455.110

Stats. Implemented: ORS 455.110

Hist.: DC 9-1982, f. & ef. 3-1-82; Renumbered from 814-050-0005; BCA 25-1992, f. 12-28-92, cert. ef. 1-1-93; BCD 7-1996, f. 3-29-96, cert. ef. 4-1-96; Renumbered from 918-674-0010; BCD 20-1998, f. 9-30-98, cert. ef. 10-1-98

918-674-0005

Definitions

The following definitions are in addition to those included in ORS 455.010, the **Oregon Structural Specialty Code** and the **Oregon One and Two Family Dwelling Specialty Code**.

(1) "Approved" means approved by the Building Codes Division or certified third-party inspection agency.

(2) "Audit" means an evaluation of a manufacturer's compliance control procedure or an examination of prefabricated structure construction by the Division or the Division's representative.

(3) "Building Site" means any lot or tract of land upon which a prefabricated structure is installed.

(4) "Closed Construction" means a factory-assembled structure or component that encloses factory-installed structural, mechanical, electrical, plumbing or energy conservation equipment or material inside a floor, wall or roof cavity which is not entirely open for visual inspection of the equipment or material at the site.

(5) "Compliance Control" means the method of controlling the construction, fabrication, assembly and erection where applicable, including storage and use of various materials, to insure compliance with the rules and construction codes adopted for the regulation of prefabricated structures.

(6) "Component." (See Prefabricated Structure.)

(7) "Custom Plan" means a plan for construction of a one-of-a-kind structure.

(8) "Design Option" means an alternative design or type of construction included in a design plan.

(9) "Design Master Plan" means a document, or set of documents, used for constructing multiple prefabricated structures utilizing the same plan with or without options.

(10) "Division" means the Building Codes Division.

(11) "Incomplete Structure" means either a prefabricated permanent or relocatable building which, because of design, size or transportation limitations, is not completed by the manufacturer at the manufacturer's facility (i.e., on-site roof framing, installation of plumbing fixtures or roof-mounted heating, ventilation or air conditioning equipment)

(12) "Insignia of Compliance" has the meaning given in ORS 455.705.

(13) "Installation" means the assembly of a prefabricated structure on-site, and the process of attaching the structure to land, foundation, or an existing building.

(14) "Manufacture" means the process of making, fabricating, constructing, forming or assembling a product from raw, unfinished or semi-finished materials to produce prefabricated structures.

(15) "Manufacturer." (See Registered Manufacturer.)

(16) "Manufacturer's Compliance Control" means an inspection program implemented and maintained by the manufacturer under Division certification and audit procedures.

(17) "Monitoring" means an evaluation or examination by the Division of a certified third-party agency to determine compliance with Oregon laws, rules and the **Oregon Specialty Codes**.

(18) "Panel." (See Prefabricated Component.)

(19) "Plan" means a specific design of prefabricated structure as designated by the manufacturer to be the working drawings for production of a unit.

(20) "Prefabricated Structure" has the meaning given in ORS 455.010 and includes the following types of structures and components:

(a) "Prefabricated Component" means any structural sub-assembly or component such as wall, floor or roof panels; plumbing or electrical service walls; bath, kitchen or utility service modules; service core modular units; refrigeration panels; and reinforced concrete components or subassemblies, provided they are built at an off-site location using closed construction. It does not include roof trusses, open wall panels and similar subassemblies which are built at an off-site location using open construction.

(b) "Prefabricated Component Building" means a building consisting of prefabricated components and shipped to a site for assembly.

(c) "Prefabricated Membrane Structure" means a temporary or permanent structure consisting in whole or part of membrane construction manufactured at an off-site location using closed construction.

(d) "Prefabricated Permanent Building" means a structure built as one unit, which may be divided into transportable sections, and designed to be permanently installed on a building site.

(e) "Prefabricated Relocatable Building" means a prefabricated structure designed to be moved from one location to another.

(f) "Prefabricated Service Module" means a factory-assembled three-dimensional portion of a building that may include installed mechanical, electrical, plumbing, heating or cooling elements and related systems. These units may contain kitchens, bathrooms, utility rooms or other similar use modules, sometimes referred to as "wet boxes," "mechanical cores" or "utility cores."

A prefabricated structure does not include a prefabricated permanent building after it has been initially installed on the building site, inspected and approved for initial occupancy and the Division has accepted the building owner's agreement that all future construction will be "open" construction under the control of the local authority having jurisdiction.

(21) "Reciprocity" means the acceptance among two or more states for prefabricated structures produced in the one state and designated for installation in the other state.

(22) "Registered Manufacturer" means a person, partnership or corporation which has been approved by the Division as a manufacturer of prefabricated structures.

(23) "Specific Use Structure" means a prefabricated structure intended to be used for longer than 30 days in one location that is a single-story structure 400 square feet or less and specifically includes the following:

(a) "Dedicated Use Structure" means a prefabricated structure designed for a specific dedicated use beyond normal shelter or storage, such as hazardous materials buildings, walk-in freezer/coolers, clean rooms or toilet facilities;

(b) "Employee Protection Only Structure" means a prefabricated structure limited to employee occupancy only such as guard shacks, toll booths and kiosks, but does not include "Food Service Structures," "Equipment Protection Only Structures," or "Recreation Use Structures";

(c) "Equipment Protection Only Structures" means a prefabricated structure used for the protection of stationary equipment that is only occupied during maintenance or servicing of equipment, such as structures housing electronic switching stations, automatic teller machines, postage machines or communication equipment;

(d) "Food Service Structure" means a prefabricated structure primarily used for the preparation and serving of food or drink but is not accessible to the public, such as espresso or food buildings or stands where access is limited to owners or employees only; and

(e) "Recreation Use Structure" means a prefabricated structure designed for seasonal, recreation or camping use such as cabins and yurts but does not include recreational vehicles.

(24) "Substantial Compliance" has the meaning given in ORS 455.410.

(25) "Substantially Prefabricated or Assembled" means a module or the major portion of a prefabricated structure that is assembled in such a manner that all portions may not be fully inspected without disassembly or destruction of the part.

(26) "System" means a specific part of the construction, structural, plumbing, electrical or mechanical.

(27) "Third-Party Agency, Certified" means an independent contractor (private or municipal) approved by the Division to provide prefabricated structure plan approval or inspection services as further defined in ORS 455.715 and who acts under the authority and direction of the building official charged with the administration of the prefabricated structures program.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 455.030, 455.100 & 455.110

Stats. Implemented: ORS 455.010

Hist.: DC 9-1982, f. & ef. 3-1-82; Renumbered from 814-050-0015; BCA 25-1992, f. 12-28-92, cert. ef. 1-1-93; BCD 7-1996, f. 3-29-96, cert. ef. 4-1-96; BCD 20-1998, f. 9-30-98, cert. ef. 10-1-98

918-674-0013

Manufacturer Registration

(1) All manufacturers of nonexempt prefabricated structures located in or being shipped into Oregon shall register with the Division.

(2) Prefabricated structure plant registrations shall be renewed January 1 of each year by submitting an application for renewal of the manufacturer registration along with the renewal fee.

(3) When revising or updating the application for registration or renewal, the manufacturers under a Division-approved compliance control program shall submit two copies of the current compliance control manual for each manufacturing facility if there have been any changes since the last submittal of the manual.

Stat. Auth.: ORS 455.030, 455.100 & 455.110

Stats. Implemented: ORS 455.110

Hist.: BCD 20-1998, f. 9-30-98, cert. ef. 10-1-98

918-674-0015

Responsibility for Services

(1) The Division shall be responsible for providing plan review and inspection services to prefabricated structure manufacturers who have not contracted with certified third-party agencies for these services. The Division shall be responsible for monitoring certified third-party agencies to assure compliance with the **Oregon Specialty Codes** and these rules.

(2) Authority. Any prefabricated structure approved by the Division or a certified third-party agency and bearing an Oregon insignia of compliance shall be considered in compliance with all appropriate construction laws, codes and regulations within the State of Oregon and shall be acceptable to the local authority having jurisdiction in all Oregon municipalities.

(3) No local authority having jurisdiction shall cause closed construction to be open for inspection on a prefabricated structure or component bearing an Oregon insignia of compliance.

(4) Certified third-party agencies shall be responsible for providing plan review and in-plant inspection services to prefabricated structure manufacturers with whom they have contracted those services.

(5) The local authority having jurisdiction shall:

(a) Insure the prefabricated structure has been approved by the Division as evidenced by an Oregon insignia of compliance;

(b) Insure the prefabricated structure meets the requirements for all local regulations at the building site;

(c) Insure the prefabricated structure will meet the minimum setbacks from property lines and other structures;

(d) Insure all fire-resistive occupancy separations and required fire separation walls, parapet walls and other fire-resistive requirements meet the **Oregon Structural Specialty Code** or the **Oregon One and Two Family Dwelling Specialty Code**;

(e) Insure prior to issuing a permit that sufficient information is made available to determine whether the prefabricated structure will be installed and used according to its intended design and purpose as identified on the Oregon Insignia of Compliance;

(f) Insure prior to issuing a permit that sufficient information is made available to determine whether site specific information or local regulations affect the construction or intended use. Information should

include but not be limited to a site plan, occupancy classification, construction type, structure size, floor live load, roof live load, wind exposure, seismic area, energy zone, electrical service loads, plumbing fixture loads, number of modules and whether it is a permanent or relocatable structure;

(g) Issue permits and perform plan reviews and inspections of the prefabricated structure foundation;

(h) Review plans, issue permits and perform inspections for site-specific, accessibility, geographic, geologic or climatic code requirements affecting the prefabricated structure;

(i) Issue permits and perform inspections of the electrical, water, gas and sewer connections on and to the prefabricated structure;

(j) Issue permit and perform inspections of the prefabricated structure installation. If a multi-section modular building, inspect connections at the marriage lines to assure that such connections are capable of developing a complete load path as required. If a prefabricated component, inspect connections of the component assemblies to assure that the assemblies are capable of developing a complete load path as required;

(k) Issue permit and perform inspections of incomplete structures during on-site construction when the Division has granted prior approval for the local authority having jurisdiction or certified third-party agency to inspect the work on behalf of the Division;

(l) Notify the Division of any prefabricated structures damaged in route to the building site or during installation; and

(m) Issue a Certificate of Occupancy for prefabricated structures after the installation is complete.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 455.030, 455.100 & 455.110

Stats. Implemented: ORS 455.110 & 455.705

Hist.: DC 9-1982, f. & ef. 3-1-82; Renumbered from 814-050-0010; BCA 25-1992, f. 12-28-92, cert. ef. 1-1-93; BCD 7-1996, f. 3-29-96, cert. ef. 4-1-96; BCD 20-1998, f. 9-30-98, cert. ef. 10-1-98

918-674-0023

Codes and Standards

(1) Except where otherwise specifically stated in this division of rules, all prefabricated construction shall be subject to the appropriate codes listed below:

- (a) The **Oregon Structural Specialty Code**;
- (b) The **Oregon Mechanical Specialty Code**;
- (c) The **Oregon Plumbing Specialty Code**;
- (d) The **Oregon Electrical Specialty Code**;
- (e) The **Oregon Elevator Specialty Code**;
- (f) The **Oregon Boiler and Pressure Vessel Safety Specialty Code**; and
- (g) The **Oregon One and Two Family Dwelling Specialty Code**.

Code;

(g) The **Oregon One and Two Family Dwelling Specialty Code**.

EXCEPTIONS: See OAR 918-674-0025 and 918-674-0033.

(2) Additions, alterations, conversions or repairs to prefabricated structures shall be subject to the requirements of this section of rule.

(3) The permit exemptions in the **Oregon Structural Specialty Code** shall apply to prefabricated structures.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 455.030, 455.100 & 455.110

Stats. Implemented: ORS 455.110

Hist.: BCD 20-1998, f. 9-30-98, cert. ef. 10-1-98

918-674-0025

Plumbing Exception

In addition to the **Oregon Plumbing Specialty Code** and the **Oregon One and Two Family Dwelling Specialty Code**, prefabricated structures that are entirely self-contained by the use of holding tanks and that are not intended to be connected to a public water supply or sewer shall be designed to meet the requirements of **Sections 7.5.5.2, 7.5.5.3, 7.5.6.1, 7.5.6.2, 7.6.11 and 7.6.12 of the American National Standards Institute ANSI Publication A119.2/NFPA A119.2, 2002 Edition**. All other portions of the plumbing system shall comply with the **Oregon Plumbing Specialty Code** or the **Oregon One and Two Family Dwelling Specialty Code**.

NOTE: The Oregon Health Division may have additional plumbing requirements to those mentioned in these rules, the **Oregon Plumbing Specialty Code** or the **Oregon One and Two Family Dwelling Specialty Code**.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 455.030, 455.100 & 455.110

Stats. Implemented: ORS 455.110

Hist.: BCD 20-1998, f. 9-30-98, cert. ef. 10-1-98; BCD 19-2003, f. 12-15-03, cert. ef. 1-1-04

918-674-0033

Specific Use Structures

(1) When it can be demonstrated that compliance with strict requirements of the **Oregon Structural Specialty Code** or the **Oregon One and Two Family Dwelling Specialty Code** are impractical and the intent and purpose of the code can still be met without causing structural failure or risk of fire in employee protection only structures, equipment protection only structures, recreational use structures and food service structures, the requirements of the code may be modified by the building official charged with administration of the prefabricated structures program.

(2) All new or converted food service structures shall provide required fire-resistive construction and suppression equipment including the structural elements necessary for any mechanical installations.

(3) The Division may waive the formal plan review process required in the **Oregon Structural Specialty Code** or the **Oregon One and Two Family Dwelling Specialty Code** for specific use structures if the plans are prepared by an Oregon registered architect or engineer and it is found that the nature of the work applied for is such that plan review is not necessary to obtain minimum compliance with the code.

(4) If the Division determines the work in a specific use structure is not of a highly technical nature and there is no unreasonable risk to life and safety, plans required by the **Oregon Structural Specialty Code** or the **Oregon One and Two Family Dwelling Specialty Code** may be prepared by a person who is not an Oregon registered architect or engineer.

(5) Specific use structures shall be exempt from the exterior envelope requirements of **Section 1312** of the **Oregon Structural Specialty Code** provided the roof/ceiling assembly meets the prescriptive requirements of the code and the center of non-bullet-resistant window glass has a minimum U-factor of .35.

(6) Equipment protection only structures shall be exempt from all of the envelope requirements of **Section 1312** of the **Oregon Structural Specialty Code**.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 455.010, 455.100 & 455.110

Stats. Implemented: ORS 455.110

Hist.: BCD 20-1998, f. 9-30-98, cert. ef. 10-1-98; BCD 19-2003, f. 12-15-03, cert. ef. 1-1-04

918-674-0038

Installations

(1) Foundations and tie-downs for permanently-sited prefabricated structures shall be designed according to the requirements of the **Oregon Structural Specialty Code** or the **Oregon One and Two Family Dwelling Specialty Code**.

(2) Foundations and tie-downs for temporary, portable or removable prefabricated structures shall be designed according to the manufacturer's installation instruction which shall be based on the requirements of the **Oregon Structural Specialty Code** or the **Oregon One and Two Family Dwelling Specialty Code**.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 455.030, 455.100 & 455.110

Stats. Implemented: ORS 455.110

Hist.: BCD 20-1998, f. 9-30-98, cert. ef. 10-1-98

918-674-0043

Reciprocity

Prefabricated structure manufacturers located outside Oregon but in a state having reciprocity with Oregon may ship prefabricated structures into Oregon for rent, lease, sale or installation provided the manufacturer is a registered manufacturer with the State of Oregon, is certified by the Division and has obtained approved plans and Oregon Insignias of compliance according to ORS 455.430 and the reciprocity agreements on file with the Division.

Stat. Auth.: ORS 455.030, 455.100, 455.110 & 455.430

Stats. Implemented: ORS 455.110 & 455.430

Hist.: BCD 20-1998, f. 9-30-98, cert. ef. 10-1-98

Tests of Assemblies

918-674-0055

Inspections

(1)(a) Each prefabricated structure required to bear the State of Oregon insignia of compliance shall be inspected by the Division or a certified third-party agency in accordance with an approved compli-

ance control program and the appropriate **Oregon Specialty Codes** as defined in ORS 455.010.

(b) When use of a Division inspector is impractical, the Division may utilize the services of an inspector from a local authority having jurisdiction to perform inspections of prefabricated structures. The local inspectors must be certified by the Division in the appropriate discipline(s). The Division may utilize local inspectors to perform inspections of prefabricated structures in the plant or on site for incomplete structures, accessory buildings, alterations, conversions and repairs.

(c) Except as directed by the Administrator, no inspections shall be made prior to the approval of plans and issuance of the notice of plan review. The approved plans and notice of plan review shall be available to the inspector upon arrival at the manufacturing plant.

(d) All regular inspections shall be requested by mail, fax transmission, electronic-mail or telephone.

(e) The Division shall be notified 48 hours, excluding weekends and holidays, before the requested time of inspection. Out-of-state inspections in locations more than 150 air miles from Oregon require a 21-day prior notice.

(2) In-Plant Inspections:

(a) Cover inspection requires each system constructed to be inspected prior to covering or concealing any portion of the electrical, plumbing, mechanical, fire safety, structural or insulation work.

(b) Final inspection requires each system to be inspected after the construction noted in subsection (a) of this section has been covered and prior to the structure leaving the manufacturing plant;

(c) Reinspection. A reinspection is required when corrections necessitating additional work to a particular system or systems of construction are identified by the authority having jurisdiction.

(3) Out-of-State Inspections:

(a) All out-of-state prefabricated structures intended for rent, lease, sale or installation in the State of Oregon under reciprocity agreements shall have Division approval and Oregon insignia of compliance prior to being shipped to Oregon;

(b) The Division, to provide assurance that quality control and code compliance is maintained, may make out-of-state inspections as necessary.

(4) Damage Inspection:

(a) The local authority having jurisdiction shall report units that have been damaged in route to the building site, or during installation, so the Division may arrange for a damage inspection of the unit.

(b) All prefabricated structures arriving at the installation site in a damaged condition, or damaged during installation, shall be visually reinspected in the field by the Division or the Division's representative. When restoration is complete, a field reinspection is required to validate the Division's initial approval.

(5) Installation Inspection:

(a) To complete the inspection and approval of the prefabricated structure, the local authority having jurisdiction over the construction site shall make an installation inspection;

(b) A "hook-up" inspection shall be performed by the authority having jurisdiction prior to providing electrical power, plumbing and sewage connections to the structure. The manufacturer of the unit is not required to remedy damages or defects caused by on-site work by persons not within the control of the manufacturer.

(6) Requested Site Inspections. Upon written request and payment of required fees the Division will perform advisory at-site installation inspections.

(7) Incomplete Unit At-Site Inspection. Prefabricated structures designed and approved to be completed on-site by the manufacturer shall have a Notice to Local Enforcement Agency (NLEA) form completed by the Division or third-party agency and forwarded to the local authority having jurisdiction receiving the structure within two days of final approval. One set of Division-approved plans identifying the work to be completed on site shall be provided by the manufacturer at the site of each incomplete prefabricated structure. Incomplete units shall be inspected by the Division or by a Division approved inspector, at the building site, when completed, to validate the Division's insignia of compliance.

(8) Complaint Investigation. Complaints other than those received from a Building Official, must be submitted to the Division in writing. The Division shall notify the manufacturer of all complaints.

(9) Audit Inspection. The Division may conduct unannounced inspections at any manufacturing site to review manufacturer's production and compliance control procedures.

(10) Upon discovery of any violations of the **Oregon Specialty Codes** or this rule, the Division or certified third-party agency shall verify the correction by inspection. If the correction cannot be verified during the initial inspection, the Division or certified third-party agency shall make a written report and require the corrective action to be held open for reinspection at the manufacturing plant.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 455.030, 455.100 & 455.110

Stats. Implemented: ORS 455.110 & 455.705

Hist.: DC 9-1982, f. & ef. 3-1-82; Renumbered from 814-050-0055; BCA 25-1992, f. 12-28-92, cert. ef. 1-1-93; BCD 7-1996, f. 3-29-96, cert. ef. 4-1-96; BCD 20-1998, f. 9-30-98, cert. ef. 10-1-98

918-674-0060

Compliance Control Programs

(1) The Division's Compliance Control inspection services are maintained by the Division in accordance with the in-plant inspection procedure, and requires:

(a) That all permits be obtained before delivery of any unit to a building site; and

(b) That when required by local ordinance all prefabricated structures meet the requirements of the **Oregon Structural Specialty Code** or the **Oregon One and Two Family Dwelling Specialty Code** establishing standards for mitigation of wild fires.

(2) Manufacturer Compliance Control: Upon application the Division may approve a prefabricated structure manufacturer's compliance control program using employees who hold the appropriate Division inspection certifications:

(a) Application for manufacturer's compliance control approval shall be in writing and shall include a complete compliance control manual containing administrative, construction and program control procedures for the compliance control program; and

(b) The name of the manufacturer's designated compliance control officer responsible for the compliance control program and whose responsibility shall include maintaining records of the inspection program, copies of all plans and technical reports approved by the Division;

(c) Authority to use, apply and continue to use the Division's insignia is contingent upon the manufacturer's compliance with the approved compliance control standards and procedures, and upon compliance with all applicable laws and rules;

(d) An approved compliance control manual stamped with the Division's approval stamp, shall be maintained by the manufacturer's compliance control officer, and a copy filed with the Division;

(e) When it is demonstrated that a manufacturer can no longer assure compliance with the **Oregon Specialty Codes**, these rules, or its compliance control manual, the Division may rescind the manufacturer's compliance control approval and return to Division inspections.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 455.030, 455.100 & 455.110

Stats. Implemented: ORS 455.110

Hist.: DC 9-1982, f. & ef. 3-1-82; Renumbered from 814-050-0060; BCA 25-1992, f. 12-28-92, cert. ef. 1-1-93; BCD 7-1996, f. 3-29-96, cert. ef. 4-1-96; BCD 20-1998, f. 9-30-98, cert. ef. 10-1-98

918-674-0065

Plan Requirements

Plan Review Procedures:

(1) Plans Required. Prefabricated structures constructed for use in Oregon shall be constructed to plans approved by the Division or a certified third-party agency. The Division or certified third-party agencies shall review and approve plans for the construction of prefabricated structures in compliance with the **Oregon Specialty Codes** prior to the construction of a prefabricated structure. The application for plan approval shall be on forms provided by the Division. The application shall show the use or occupancy, be accompanied by plans, specifications and other data and include the plan review fee required by OAR 918-674-0155. Plans shall be submitted as custom plans or design master plans.

(a) Custom Plans. Plans shall be submitted to the Division or a certified third-party agency as custom plans if the manufacturer plans to build just one structure from the plans. If a manufacturer later decides to build additional structures, the manufacturer can convert the custom plans to design master plans, if they meet the minimum

requirements for design master plans and an application is submitted to the Division or a certified third-party agency along with the difference in fees required by OAR 918-674-0155.

(b) Design Master Plans. Plans should be submitted to the Division as design master plans if the manufacturer plans to build multiple structures of the same design according to ORS 455.685. Design master plans shall meet the minimum requirements for every geographical area for which the prefabricated structure is designed or intended to be located. The Division may approve a manufacturer to submit a limited number of design options in a design master plan. The Division may approve the use of common engineering for multiple design master plans if properly referenced within each set of plans. Amendments to design master plans may be submitted to the Division or third-party agency at any time and shall be reviewed at the current hourly rate established in OAR 918-674-0155.

(2) Copies Required. At least two complete sets of plans, specifications, engineering calculations and other data, when required by the Division, shall be submitted with each application for plan approval. A minimum of three sets of plans shall be submitted for all incomplete structures with a "Notice to a Local Enforcement Agency" (NLEA) form. One set of these Division-approved plans identifying the work to be completed on site shall be shipped with the incomplete structure for use by the local authority having jurisdiction.

(3) Plot Plan. When required, plans shall include a plot plan showing the location of the prefabricated structure in relation to other buildings on the same property, if any, their exit ways and property lines.

(4) Approval. If the Division or certified third-party agency finds that the submittal conforms to the requirements of these rules and that the fees have been paid, the documents shall be endorsed in writing or stamped "Approved" and one set returned to the applicant. The applicant's set of plans shall be kept at the place of manufacture and shall be made available during inspection.

(5) Records Required. The manufacturer shall maintain a permanent record of construction documents, by serial number, of all units manufactured.

(6) If a manufacturer fails to renew its registration with the Division, all Division approvals of plans and manuals and unused insignia shall become void.

(7) Applications for units with incomplete systems shall include a list of all items to be installed on the job site to complete the units for occupancy.

(8) In addition to the plans described in this rule, the Division may, when deemed necessary, require the manufacturer of prefabricated building components and component buildings to submit an installation manual or installation instructions for Division approval.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 455.030, 455.100 & 455.110

Stats. Implemented: ORS 455.110 & 455.705

Hist.: DC 9-1982, f. & ef. 3-1-82; Renumbered from 814-050-0065; BCA 25-1992, f. 12-28-92, cert. ef. 1-1-93; BCD 7-1996, f. 3-29-96, cert. ef. 4-1-96; BCD 20-1998, f. 9-30-98, cert. ef. 10-1-98

918-674-0075

Out-of-State Applicant

(1) All out-of-state manufacturers producing prefabricated structures for installation in the State of Oregon shall obtain the Division's approval prior to production. Applications, plans and fees shall be submitted to the Division and be processed the same as other applications according to these rules.

(2) Out-of-state manufacturers in states which have a reciprocity agreement with Oregon and producing prefabricated structures that have Oregon plan approval and bear an Oregon insignia of compliance, shall be accepted for installation in Oregon according to these rules and the conditions specified under the reciprocal agreement.

Stat. Auth.: ORS 455.030, 455.100 & 455.110

Stats. Implemented: ORS 455.110

Hist.: DC 9-1982, f. & ef. 3-1-82; Renumbered from 814-050-0075; BCA 25-1992, f. 12-28-92, cert. ef. 1-1-93; BCD 7-1996, f. 3-29-96, cert. ef. 4-1-96

918-674-0085

Plan Approval, Renewal and Expiration

(1) Design master plans may be valid for a period of 12 months or, if renewed, up to 36 months from the date of the original Division approval. Applications for renewal of plan approval shall be submitted no later than two months prior to the expiration date of the current

approval or may be submitted with the original submittal for all three years. If Oregon laws, codes or regulations change, the Division may require existing plans to be amended or may require a complete resubmittal of all design master plans along with those fees in OAR 918-674-0155. This requirement may be waived if plans have been updated and approved by reciprocal states due to earlier code adoption and implementation dates.

(2) Approval of custom plans shall be valid for 180 days from the date of initial approval. If the structure has not been completed, approval of custom plans may, upon request, be extended.

Stat. Auth.: ORS 455.030, 455.100 & 455.110

Stats. Implemented: ORS 455.110

Hist.: DC 9-1982, f. & ef. 3-1-82; Renumbered from 814-050-0085; BCA 25-1992, f. 12-28-92, cert. ef. 1-1-93; BCD 20-1998, f. 9-30-98, cert. ef. 10-1-98

918-674-0090

Changes to Approved Plans

(1) When a manufacturer changes any portion of a submitted design, or when a change is required by the Division or third-party agency, the manufacturer shall submit two copies of the plans and data detailing the changes for plan examination and approval.

(2) Plans shall be accompanied by Division plan application form, and the appropriate plan filing fee pursuant to the fee schedule of OAR 918-674-0155.

(3) When a manufacturer proposes changes to a compliance control manual, two copies of the revised manual shall be submitted to the Division for approval accompanied by those fees required by OAR 918-674-0155.

(4) When changes in design master plans or manual are required by the Division or third-party agency, the manufacturer shall submit changes within 90 days of the date the Division or third-party agency gives notice of the required change.

Stat. Auth.: ORS 455.030, 455.100 & 455.110

Stats. Implemented: ORS 455.110 & 455.705

Hist.: DC 9-1982, f. & ef. 3-1-82; Renumbered from 814-050-0090; BCA 25-1992, f. 12-28-92, cert. ef. 1-1-93; BCD 7-1996, f. 3-29-96, cert. ef. 4-1-96; BCD 20-1998, f. 9-30-98, cert. ef. 10-1-98

918-674-0095

Transfer of Approvals

When there is a change of ownership of a manufacturing business which has the Division's plan approval, or has approvals to be utilized by another manufacturer, the change shall be considered to be a renewal submittal which requires application, plans, manuals, fees and a statement releasing or transferring plans and manuals, signed by the owner or officers of each firm.

Stat. Auth.: ORS 455.030, 455.100 & 455.110

Stats. Implemented: ORS 455.110

Hist.: DC 9-1982, f. & ef. 3-1-82; Renumbered from 814-050-0095; BCA 25-1992, f. 12-28-92, cert. ef. 1-1-93; BCD 8-2005, f. & cert. ef. 4-1-05

918-674-0100

Change of Name or Address, or Ownership

A manufacturer shall notify the Division in writing of any change of name, address or ownership within ten days of the change by submitting an updated manufacturer registration along with those fees required by OAR 918-674-0155.

Stat. Auth.: ORS 455.030, 455.100 & 455.110

Stats. Implemented: ORS 455.110

Hist.: DC 9-1982, f. & ef. 3-1-82; Renumbered from 814-050-0100; BCA 25-1992, f. 12-28-92, cert. ef. 1-1-93; BCD 20-1998, f. 9-30-98, cert. ef. 10-1-98

918-674-0105

Production Discontinued by Manufacturer

When a manufacturer discontinues production of an approved product the manufacturer shall immediately notify the Division and shall return all insignia allocated for such discontinued production.

Stat. Auth.: ORS 455.030, 455.100 & 455.110

Stats. Implemented: ORS 455.110

Hist.: DC 9-1982, f. & ef. 3-1-82; Renumbered from 814-050-0105; BCA 25-1992, f. 12-28-92, cert. ef. 1-1-93; BCD 7-1996, f. 3-29-96, cert. ef. 4-1-96

918-674-0115

Compliance and Right of Entry

(1) The Division or a certified third-party agency may conduct inspections at a manufacturer's plant or at the construction site to verify compliance with the approved plans.

(2) Each prefabricated structure supplier or manufacturer shall sign a written agreement on Division forms allowing the Division and

appropriate third-party agency to inspect their manufacturing facility including, but not limited to, the product being produced, the materials being used, the manufacturing processes and plans, reports and records directly related to manufacturing and inspecting.

(3) Division or third-party inspectors shall be provided physical access by the manufacturer to all parts of the manufacturing facility, products, materials and records and shall, when necessary, provide steps, ladders, tie-offs and scaffolds in accordance with the regulations of the Oregon Occupational Safety and Health Division (OR-OSHA) to provide for the inspector's safety.

(4) Third-party agencies shall provide the Division with an agreement in writing that the Division has the right to monitor the third party's performance as described in OAR 918-674-0300 at the fees described in OAR 918-674-0155. Monitoring shall be accomplished by examining:

(a) The performance of individuals completing the duties outlined in these rules;

(b) Records, reports and plans within the office of the third-party;

(c) Products, materials and methods of construction, records, plans and reports at the manufacturing plant;

(d) Finished products held by a dealer, distributor or leasing agent; and

(e) Finished products installed on site.

(5) The Division may revoke or suspend plan approval and deny use of Division insignia for failure to comply with this rule.

Stat. Auth.: ORS 455.030, 455.100 & 455.110

Stats. Implemented: ORS 455.110 & 455.705

Hist.: DC 9-1982, f. & ef. 3-1-82; Renumbered from 814-050-0115; BCA 25-1992, f. 12-28-92, cert. ef. 1-1-93; BCD 7-1996, f. 3-29-96, cert. ef. 4-1-96; BCD 20-1998, f. 9-30-98, cert. ef. 10-1-98

918-674-0125

Proprietary Material

All material submitted by the manufacturer to the Division or a third-party agency in the form of design plans, engineering data, test results, compliance control manual and other design information relating to the application shall be considered as confidential information exempt from public disclosure under ORS 192.502(3) and may not be released for public scrutiny unless ordered by a court having jurisdiction.

Stat. Auth.: ORS 455.030, 455.100 & 455.110

Stats. Implemented: ORS 455.110 & 455.705

Hist.: DC 9-1982, f. & ef. 3-1-82; Renumbered from 814-050-0125; BCA 25-1992, f. 12-28-92, cert. ef. 1-1-93; BCD 7-1996, f. 3-29-96, cert. ef. 4-1-96

918-674-0130

Insignia(s) of Compliance Required

(1) Each prefabricated structure, except as required in sections (2), (3) and (4) of this rule, manufactured for sale, lease, rent or installation in Oregon shall bear an Oregon insignia of compliance affixed to each section or module, located on an accessible exterior wall or according to the approved plans, prior to leaving the manufacturing plant.

(2) Each prefabricated component building manufactured for sale or installed in Oregon shall bear an Oregon insignia of compliance located on an accessible exterior wall prior to leaving the manufacturing plant.

(3) Prefabricated refrigeration panels manufactured for sale or installed in Oregon shall bear one Oregon insignia of compliance located on the exterior side of the panel located nearest the door prior to leaving the manufacturing plant.

(4) Each prefabricated building component not identified in section (2) or (3) of this rule, manufactured for sale or installed in Oregon, shall bear one Oregon insignia of compliance located in a conspicuous place prior to leaving the manufacturing plant.

(5) The application shall be submitted to the Division's Salem office accompanied by the appropriate insignia fees and must be received prior to construction.

(6) Only an Oregon certified third-party agency may issue Oregon insignias of compliance to prefabricated structure suppliers or manufacturers for those prefabricated structures inspected by that third-party agency.

(7) Manufacturers shall order insignias of compliance on Division-supplied forms for any prefabricated structures to be inspected by

the Division or a third-party agency at the fees described in OAR 918-674-0155.

(8) Third-party agencies shall designate at least one individual, but not more than two individuals, in their organization authorized to receive insignias of compliance. The Division shall only issue insignias of compliance to the person(s) authorized by the third-party.

(9) Upon receipt, the third-party agency shall verify the insignias of compliance have been received in satisfactory condition and contain the correct information. Any insignias of compliance damaged or containing incorrect information shall be returned to the Division immediately for replacement.

(10) A third-party agency is responsible for an insignia of compliance from the time it is received until it is issued to the manufacturer. The third-party agency shall insure insignias of compliance are secured under lock and key until issued.

(11) No insignia shall be issued by a third-party for any prefabricated structure prior to plans being approved and inspections made verifying compliance with the **Oregon Specialty Codes** and these rules.

(12) All insignias of compliance remain the sole property of the Division and may be withdrawn from the manufacturer or third-party upon cause.

(13) When a manufacturer's registration has been canceled by the Division, the third-party agency shall not issue any insignias of compliance to that manufacturer.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 455.030, 455.100 & 455.110

Stats. Implemented: ORS 455.110 & 455.705

Hist.: DC 9-1982, f. & ef. 3-1-82; Renumbered from 814-050-0130; BCA 25-1992, f. 12-28-92, cert. ef. 1-1-93; BCD 7-1996, f. 3-29-96, cert. ef. 4-1-96; BCD 20-1998, f. 9-30-98, cert. ef. 10-1-98

918-674-0135

Lost or Damaged Insignia of Compliance

(1) The owner of a prefabricated structure shall immediately notify the Division in writing of lost or damaged insignias of compliance.

(2) Damaged insignia shall be promptly returned to the Division. Upon payment of a replacement insignia fee, the Division will replace damaged and lost insignia.

Stat. Auth.: ORS 455.030, 455.100 & 455.110

Stats. Implemented: ORS 455.110

Hist.: DC 9-1982, f. & ef. 3-1-82; Renumbered from 814-050-0135; BCA 25-1992, f. 12-28-92, cert. ef. 1-1-93; BCD 7-1996, f. 3-29-96, cert. ef. 4-1-96

918-674-0145

Unit Identification

Each prefabricated building and relocatable building unit on a production line shall have a specific identification serial number to assure continuity of inspections and the insignia is attached to the proper unit. Prefabricated building components shall be identified by project number or job number to assure the insignia is attached to the proper component built structure.

Stat. Auth.: ORS 455.030, 455.100 & 455.110

Stats. Implemented: ORS 455.110

Hist.: DC 9-1982, f. & ef. 3-1-82; Renumbered from 814-050-0145; BCA 25-1992, f. 12-28-92, cert. ef. 1-1-93

918-674-0150

Components

(1) Components Application. An application for approval of components shall include all design and engineering information necessary to verify the system's performance and capabilities for its intended use. Each manufacturer of component products shall submit two copies of their compliance control manual to the Division.

(2) Components Approval. Division approval of components shall be by letter of authorization with accompanying technical report. Each component built structure shall be identified with an insignia of compliance indicating the Division's approval.

Stat. Auth.: ORS 455.030, 455.100 & 455.110

Stats. Implemented: ORS 455.110

Hist.: DC 9-1982, f. & ef. 3-1-82; Renumbered from 814-050-0150; BCA 25-1992, f. 12-28-92, cert. ef. 1-1-93; BCD 7-1996, f. 3-29-96, cert. ef. 4-1-96; BCD 20-1998, f. 9-30-98, cert. ef. 10-1-98

918-674-0155

State Fees

(1) Filing Fee: Registration as a prefabricated structure manufacturer:

- (a) Each manufacturer or each plant manufacturing three or more relocatable structures per year \$100;
- (b) Annual renewal of registration \$20;
- (c) Administration fee for change of name, ownership or location of manufacturing facility \$20.
- (2) Additional Fee for Travel to Out-of-State Inspections:
 - (a) Commercial travel shall be charged at the actual cost for bus, rail, air or ferry fare;
 - (b) Cost of food, lodging, car rental, parking and other reimbursable costs shall be charged at the rate established for per diem allowance set by the State of Oregon for State Employees;
 - (c) Out of state travel fees begin at the Oregon border or at the point of departure by commercial transportation.
- (3) Plan Review Fees:
 - (a) Plan review fees except for plumbing and mechanical plan review, and the hourly design option plan review, shall be based upon **Table 1** or **2**; **Table 1** shall be used for all custom plan review fees and **Table 2** for all design master plan review fees;
 - (b) The Division structural plan review fee shall not exceed the **Table 1** (custom plans) or **Table 2** (design master plans) fees for 65 percent of the building valuation. The local authority having jurisdiction's structural plan review fee for foundations and all other site work shall be based on the valuation of the work performed on site;
 - (c) The Division fire and life safety plan review fee shall not exceed the **Table 1** (custom plans) or **Table 2** (design master plans) fees for 40 percent of the building valuation. The local authority having jurisdiction's fire and life safety plan review fee shall be based on the valuation of the work performed on site;
 - (d) The plumbing plan review fee shall be 30 percent of the fee adopted in the **Oregon Plumbing Specialty Code**;
 - (e) The mechanical plan review fee shall be 25 percent of the fee adopted in the **Oregon Mechanical Specialty Code**;
 - (f) The hourly fee for design option plan review shall be \$60 per hour;
 - (g) The fee for renewal of design master plans and design options previously reviewed and approved shall be 50 percent of the initial plan review fees;
 - (h) The fee for additional review of plans required by changes, addition or revisions shall be 50 percent of the initial plan review fees;
 - (i) An administrative fee of \$100 shall be charged for transfer of approved plans to another manufacturer;
 - (j) The fee for resubmission of plans that have expired or been revoked, shall be 100 percent of the appropriate plan review fee;
 - (k) An administrative fee of \$60 shall be charged for filing a Notice to Local Enforcement Agency;
 - (l) The valuation used to calculate plan review fees for subsections (a), (b) and (c) of this section shall be based on the Division's published valuation table or when approved by the Division, the invoice price, FOB factory, of the prefabricated structure;
 - (m) Design master plan approval fees shall be 100 percent of the plan review fees in this section of rule for one year, 150 percent of the fees in this section of rule for two years and 200 percent of the fees in this section of rule for three years. The annual renewal of design master plans shall be 50 percent of the fees in this section of rule.
- (4) Manufacturer's Compliance Assurance Fees:
 - (a) To review manufacturing facility compliance control manual = \$400;
 - (b) For resubmission of a compliance control manual that has been revoked or not approved = \$200;
 - (c) To transfer a compliance control program = \$100;
 - (d) For inplant and field evaluation or audit of a compliance control program = \$60 per hour.
- (5) Permit, Inspection and Service Fees:
 - (a) The Division fee for a permit for each prefabricated structure other than components, shall be computed at the rate of \$60 per hour, but shall not exceed the fees in **Table 1**;
 - (b) The Division permit fee for component buildings shall not exceed **Table 1** for 35 percent of the building valuation. The local authority having jurisdiction's permit fee for component building installations and all site work shall be based on the valuation of the work performed on site;
 - (c) The Division permit fee for prefabricated sandwich panels shall be \$.03 per square foot of the total surface area for all panels erected. This fee shall be remitted to the Division within one month

of the time the structure is erected at the building site. The local authority having jurisdiction's site inspection permit fee shall be based on the valuation of the work performed on site;

(d) The Division permit fee for building components not identified in subsections (b) and (c) of this section shall not exceed the **Table 1** fees for 35 percent of the building valuation. The local authority having jurisdiction's permit fee for building component installations and all site work shall be based on the valuation of the work performed on site;

(e) Any required reinspection shall be charged at the rate of \$60 per hour not to exceed the fees in **Table 1** for 50 percent of the building valuation;

(f) A fee of \$19.50 per hour shall be charged for technical consultation, with a minimum charge of one hour;

(g) For an occupancy not found in the **ICBO Valuation Table** adopted in OAR 918-460-0030, use subsection (h) of this section to calculate permit fees;

(h) The valuation used to calculate permit fees for subsections (a), (b), (c) and (d) of this section may be based on the Division's published valuation table or when approved by the Division, the invoice price, FOB factory, of the prefabricated structure.

(6) Insignia of Compliance Fees:

(a) For the first section or module \$50;

(b) For each additional section or module \$35;

(c) For building components and service cores \$50.

(7) Third-party agency fees:

(a) Certification application review fee: \$400;

(b) Certification renewal fee: \$200;

(c) Certification amendment fee: \$60;

(d) Application for recertification fee: \$400;

(e) Monitoring fee: \$60 per hour.

(8) Other Inspection Fees:

(a) A special inspection fee shall be paid before a permit is issued for work started without a permit. The special inspection fee shall be equal to and in addition to the amount of the permit fee required by these rules;

(b) In addition to the called for inspections, the authority having jurisdiction may make or require additional inspections to insure compliance with the provisions of Oregon law, **Oregon Specialty Codes** and administrative rule;

(c) A reinspection fee may be assessed for each inspection or reinspection when the work for which an inspection is called is not complete or when required corrections are not made;

(d) The Division's plan review or permit fees collected for the initial construction and installation of each prefabricated structure shall not exceed 100 percent of rates in **Tables 1** or **2** except for incomplete structures or rework requiring additional inspections or plan reviews. [Tables not included. See ED. NOTE.]

[ED. NOTE: Tables referenced are available from the agency.]

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 455.030, 455.100, 455.110, 455.210 & 455.685

Stats. Implemented: ORS 455.210

Hist.: DC 13-1981, f. 10-30-81, ef. 11-1-81; DC 9-1982, f. & ef. 3-1-82; Renumbered from 814-050-0155; BCA 17-1991 (Temp), f. 6-12-91, cert. ef. 7-1-91; BCA 37-1991, f. 10-23-91, cert. ef. 10-31-91; BCA 25-1992, f. 12-28-92, cert. ef. 1-1-93; BCA 9-1993(Temp), f. 5-28-93, cert. ef. 6-1-93; BCA 27-1993, f. 10-22-93, cert. ef. 11-1-93; BCD 19-1994, f. 8-30-94, cert. ef. 9-1-94; BCD 7-1996, f. 3-29-96, cert. ef. 4-1-96; BCD 20-1998, f. 9-30-98, cert. ef. 10-1-98; BCD 8-1999(Temp), f. & cert. ef. 7-1-99 thru 12-27-99; BCD 11-1999, f. 9-7-99, cert. ef. 10-1-99

918-674-0200

Third-Party Inspection and Plan Review

(1) A supplier or manufacturer of prefabricated structures may contract with a certified third-party agency for plan review and inspection services under the provisions of ORS Chapter 455 and these rules.

(2) Nothing in these rules shall prohibit a local authority having jurisdiction from applying for certification as a third-party inspection agency for a prefabricated structure supplier or manufacturer.

(3) A prefabricated structure supplier or manufacturer shall not contract with more than one third-party agency for any one plant to provide plan review services or similar inspection services during the same time period.

EXCEPTION: A prefabricated structure supplier or manufacturer may employ several third-party agencies to perform inspections if each third-party is inspecting a different discipline, such as electrical, plumbing, structural or mechanical.

Stat. Auth.: ORS 455.705

Stats. Implemented: ORS 455.705

Hist.: BCD 7-1996, f. 3-29-96, cert. ef. 4-1-96; BCD 20-1998, f. 9-30-98, cert. ef. 10-1-98

918-674-0210

Third-Party Certification Application

(1) Applicants for third-party certification shall submit an application on Division-supplied forms.

(2) The application for third-party agency certification shall contain at least the following:

(a) Type of approval being requested (original approval, renewal or supplement);

(b) Applicant's name, address and telephone number;

(c) Type of business (individual, partnership, corporation or municipality);

(d) Names and titles of principals, officers, directors and major stockholders in third-party agency;

(e) Names and titles of all managers and supervisors employed by the third-party agency;

(f) Names and registration numbers of any Oregon registered architects and engineers employed by the third-party agency;

(g) Name of person(s) authorized to request and assign Oregon insignias of compliance;

(h) Names and certification numbers of all plans examiners and inspectors used by the third-party agency;

NOTE: The information required in subsections (d) through (h) of this section may be submitted on an organizational chart.

(i) Names of prefabricated structure manufacturers with whom the third-party agency intends to contract, and if this information is not available, the geographical areas in which the third-party agency intends to work; and

(j) Name and policy number of the general liability insurance carrier as required by OAR 918-674-0230.

(3) The applicant for third-party agency certification shall submit resumes containing qualifications of all persons involved in the management of the agency except for persons certified as a plans examiner, inspector or building official or registered as an engineer or architect.

(4) Each application for certification shall contain a signed statement by the owner(s) or senior officers of the third-party agency declaring the third-party agency and its employees are free of any conflict of interest or collusion including, but not limited to, those activities listed in OAR 918-674-0240 and 918-674-0250. In the case of a municipal third-party agency, the statement shall be signed by the person so authorized by the local authority having jurisdiction governing body.

(5) Each application for certification shall contain the signature and typed or printed name(s) of the owner(s) or senior officers of the third-party agency and the date of application submission. In the case of a municipal third-party agency, the application shall be signed by the person so authorized by the local authority having jurisdiction governing body.

(6) Each application for certification shall be accompanied by a fee as required in OAR 918-674-0155.

(7) The Division shall approve or deny any completed application for third-party agency certification within 60 days of receipt.

(8) Persons denied certification as a third-party agency from the Division may appeal this decision to the Administrator according to OAR 918-674-0270(4).

Stat. Auth.: ORS 455.705

Stats. Implemented: ORS 455.705

Hist.: BCD 7-1996, f. 3-29-96, cert. ef. 4-1-96; BCD 20-1998, f. 9-30-98, cert. ef. 10-1-98

918-674-0220

Inspector Certification Requirements

(1) An Oregon certified third-party agency shall employ inspectors and plans examiners who are certified by the Division in accordance with OAR 918, division 098, 918-281-0030, 918-695-0400 and the following:

(a) Each inspector or plans examiner working for or as a third-party agency shall be certified for the specific type of inspections or plan reviews that person will be performing;

(b) Third-party agencies employing Limited One and Two Family Dwelling Electrical Inspectors shall comply with OAR 918-281-0030; and

(c) Third-party agencies employing Limited One and Two Family Dwelling Plumbing Inspectors shall comply with OAR 918-695-0400.

(2) A third-party agency shall assure that all certified inspectors and plans examiners maintain their minimum continuing education credits required by OAR 918, division 098, 918-281-0030 and 918-695-0400.

(3) A third-party agency shall submit to the Division an amended application within ten days of the day any certified inspection or plans examiner staff is hired or discharged from the employment of that agency.

Stat. Auth.: ORS 455.705

Stats. Implemented: ORS 455.705

Hist.: BCD 7-1996, f. 3-29-96, cert. ef. 4-1-96; BCD 20-1998, f. 9-30-98, cert. ef. 10-1-98

918-674-0230

Insurance Requirements

(1) Oregon certified third-party agencies shall be protected with a minimum one million dollar general liability insurance policy.

(2) All applicants for certification as a third-party agency shall provide proof of insurance, including but not limited to the name of the insurance company, the amount for which insured and the policy number.

(3) Third-party agencies shall authorize their insurance carrier to notify the Division upon any change to or cancellation of the insurance required by section (1) of this rule.

(4) Third-party agencies who cancel or lose the minimum required insurance shall have their certification revoked.

Stat. Auth.: ORS 455.705

Stats. Implemented: ORS 455.705

Hist.: BCD 7-1996, f. 3-29-96, cert. ef. 4-1-96; BCD 29-1996(Temp), f. 12-31-96, cert. ef. 1-1-97; BCD 4-1997, f. 3-18-97, cert. ef. 4-1-97

918-674-0240

Conflict of Interest and Collusion

(1) A third-party agency and its agents shall be free of any conflicts of interest, affiliation, influence, collusion, control or fraud involving any supplier or manufacturer of prefabricated structures with whom it has contracted to perform plan review or inspection services. This prohibition shall include, but not be limited to, the following:

(a) A third-party agency and its owners, directors, management personnel, architects, engineers, plans examiners or inspectors shall not hold stock or have any ownership or managerial affiliation with any supplier, dealer, distributor or manufacturer of prefabricated structures;

(b) A third-party agency shall not promote any prefabricated structure, manufacturer or product;

(c) The employment status of any third-party agency personnel shall be free of influence or control by any dealer, distributor, supplier or manufacturer of prefabricated structures;

(d) A third-party agency shall not review or approve plans or inspect any work which was produced or participated in whole or in part by a member of the third-party agency's staff or by a member of the staff of any affiliated organization;

(e) When a third-party agency contracts with a supplier or manufacturer of prefabricated structures to perform plan review or inspection services, it shall, within ten days of signing, provide a statement to the Division that it is free of any conflicts of interest, affiliation, influence, collusion, control or fraud in connection with the supplier 4or manufacturer; and

(f) A third-party agency shall not perform or participate in design or engineering services for the same prefabricated structure manufacturer(s) with which it has contracted to perform plan review or inspection services.

(2) Suppliers or manufacturers of prefabricated structures shall be free of any conflicts of interest, affiliation, influence, collusion, control or fraud involving any certified third-party agency with whom it has contracted to perform plan review or inspection services. This prohibition shall include, but not be limited to:

(a) A supplier or manufacturer and its owners, directors, management personnel, architects or engineers shall not hold stock or have any ownership or managerial affiliation with any certified third-party agency;

(b) The employment status of any supplier or manufacturing personnel shall be free of influence or control by any certified third-party agency;

(c) No employee or officer of a supplier or manufacturer shall perform consulting or engineering services for the same third-party agency with whom it has contracted to perform plan review or inspection services.

Stat. Auth.: ORS 455.705
Stats. Implemented: ORS 455.705
Hist.: BCD 7-1996, f. 3-29-96, cert. ef. 4-1-96; BCD 20-1998, f. 9-30-98, cert. ef. 10-1-98

918-674-0250

Contractual Agreements

(1) Oregon certified third-party agencies shall execute a written contract with any supplier or manufacturer of prefabricated structures for the performance of plan review or inspection services.

(2) Contracts shall describe all services to be rendered by the third-party agency to the supplier or manufacturer of prefabricated structures and the method of computing payment for the services.

(3) Contracts between third-party agencies and suppliers or manufacturers of prefabricated structures shall not contain any language or intent which is in violation of Oregon law, the **Oregon Specialty Codes** or these rules.

(4) A copy of each contract shall be submitted to the Division for approval within ten days of signing and not less than 30 days prior to the third-party agency commencing work under the contract.

(5) The Division shall disapprove any contract found in violation of ORS Chapter 455 or these rules.

(6) A third-party agency shall, within ten days of cancellation of a contract, notify the Division in writing of the circumstances which led to the contract cancellation.

(7) A third-party agency shall submit to the Division a copy of the renewed contract within ten days of renewal and not less than 30 days prior to the effective date of the renewed contract.

[Publications: Publications referenced are available from the agency.]
Stat. Auth.: ORS 455.705
Stats. Implemented: ORS 455.705
Hist.: BCD 7-1996, f. 3-29-96, cert. ef. 4-1-96; BCD 20-1998, f. 9-30-98, cert. ef. 10-1-98

918-674-0260

Third-Party Certification Renewal

(1) Oregon certified third-party agencies shall submit a request for certification renewal by April 1, 2000, and every three years thereafter.

(2) The renewal request shall be submitted on forms supplied by the Division along with the appropriate fees.

Stat. Auth.: ORS 455.705
Stats. Implemented: ORS 455.705
Hist.: BCD 7-1996, f. 3-29-96, cert. ef. 4-1-96

918-674-0270

Revocation of Third-Party Certification and Appeal Process

(1) The Division may deny, suspend, revoke or cancel a third-party agency's certification if the Division finds the third-party agency has violated Oregon law, the **Oregon Specialty Codes**, these rules or has:

(a) Employed or contracted with uncertified inspectors and plans examiners;

(b) Failed to control and provide for the security of insignias of compliance;

(c) Failed to perform plan reviews or inspections to the Oregon Specialty Codes;

(d) Failed to maintain plan review or inspection report records;

(e) Failed to perform plan reviews or inspections in a timely manner at the frequency required;

(f) Failed to meet the Division's reporting requirements; or

(g) Failed to pay the appropriate fees to the Division.

(2) The division shall deny, suspend, revoke or cancel a third-party agency certification if the Division finds the third-party has:

(a) Entered into a conflict of interest as described in these rules;

(b) Provided or participated in design or engineering work of or for a client;

(c) Submitted false information in its application for certification;

(d) Altered or falsified plan review or inspection reports or records; or

(e) Failed to obtain or maintain general liability insurance.

(3) When a third-party agency certification has been revoked by the Division, the third-party agency shall immediately return all unused insignias of compliance to the Division.

(4) A third-party agency whose certification has been denied, suspended, revoked or canceled may submit a formal appeal to the Administrator and request contested case procedures under the Administrative Procedures Act, ORS Chapter 183.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 455.705
Stats. Implemented: ORS 455.705
Hist.: BCD 7-1996, f. 3-29-96, cert. ef. 4-1-96; BCD 4-1997, f. 3-18-97, cert. ef. 4-1-97; BCD 20-1998, f. 9-30-98, cert. ef. 10-1-98

918-674-0280

Record Keeping Requirements

Third-party agencies shall maintain records and copies of plan review reports, inspection reports, test reports, insignia reports, inspector certifications, inspector continuing education and proof of insurance for a minimum of four years following expiration or use.

Stat. Auth.: ORS 455.705
Stats. Implemented: ORS 455.705
Hist.: BCD 7-1996, f. 3-29-96, cert. ef. 4-1-96

918-674-0290

Reporting Requirements

(1) Each Oregon certified third-party agency shall submit a monthly activity report to the Division by the tenth day of each month for the preceding month.

(a) The monthly activity report shall be on Division-supplied forms or submitted by electronic mail, if available.

(b) Monthly activity reports shall be completed for each manufacturer with which the third-party agency contracts and shall contain:

(A) The third-party agency's name, address, telephone number and certification number;

(B) The date of the report and the reporting period;

(C) The name and identification number of the manufacturer;

(D) The total number of prefabricated structure inspections or plan reviews, the total number of prefabricated structures reinspected and the total number of prefabricated structures produced for siting in Oregon;

(E) The total number of insignias of compliance issued by the third-party agency;

(F) Signed copies of all insignia of compliance applications;

(G) The number, type and date of all tests observed by the third-party agency;

(H) The serial number, plan approval number, occupancy, insignia of compliance number of each prefabricated structure inspected;

(I) The destination of each prefabricated structure inspected including street address and city; and

(J) The signature, printed name and title of the authorized person submitting the activity report.

(2) Any amendments to the third-party agency's certification approval not already reported shall be attached to the monthly activity report.

(3) The third-party agency shall, upon discovery, immediately submit any corrections to the monthly activity report to the Division.

(4) Third-party agencies shall recommend to the Division the cancellation of the Division's registration of a prefabricated structure supplier or manufacturer when:

(a) Inspections reveal the manufacturer consistently fails to comply with approved plans or the **Oregon Specialty Codes**;

(b) A manufacturer relocates or makes changes to the quality assurance program without giving prior notice to the third-party and the Division; or

(c) A manufacturer builds prefabricated structures without first obtaining approved plans.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 455.705
Stats. Implemented: ORS 455.705
Hist.: BCD 7-1996, f. 3-29-96, cert. ef. 4-1-96; BCD 20-1998, f. 9-30-98, cert. ef. 10-1-98

918-674-0300

Monitoring of Third Parties

(1) The Division shall conduct monitoring of certified third-party agencies with or without prior notice during any reasonable time.

(2) The Division shall monitor the work performed by a third-party agency and may make additional observations that are not part of the monitoring effort and will not reflect on the third-party agency's performance unless they are missed in a subsequent inspection.

(3) Division monitoring may take place at the third-party agency office, at the manufacturing facility, at dealer or distributor lots or at the installation site. Upon conclusion of the monitoring, monitoring reports shall be forwarded to the third-party agency as quickly as possible, preferably by electronic mail or fax.

(4) The Division shall review and monitor the records and performance of each third-party agency to assure conformance with ORS Chapter 455, the **Oregon Specialty Codes** and these rules. The Division shall review and monitor each third-party agency at least once every three months or see at least ten percent of a third-party agency's work.

(5) The third-party agency or the manufacturer shall make available to the Division all requested documents including but not limited to:

- (a) Inspection reports;
- (b) Reviewed and approved plans;
- (c) Insignia of compliance records;
- (d) Notices to local enforcement agencies;
- (e) Test records and reports;
- (f) Copies of Division approved alternate methods and materials;
- (g) Contracts; and
- (h) Continuing education records.

(6) Third-party agencies shall pay all monitoring fees according to OAR 918-674-0155.

[Publications: Publications referenced are available from the agency.]
Stat. Auth.: ORS 455.705
Stats. Implemented: ORS 455.705
Hist.: BCD 7-1996, f. 3-29-96, cert. ef. 4-1-96; BCD 20-1998, f. 9-30-98, cert. ef. 10-1-98

DIVISION 690

ADMINISTRATION AND DEFINITIONS

Part A — General Matters

918-690-0300

Reasonable Notice to Interested Parties

Before the adoption, amendment or repeal of any rule relating to plumbing under ORS Chapters 447 or 693, the Building Codes Division shall give notice of the intended action:

- (1) In the Secretary of State's Bulletin referred to in ORS 183.360 at least 21 days prior to the effective date; and
- (2) By mailing a copy of the notice to persons on the interested parties mailing list established under ORS 183.335(7); and

(3) The Capitol Press Room.

Stat. Auth.: ORS 183.341

Stats. Implemented: ORS 183.341

Hist.: DC 2-1983, f. & ef. 1-3-83; Renumbered from 814-020-0000; BCD 6-1998, f. 3-2-98, cert. ef. 4-1-98, Renumbered from 918-690-0000

918-690-0310

Description of the Division Organization

(1) This rule is required by ORS 183.330.

(2)(a) General Office. The general office of the Building Codes Division is at 1535 Edgewater NW, Salem, Oregon 97304 and the mailing address is Building Codes Division, P. O. Box 14470, Salem, Oregon 97309-0404. The general telephone number is 503-378-4133; FAX 503-378-2322. General requests for information or documents should be directed to this office.

(b) Plumbing Inspection. The plumbing inspection section of the Building Codes Division is managed by the Field Services Manager who reports to the Building Codes Division Administrator. The inspection staff is located in field locations throughout the state.

(A) Inspection requests should be directed to the closest field office; or

(B) General office.

(3) Plumbing Specialty Code Interpretation and Enforcement.

Plumbing Specialty Code development, formal interpretations and enforcement are handled in the general office.

(a) Requests to place items on the Plumbing Board agenda and requests for adoption or amendment of plumbing rules should be directed to the Chief Plumbing Inspector at the general office.

(b) Requests for **Plumbing Specialty Code** interpretation shall be directed to the Chief Plumbing Inspector.

(4) Miscellaneous Fees. Requests and payment of fees for placement on the Plumbing Board meeting notice list or the plumbing rule making notice list should be directed to the Building Codes Division general office.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 183.330

Stats. Implemented: ORS 183.330

Hist.: BCD 6-1998, f. 3-2-98, cert. ef. 4-1-98; BCD 22-2000, f. 9-19-00, cert. ef. 10-1-00

918-690-0320

Purpose

The purpose of these regulations is to provide minimum standards to safeguard life or limb, property, and public welfare, by regulating and controlling the design, construction, quality of materials, use and occupancy, location and maintenance, of all plumbing systems and plumbing fixtures in all buildings or structures within this state, medical gas and medical vacuum systems, solar heating and cooling systems and certain other plumbing systems and plumbing fixtures specifically regulated herein.

Stat. Auth.: ORS 447.010 & 447.020

Stats. Implemented: ORS 447.010 & 447.020

Hist.: DC 39, f. 1-6-75, ef. 2-1-75; Renumbered from 814-021-0102; BCD 6-1998, f. 3-2-98, cert. ef. 4-1-98, Renumbered from 918-750-0015; BCD 27-2000, f. 10-13-00 cert. ef. 10-01-01; BCD 13-2002, f. 6-28-02, cert. ef. 7-1-02

918-690-0325

Requirement to Display License

A person shall be prepared to show their plumbing license or limited specialty solar heating or cooling system installer license to a Building Codes Division or local jurisdiction inspector, investigator or other employee empowered to enforce the **Oregon Plumbing Specialty Code**, anytime they are on the job site performing any activity for which a plumbing license is required.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 447.020

Stats. Implemented: ORS 455.060

Hist.: BCD 22-2000, f. 9-19-00, cert. ef. 10-1-00; BCD 3-2002, f. 3-5-02, cert. ef. 4-1-02; BCD 13-2002, f. 6-28-02, cert. ef. 7-1-02

Part B — Hearings and Adjudicatory Procedures

918-690-0330

Attorney General Model Rules of Procedure

The Attorney General's Model Rules of Procedure, as adopted or amended by the division in OAR 918-001-0010, apply in all contested cases.

Stat. Auth.: ORS 183.341

Stats. Implemented: ORS 183.341

Hist.: BCD 6-1998, f. 3-2-98, cert. ef. 4-1-98

918-690-0350

Plumbing Specialty Code Appeals, ORS 455.690

All code-related appeals from a municipal appeals board or from a subordinate officer of the division are under ORS 455.690.

(1) The person appealing shall prepare a statement showing:

(a) Parties involved, addresses, telephone and FAX numbers, if available;

(b) Code section involved;

(c) An explanation of why the ruling should be reversed; and

(d) Whether the inspecting jurisdiction issued a "stop work" order.

(2) The person being appealed shall file a copy of the written interpretation or decision, advise if a stop work order was issued and detail the immediate hazards involved.

Stat. Auth.: ORS 447.020

Stats. Implemented: ORS 455.690

Hist.: BCD 6-1998, f. 3-2-98, cert. ef. 4-1-98; Suspended by BCD 16-2005(Temp), f. & cert. ef. 7-7-05 thru 12-31-05

918-690-0360

Plumbing Specialty Code Change Procedures

(1) ORS 455.030 governs procedures for proposing **Plumbing Specialty Code** changes.

(2) Time lines and other procedures for code changes are in OAR 918-008-0030.

[Publications: Publications referenced are available from the agency.]
Stat. Auth.: ORS 455.030
Stats. Implemented: ORS 455.030
Hist.: BCD 6-1998, f. 3-2-98, cert. ef. 4-1-98

Part D — Definitions

918-690-0410

Cross Reference to Statutes

Statutory plumbing definitions are generally in ORS 447.010 and 693.010. The following are among words defined by statute:

- (1) “Board” is defined in ORS 447.010;
- (2) “Building sewer” is defined in ORS 454.605;
- (3) “Journeyman Plumber” is defined in ORS 693.010;
- (4) “Limited Specialty Plumber” is defined by ORS 693.103;
- (5) “Plumbing” is defined in ORS 447.010.

Stat. Auth.: ORS 447.020
Stats. Implemented: ORS 447.020
Hist.: BCD 6-1998, f. 3-2-98, cert. ef. 4-1-98

918-690-0420

Definitions

Scope of definitions:

(1) “Administrator” means the Administrator of the Building Codes Division.

(2) “Alterations” means to change, to take away, or to add to.

(3) “Apprenticeship Plumbing Experience” means experience equivalent to the training standards of the Oregon State Apprenticeship Program for the specific category of plumber.

(4) “Commercial or Industrial Installation” means an installation of plumbing fixtures in a commercial or public building and in areas of an apartment building, hotel, motel, or similar residential structure, open and available for use by the public at large, or by employees.

(5) “Division” means the Building Codes Division.

(6) “Equivalent Experience” means legal work experience gained outside the State of Oregon equal to general journeyman plumbing experience or apprenticeship plumbing experience.

(7) “Existing Work” is defined in the Plumbing Specialty Code.

(8) “General Journeyman Plumbing Experience” means experience equivalent to the standards required for completion of the Oregon State Apprenticeship Program.

(9) “Inspection” means careful investigation, critical examination, or official examination and review of the plumbing installation at the site of the installation.

(10) “Limited Specialty Plumber” means any person holding a valid limited specialty plumber’s certificate of competency issued under ORS 693.103 and these rules.

(11) “Medical Gas” means any gas and vacuum system or equipment intended for medical and dental procedures in health care and non-health care facilities within the scope of the **Plumbing Specialty Code** as defined in OAR 918-750-0110.

(12) “Plumbing Specialty Code” means the **Oregon State Plumbing Specialty Code** as defined in OAR 918-750-0110.

(13) “Solar Heating and Cooling System” means any configuration of plumbing equipment and components to collect, convey, store and convert the sun’s energy for the purpose of heating or cooling potable water.

(14) “Water Supply System” is defined in the **Plumbing Specialty Code**.

[Publications: Publications referenced are available from the agency.]
Stat. Auth.: ORS 447.010, 447.020, 455.110 & 693.103
Stats. Implemented: ORS 447.010, 447.020, 455.110 & 693.103
Hist.: DC 4, f. 8-13-71, ef. 9-11-71; DC 25-1978, f. 9-5-78, ef. 9-20-78; Renumbered from 814-021-0500; DC 2-1983, f. & ef. 1-3-83; Renumbered from 814-020-0006; BCA 18-1991, f. & cert. ef. 6-12-91; BCA 19-1993(Temp), 8-26-93, cert. ef. 9-1-93; BCA 26-1993, f. 10-22-93, cert. ef. 11-1-93; BCD 6-1998, f. 3-2-98, cert. ef. 4-1-98, Renumbered from 918-690-0005; BC-22-2000, f. 9-19-00, cert. ef. 10-1-00; BCD 13-2002, f. 6-28-02, cert. ef. 7-1-02; BCD 24-2004, f. 12-15-04, cert. ef. 4-1-05

Part E — Proof of Insurance

918-690-0430

Filing of Proof of Insurance by Installers of Low-Flow Showerheads or Faucet Aerators

(1) A utility company, energy service provider or water supplier and its contractors installing low-flow showerhead or faucet aerators

in existing plumbing fixtures covered by ORS 693.025 shall file proof of insurance with the division.

(2) The filing requires a certificate of insurance from an insurance company qualified to do business in Oregon, insuring the person making the filing, indicating effective dates and evidencing public liability coverages of not less than \$25,000 bodily injury to one or more persons and not less than \$25,000 for property damage.

Stat. Auth.: ORS 693.025
Stats. Implemented: ORS 693.025
Hist.: BCA 20-1993(Temp), f. 9-24-93, cert. ef. 10-1-93; BCA 31-1993, f. 12-1-93, cert. ef. 12-3-93; BCD 6-1998, f. 3-2-98, cert. ef. 4-1-98, Renumbered from 918-690-0200

DIVISION 695

LICENSING AND CONTINUING EDUCATION

Part A — Licensing

918-695-0000

Authority, Scope and References

(1) The board’s licensing authority is in ORS Chapters 447, 670 and 693.

(2) These rules cover licensing requirements for plumbers.

(3) Cross References. Statutory licensing requirements are in:

(a) ORS 693.030 for when individual plumbing licensing is required;

(b) ORS 447.030 for when plumbing contractor licensing is required;

(c) ORS 693.050 to 693.075 for plumbing journeyman certificates of competence; and

(d) ORS 693.103 for limited specialty plumbing licensing.

(4) It shall be the obligation of every employer to comply with all applicable plumbing licensing laws. Registered plumbing businesses shall not allow an unlicensed employee to perform plumbing work.

(5) It shall be unlawful for any licensed person to allow the use of their plumbing license by others to install plumbing work, or for the purposes of obtaining a permit or inspection.

(6) Licenses required under this section shall be carried at all times when performing plumbing work and shall be displayed at the request of any administrative authority.

Stat. Auth.: ORS 670.310 & 693.100
Stats. Implemented: ORS 693.100
Hist.: BCD 6-1998, f. 3-2-98, cert. ef. 4-1-98; BCD 21-1998, f. 9-30-98, cert. ef. 10-1-98; BCD 22-2000, f. 9-19-00, cert. ef. 10-1-00

918-695-0020

License Exemptions

(1) A license is not required for:

(a) A person to do the person’s own work on the person’s own residential building on the person’s own premises, if the person complies with OAR 918, division 690 and the plumbing requirements of the **Oregon One- and Two-Family Dwelling Specialty Code**; or

(b) To test, repair, service, maintain, install or replace any new or existing potable water pump equipment not exceeding seven and one-half horsepower on residential property and piping between such pump and storage tanks for such pumps, provided the person complies with all other provisions of OAR 918, division 690.

(2) All plumbing installations, alterations or remodeling in a commercial or industrial building being constructed or being offered for sale, exchange, rent or lease shall be made by a licensed Oregon journeyman plumber or by a registered Oregon apprentice plumber.

[Publications: Publications referenced are available from the agency.]
Stat. Auth.: ORS 447.060 & 693.020
Stats. Implemented: ORS 693.020
Hist.: DC 2-1983, f. & ef. 1-3-83; Renumbered from 814-020-0040; BCD 6-1998, f. 3-2-98, cert. ef. 4-1-98, Renumbered from 918-690-0055; BCD 21-1998, f. 9-30-98, cert. ef. 10-1-98; BCD 22-2000, f. 9-19-00, cert. ef. 10-1-00

918-695-0030

Journeyman Plumber Qualifications

Qualifications. The minimum qualifications to take the journeyman plumber’s certificate examination are:

(1) Satisfactory completion of a minimum four-year plumbing apprentice program in Oregon; or

(2) Equivalency requirements of at least four years academic training and on-the-job experience as an apprentice plumber, lawful

journeyman plumber, or combination of both meeting the following minimum requirements:

(a) General items. 144 hours of academic training per year for each of at least four years generally in the following as it applies to plumbing:

- (A) Materials, Tools, Equipment;
- (B) Mathematics, Science;
- (C) Soldering and Brazing;
- (D) Plumbing and Related Codes;
- (E) Drainage (DWV) Installations;
- (F) Water Systems, Installations;
- (G) Safety and First Aid;
- (H) Blueprint Reading;
- (I) Seismic Restraints.
- (b) Specific items: Subject — Hours:
- (A) Sewerage: Sanitary and Storm Piping, Disposal:
 - (i) Residential — 300;
 - (ii) Commercial — 300.
- (B) Drainage, Waste and Vent Piping (DWV):
 - (i) Residential — 1,300;
 - (ii) Commercial — 1,300.
- (C) Soldering, Brazing, Welding:
 - (i) Residential — 200;
 - (ii) Commercial — 200.
- (D) Water: Supply, Services, Mains, Appurtenances:
 - (i) Residential — 1,100;
 - (ii) Commercial — 1,100.
- (E) Fixtures, Appliances, Trim and Supports:
 - (i) Residential — 700;
 - (ii) Commercial — 700.
- (F) Miscellaneous Plumbing, Piping, Repair and Maintenance:
 - (i) Residential — 250;
 - (ii) Commercial — 250.
- (G) Total Minimum Subject Hours:
 - (i) Residential — 3,850;
 - (ii) Commercial — 3,850.

(c) A person with more than the minimum hours in any one specific item category may substitute up to 20 percent of the excess hours to meet the related minimum residential or commercial experience requirements in the same category.

Stat. Auth.: ORS 693.100
 Stats. Implemented: ORS 693.050
 Hist.: BCD 6-1998, f. 3-2-98, cert. ef. 4-1-98; BCD 22-2000, f. 9-19-00, cert. ef. 10-1-00; BCD 13-2004, f. 9-7-04, cert. ef. 10-1-04

918-695-0035

Medical Gas Installer License

(1) All persons engaged in the installation, alteration or repair of medical gas and vacuum systems shall be certified in accordance with the requirements of this section. Installation and repair of electrical devices and other components not related or directly attached to the medical gas service equipment or distribution systems are exempt from the requirements of this section.

(2) Qualifications. The minimum qualifications to install medical gas systems are a current and valid:

(a) Oregon journeyman plumber license or registration as an Oregon apprentice plumber; and

(b) Certification for medical gas installer issued by a division-approved certifying organization meeting the provisions of **ASSE 6010-1997 Professional Qualifications Standard for Medical Gas Systems Installers**; or

(c) Persons possessing special certification by the board to install medical gas and vacuum systems while in the employ of a business holding a special medical gas registration to install, repair and maintain medical gas systems and possessing a valid medical gas installer certification as defined under subsection (2)(b) of this rule.

[Publications: Publications referenced are available from the agency.]
 Stat. Auth.: ORS 447.010
 Stats. Implemented: ORS 447.010
 Hist.: BCD 27-2000, f. 10-13-00 cert. ef. 10-01-01; BCD 3-2002, f. 3-5-02, cert. ef. 4-1-02

918-695-0038

Special Business Registration and Installer Certification for Medical Gas Systems

(1) The State Plumbing Board shall issue a special registration to businesses that provide the following:

(a) Completed and signed division application for special business registration and evidence that demonstrates that the medical gas system installation, maintenance or repair activity of the business in Oregon was substantial during the two-year period commencing October 23, 1997, and ending October 23, 1999. "Substantial" activity under this subsection means documentary evidence in the form of two separate signed statements from an Oregon Certified Public Accountant and an Oregon business owner attesting that the company has done at least 40 medical gas piping projects or at least \$75,000 of gross business installing medical gas systems during the two-year period commencing October 23, 1997, and ending October 23, 1999;

(b) The issuance fee of \$50; and

(c) Names of all employees who are engaged in medical gas system installation, maintenance or repair of medical gas systems by the business.

(2) The division shall issue a special medical gas installer certification to qualified persons who provide the following:

(a) Completed and signed division application for special medical gas installer certification;

(b) The issuance fee of \$50; and

(c) List of companies with which employed.

(3) All registrations and certifications issued under these rules shall be renewed annually and no registration or certificate shall be issued or active after July 1, 2006.

Stat. Auth.: 2001 OL, Ch. 629
 Stats. Implemented: 2001 OL, Ch. 629
 Hist.: BCD 3-2002, f. 3-5-02, cert. ef. 4-1-02; BCD 8-2005, f. & cert. ef. 4-1-05

918-695-0040

Journeyman Examination

Examination requirements. An applicant for certification as a journeyman plumber shall pass an approved examination. The written examination shall cover, but not be limited to:

(1) Understanding of engineering and architectural drawings and plans sufficient to prepare a bill of materials and lay out a plumbing system;

(2) Ability to compute areas of regular plane figures, volumes of regular solids, slopes, offsets, clearances, and weights of piping;

(3) Selection and use of tools, materials and techniques commonly used in the plumbing trade;

(4) The **Plumbing Specialty Code**, administrative rules relating to plumbing and plumbers and general scientific principles covering hydraulics;

(5) A general knowledge of construction job safety and occupational safety standards; and

(6) A basic understanding of disabled access provisions of the **Oregon Structural Specialty Code** related to plumbing.

[Publications: Publications referenced are available from the agency.]
 Stat. Auth.: ORS 693.100, 183.335
 Stats. Implemented: ORS 693.050, 183.335
 Hist.: BCD 6-1998, f. 3-2-98, cert. ef. 4-1-98; BCD 22-2000, f. 9-19-00, cert. ef. 10-1-00; BCD 16-2006(Temp), f. 6-30-06, cert. ef. 7-1-06 thru 12-28-06; BCD 13-2006, f. 9-29-06, cert. ef. 10-1-06

918-695-0100

Procedures for Submitting Training Proposals for Limited Specialty Plumbers

(1) The employer shall submit to the board a detailed description of the training program and the means of its administration for the branch of the plumbing trade which the employer will conduct under OAR 918-695-0100.

(2) Program description shall include:

(a) The term of on-the-job training, including the minimum time required to learn, and the maximum time required by the employer to provide training, including any procedures for evaluating and crediting prior plumbing experience of the trainee;

(b) A breakdown of the job experience into work processes, and the number of hours of on-the-job training to be devoted to each work process;

(c) Provisions for related instructional training, including:

(A) The total hours of related training in addition to the on-the-job training;

(B) A breakdown of the related training into segments of instruction and hours to be devoted to each segment;

(C) Where and during what hours the related training shall take place; and

(D) The name of the related training instructor, if any, along with the instructor's qualifications in subject matter by experience and training; or

(E) The name of the correspondence course, together with any supplemental material to be used for related training; and

(d) The type and degree of on-the-job supervision of the trainee, including provision for assigning trainees to work under the supervision of a licensed journeyman or limited specialty plumber to the full extent necessary to insure proper training.

(3) Procedures to provide for periodic evaluation and reporting of the trainee's program effectiveness, and the maintenance of records of these evaluations shall be made available to the division and the board upon request.

(4) Methods of evaluating the trainee shall be established and the evaluations reported at least annually to the division and the board. Evaluations include rating of the trainee's on-the-job progress by the trainee's supervisor and testing of the trainee's related training progress by the trainee's instructor or through a correspondence school.

Stat. Auth.: ORS 693.103

Stats. Implemented: ORS 693.103

Hist.: BCA 18-1991, f. & cert. ef. 6-12-91; BCD 6-1998, f. 3-2-98, cert. ef. 4-1-98, Renumbered from 918-690-0052

918-695-0110

Reciprocal Agreements

Acting under the authority of ORS 670.380, the administrator with the consent of the board:

(1) Establishes a list of states that have standards, qualifications and examinations for licensing or registration of journeyman plumbers substantially similar to that of Oregon; and

(2) Enters into reciprocal agreements to issue certifications of registration as journeyman plumbers without examination.

(3) A person licensed under a reciprocal agreement shall:

(a) Pay required and timely registration and renewal fees; and

(b) Comply with continuing education requirements following the reciprocal licensing. Payment of fees and Oregon continuing education requirements are required for reciprocal licensing.

Stat. Auth.: ORS 670.380

Stats. Implemented: ORS 670.380

Hist.: BCD 6-1998, f. 3-2-98, cert. ef. 4-1-98

918-695-0120

Limited Specialty Plumber Classification for Limited Maintenance Electrical Contractors

(1) Authorization and Scope. This rule creates a limited specialty plumbing license to install and replace residential water heaters.

(2) Persons Eligible for Licensing. A registered plumbing contractor also licensed under ORS 479.630 as an electrical limited maintenance specialty contractor can apply for this license. This allows licensing of:

(a) An individual holding a Limited Maintenance Specialty Contractor License;

(b) Officers or employees designated by a corporate Limited Specialty Contractor; or

(c) Any partner where a partnership is the Limited Specialty Contractor.

(3) Employees of a sole proprietor or of a partnership identified in subsections (3)(a) and (c) of this rule cannot be licensed under this rule.

(4) Procedure for Licensing. An applicant for licensing shall:

(a) Pay applicable fees;

(b) Have the application signed by the plumbing-electrical contractor;

(c) Attend an approved eight-hour training class for limited specialty residential water heater plumbing installation; and

(d) Pass a division-approved examination.

(5) Training Class and Examination Requirements.

(a) A limited specialty residential water heater plumbing class shall cover the requirements for installation of residential water heaters and the related administrative and enforcement provisions in statutes, rules and codes to obtain Chief Plumbing Inspector approval.

(b) The examination shall test applicant's knowledge of the items covered in subsection (a) of this section.

(6) Scope of Plumbing Authorized. As used in ORS 693.103(2):

(a) "Installation and replacement of one- or two-family dwelling residential water heaters" includes open (non-covered and not intended

to be covered) plumbing work in a one- or two-family dwelling related to:

(A) Replacement or fuel conversion of an existing water heater;

(B) Installation of up to two nipples with no nipple exceeding six inches and flex piping not exceeding 24 inches for each of the cold and hot water connections; and

(C) Installation of piping and related appurtenances applicable to the temperature pressure relief valve.

(b) "Existing plumbing" means the exposed pre-installed approved cold water supply piping used or designed to connect to the water heater extending to the exposed cold water shut-off supply valve. If there is no cold water shut-off supply valve, "existing plumbing" extends to and includes the connected water heater and does not allow a replacement by a limited specialty plumbing licensee under these rules.

(c) "Alteration of existing plumbing" means any changes to existing plumbing and includes installation or replacement of a cold water shut-off supply valve regardless of whether one was initially installed. Alterations are not authorized under these rules and the limited specialty plumbing license.

Stat. Auth.: ORS 693.103

Stats. Implemented: ORS 693.103

Hist.: BCD 16-1994, f. 7-21-94, cert. ef. 9-1-94; BCD 6-1998, f. 3-2-98, cert. ef. 4-1-98, Renumbered from 918-690-0075; BCD 22-2000, f. 9-19-00, cert. ef. 10-1-00; BCD 13-2006, f. 9-29-06, cert. ef. 10-1-06

918-695-0125

Limited Specialty Plumber Certificate of Competency for Solar Heating and Cooling System Installers

(1) Authorization and Scope. This rule creates a limited specialty plumbing certificate of competency to install and replace solar heating and cooling systems.

(2) Persons eligible for licensing. The experience and training requirements for licensure are:

(a) A minimum of 2,000 hours on-the-job verifiable experience installing solar heating or cooling systems prior to July 1, 2002 if the application is received between July 1, 2002 and July 1, 2004; or

(b) Satisfactory completion of a division-approved training program for Limited Specialty Plumber Solar Heating and Cooling Installers that includes the following:

(A) A minimum of 288 hours of classroom training; and

(B) A minimum of 2,000 hours of supervised on-the-job training;

or

(c) Equivalent lawfully obtained experience and training covering:

(A) General items — 500 hours of experience and training in:

(i) Materials, tools and equipment;

(ii) Mathematics and science;

(iii) Soldering and brazing;

(iv) Safety and Basic first aid;

(v) Blueprints and solar codes;

(vi) Water piping systems;

(vii) Basic electricity;

(viii) Administrative rules.

(B) Specific training or work experience in:

(i) Plumbing of solar thermal systems — 500 hours;

(ii) Installation of balance of system equipment — 500 hours;

(iii) Roof mounting and equipment installation — 500 hours;

(iv) Total Minimum — 2,000 hours.

(3) Procedure for Licensing. An applicant for licensing shall:

(a) Complete and sign the division application;

(b) Provide verification of the required training or equivalent experience; and

(c) Pay applicable fees;

(4) Examination. All applicants must take and pass a division-approved written examination testing the requirements for installation of solar heating and cooling systems, and the related administrative and enforcement provisions.

(5) Scope of Plumbing Authorized. The holder of a limited specialty plumber certificate of competency solar heating and cooling systems may:

(a) Install and replace solar heating and cooling systems, including collectors, heat transfer systems, heat storage and associated piping related to:

(A) Replacement or solar conversion of an existing water heating or cooling system;

(B) Installation of collectors, heat transfer systems, storage tanks, pumps, valves and associated piping; and

(C) Installation of piping and related appurtenances applicable to the temperature pressure relief valve.

(b) May not connect a solar heating or cooling system to a potable water source. The connection of a solar heating or cooling system to a potable water source shall be made only by a licensed journeyman plumber.

(6) Nothing in these rules shall prohibit a licensed journeyman plumber from installing, replacing or repairing solar heating and cooling systems.

Stat. Auth.: ORS 693.111

Stats. Implemented: ORS 693.111

Hist.: BCD 13-2002, f. 6-28-02, cert. ef. 7-1-02; BCD 13-2006, f. 9-29-06, cert. ef. 10-1-06

918-695-0130

Limited Specialty Plumber Classification for Water Treatment Installers

(1) Subject to permit requirements, a person holding this license is authorized to make connections to potable water systems and indirect waste connections to existing drain waste and vent systems.

(2) This license does not authorize installation, alteration or remodel of drain, waste and vent piping systems.

(3) Persons Eligible for Licensing. The requirements for licensing are:

(a) Satisfactory completion of a minimum 18-month Oregon State Apprenticeship Program for Limited Specialty Plumber Water Treatment Installer; or

(b) Equivalent lawful experience or training covering:

(A) General items. 210 hours of experience and training in:

(i) Materials, tools and equipment;

(ii) Mathematics and science;

(iii) Safety regulations — OSHA and state;

(iv) Soldering and brazing;

(v) Basic first aid;

(vi) Blueprints and drawing training;

(vii) Plumbing and related codes;

(viii) Indirect waste piping;

(ix) Water systems.

(B) Specific training in: Subject — Hours:

(i) Indirect Waste Piping — 250;

(ii) Water Supply, Services and Appurtenances — 1,000;

(iii) Pipe sizing;

(iv) Fixture unit calculations;

(v) Pumps and pressure systems;

(vi) Design — Present and planned plumbing system;

(vii) Water Treatment Equipment Installation and Service — 1,750;

(viii) Backflow prevention;

(ix) Cross connection prevention;

(x) Total Minimum Hours — 3,000.

(4) Examination. Only a written examination shall be required for this license.

Stat. Auth.: ORS 693.103

Stats. Implemented: ORS 693.103

Hist.: BCD 6-1998, f. 3-2-98, cert. ef. 4-1-98; BCD 22-2000, f. 9-19-00, cert. ef. 10-1-00

918-695-0140

Apprentice Plumbers — Interpretations

(1) Authority and Scope. This rule is adopted by the board under ORS 670.310 and defines the conditions under which an apprentice plumber is authorized to engage in the trade of plumbing.

(2) For the purposes of this rule the following shall apply, except where the context clearly means otherwise:

(a) An “appropriate journeyman plumber” is one or more certified journeyman plumbers working for the same employing plumbing contractor as the apprentice.

(b) “Employing plumbing contractor” is the apprentice’s employer who must be a registered plumbing contractor.

(c) “Immediate work site” is the normal area in which an employing plumbing contractor’s employees are expected to be, within the company’s job assignment. In the case of a service call, “immediate

work site” shall include the structure and adjacent grounds where plumbing is performed and immediate vicinity, such as where service vehicles are parked.

(d) “Immediately available for advice and direction by voice communication mode” means that an appropriate journeyman plumber and apprentice have voice communication devices allowing two-way conversations.

(e) “JATC” is the joint apprenticeship training committee that regulates the training for a specific apprentice.

(3) A person is an “apprentice plumber” in ORS 693.010(1) and works under the supervision of a journeyman plumber, within the scope of activities authorized by ORS 693.040, if an ORS Chapter 660 apprentice engages in the plumbing trade and any of the following conditions exist while a plumbing apprentice works at the trade of plumbing;

(a) The apprentice works in the physical presence of an appropriate journeyman plumber. This requires an appropriate journeyman plumber’s physical presence at the immediate work site at all times, except for not more than a cumulative 30 minutes during any work shift, provided:

(A) The 30 minutes referred to in subsection (a) of this section excludes time out for meals; and

(B) An appropriate journeyman plumber is immediately available for advice and direction by voice communication during all absences.

(b) The apprentice works subject to the supervision of an appropriate journeyman who is immediately available to the apprentice by voice communication but not necessarily physically present, provided:

(A) An appropriate journeyman plumber meets with the apprentice at least once each day to go over work done by the apprentice, with the meeting taking place either at the immediate work site or away from the work site;

(B) The activity is consistent with the JATC’s work requirements;

(C) Only one apprentice plumber is working at a job site; and

(D) The apprentice:

(i) Only engages in water heater replacement or conversion after completing at least six months of apprentice training; at least eight hours of related training in the type of work, and receiving documentation of training and successful evaluation from the JATC in the type of work.

(ii) Engages in work covered in subparagraph (i) of this paragraph and ordinary minor repairs as defined in OAR 918-780-0120 in a one- or two-family dwelling after completing at least three periods of apprentice training; receiving related training, and successful evaluation from the JATC in the type of work.

(iii) Engages in work covered by subparagraphs (i) to (ii) of this paragraph and general repairs maintenance and replacement of existing plumbing, after completing at least four periods of apprentice training; appropriate training, and successful evaluation from the JATC in the type of work.

(iv) Engages in work covered by subparagraphs (i) to (iii) of this paragraph and new or remodel installations after completing at least five periods of apprentice training; receiving appropriate training, and successful evaluation from the JATC in the type of work.

(4) Enforcement provisions.

(a) For the purposes of building codes enforcement of apprenticeship requirements against a plumbing contractor, the following evidence shall be considered as sufficient proof to support compliance action alleging that an apprentice was not working under the supervision of a journeyman plumber:

(A) An appropriate journeyman plumber was not available for advice and direction by voice communication mode to an apprentice, if the apprentice:

(i) Does not know how to contact an appropriate journeyman plumber;

(ii) Cannot within a 15-minute period reach an appropriate journeyman by voice communication mode; or

(iii) Is not equipped with a voice communication device or does not have access to a telephone at the work site.

(B) An appropriate journeyman plumber was not at the immediate work site if the apprentice:

(i) Is only allowed to work in the physical presence of a journeyman under subsection (3)(a) of this rule; and

(ii) The apprentice works alone at the immediate job site for more than 30 minutes, excluding time off for the apprentice's normal meal break.

(C) An appropriate journeyman plumber did not meet with the apprentice at least once each day, to review the apprentice's work, if the apprentice:

(i) Is not able to state the time, place and type of work that was reviewed for each of the last two working days; and

(ii) Cannot identify or describe the journeyman who did the review for each of the dates covered by paragraph (A) of this section.

(b) For the purposes of building codes enforcement of apprenticeship requirements against a plumbing contractor, an apprentice shall be considered as one required to work only in the physical presence of a journeyman under subsection (3)(a) of this rule if the apprentice did not produce the documentation complying with paragraphs (A) to (C) or (D) of this subsection.

(A) Completion of a specific apprentice training segment;

(B) Training covering the specific work being reviewed;

(C) Successful evaluation report covering the specific work being reviewed;

(D) A document from the JATC designating all the conditions of paragraphs (A) to (C) of this subsection were met.

Stat. Auth.: ORS 693.040

Stats. Implemented: ORS 693.040

Hist.: BCD 7-1995, f. & cert. ef. 5-10-95; BCD 6-1998, f. 3-2-98, cert. ef. 4-1-98, Renumbered from 918-690-0085

Part D — Certification of Plumbing Inspectors

918-695-0400

Rules Establishing Certification for Plumbing Inspectors

(1) Scope: To promote effective and uniform enforcement of the **Oregon Plumbing Specialty Code** by improving the competence of plumbing inspectors, this rule establishes minimum training and experience qualifications to make inspections for compliance with the **Oregon Plumbing Specialty Code**.

(2) A Plumbing inspector:

(a) Inspects plumbing installations regulated by the **Oregon Plumbing Specialty Code**;

(b) Inspects plumbing installations regulated by the **Oregon Residential Specialty Code**; and

(c) May do plumbing plan reviews as provided in OAR 918-780-0040.

(3) Limits on Municipalities: Nothing in the rules prohibits a local government from establishing additional requirements in the selection and hiring of plumbing inspectors. Nothing in OAR chapter 918, divisions 750 to 785 is intended to dictate the internal administrative organization of a city or county or to limit or otherwise affect the authority of a municipality to dismiss or suspend an inspector.

(4) Plumbing inspectors must meet continuing education requirements established by the division under OAR 918-098-1450.

(5) Application for Certification or Appeals: A person seeking certification under this rule must apply for an Oregon Code Certification as provided in OAR 918-098-1025. A certification fee must be submitted with the application as listed in ORS 455.735.

(6) Qualifications: An applicant will be certified as a plumbing inspector under this rule if the following minimum qualifications are met:

(a) Experience and Training:

(A) 3 years of employment and experience as a Journeyman Plumber, with an Oregon Journeyman Plumber's license or its equivalent;

(B) A degree in mechanical engineering or certified professional registration with 2 years of work experience in plumbing design, installation or inspection;

(C) 4 years of work experience in the inspection of plumbing installations of which at least 2 years is of commercial, industrial and multi-family structures, or if the 4 years of work experience is in the inspection of residential installations, the completion of a division-approved plumbing inspector training program; or

(D) Equivalent experience and training of paragraphs (A), (B) and (C) of this subsection; or

(E) Persons certified as Oregon one and two family dwelling plumbing inspectors as of April 1, 1998 and completing five years of

plumbing inspection experience shall be considered qualified to sit for examinations as a plumbing inspector.

(b) Examination: Passing a board-approved examination on the **Oregon Plumbing Specialty Code** covering plumbing theory, inspection techniques, communication skills, public relations, design, installation, statutory rules, authority and materials.

(7) Training:

(a) Upon application, the division shall examine and evaluate any program or facility established by a municipality or educational institution for the training of plumbing inspectors.

(b) If the division finds that a training program meets the minimum requirements established pursuant to this rule, the division shall, in writing, certify the training program as qualified for such time and conditions as the division may prescribe. An individual complies with any minimum requirement for plumbing inspector established pursuant to classification and requirements in this rule after satisfactorily completing a training program certified under this rule.

(8) A person issued a plumbing inspector certification or a limited plumbing inspector — building sewers certification after October 1, 2005 must also possess a valid Oregon Inspector Certification issued under OAR 918-098-1025 prior to performing plumbing inspections or plan reviews.

(9) Special Certification:

(a) Limited Certification: The division, with board approval, may issue a limited certification for special types of inspections. Such limited certification will only be issued after the applicant passes an appropriate test of knowledge and ability;

(b) Limited Plumbing Inspector — Building Sewers. Limited certification for plumbing inspection of building sewers from five feet outside the building to the disposal terminal or connection with a main sewer line may be issued. To be certified, an applicant must have the following qualifications:

(A) A Journeyman Plumber License;

(B) Two years' experience in sewer design, installation, or inspection; or

(C) Experience and training equivalent to paragraph (A) or (B) of this subsection approved by the board; and

(D) Passing a board-approved examination on code, materials and installation practices for building sewers and sewers.

(10) For purposes of this rule, one year of experience is equal to 2,000 hours.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 455.720

Stats. Implemented: ORS 455.720

Hist.: DC 39, f. 1-6-75, ef. 2-1-75; DC 79, f. 6-16-76, ef. 8-1-76; DC 102, f. & ef. 11-1-77; DC 1-1979, f. & ef. 1-5-79; DC 5-1979(Temp), f. & ef. 3-5-79; DC 9-1979, f. & ef. 6-8-79; DC 1-1983, f. & ef. 1-3-83; DC 6-1985, f. & ef. 2-8-85; Renumbered from 814-021-0109; BCA 14-1992, f. 6-29-92, cert. ef. 7-1-92; BCD 6-1998, f. 3-2-98, cert. ef. 4-1-98, Renumbered from 918-750-0050; BCD 21-1998, f. 9-30-98, cert. ef. 10-1-98; BCD 22-2000, f. 9-19-00, cert. ef. 10-1-00; BCD 16-2005(Temp), f. & cert. ef. 7-7-05 thru 12-31-05; BCD 24-2005, f. 9-30-05, cert. ef. 10-1-05; BCD 4-2006, f. 3-31-06, cert. ef. 4-1-06; BCD 19-2006, f. 12-29-06, cert. ef. 1-1-07

918-695-0410

Certification for Medical Gas Plumbing Inspectors

(1) Scope. To promote effective and uniform enforcement of the **Plumbing Specialty Code** by improving the competence of plumbing inspectors, this rule establishes minimum training and certification qualifications to make inspections for compliance with the **Plumbing Specialty Code**. Persons employed for purposes of enforcing the requirements of other administrative agencies are exempt from this section.

(2) No person shall be appointed or employed as a medical gas plumbing inspector by any municipality without being currently certified under the provisions of this rule.

(3) Qualifications. Persons shall be certified as an Oregon plumbing inspector for inspections for compliance with the **Plumbing Specialty Code**.

(4) Examination. Persons shall have a current and valid medical gas certification issued by a division-approved organization meeting the provisions of **ASSE 6020-1997 Standard** for Medical Gas Systems Inspectors Professional Qualifications.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 447.010

Stats. Implemented: ORS 447.010

Hist.: BCD 27-2000, f. 10-13-00 cert. ef. 10-01-01; BCD 16-2005(Temp), f. & cert. ef. 7-7-05 thru 12-31-05; Administrative correction 1-20-06

DIVISION 750

CODES

918-750-0100**Scope of the Plumbing Specialty Code**

(1) The **Plumbing Specialty Code** shall be applicable and uniform throughout the state and in all municipalities.

(2) No municipality shall enact or enforce any ordinance, rule or regulation in conflict with the Plumbing Specialty Code.

(3) The Plumbing Specialty Code applies to all plumbing installations as addressed in ORS 447.020.

(4) The **One and Two Family Dwelling Specialty Code** plumbing provisions apply to one- and two-family dwellings of three stories or less within the scope of that code.

(5) The provisions of the Plumbing Specialty Code shall apply to the erection, installation, alteration, repair, relocation, replacement, addition to, use or maintenance of plumbing systems in commercial buildings, industrial buildings, prefabricated structures, and dwellings beyond the scope of the One and Two Family Dwelling Specialty Code.

[Publications: Publications referenced are available from the agency.]
Stat. Auth.: ORS 447.020
Stats. Implemented: ORS 447.020
Hist.: BCD 6-1998, f. 3-2-98, cert. ef. 4-1-98

918-750-0110**Plumbing Specialty Code**

(1) Effective April 1, 2005, the **Plumbing Specialty Code** is the **2003 Edition of the Uniform Plumbing Code, Second Printing, Chapters 2-11, 13, 14 and 15, Appendices A, B, D, E, I and J** published by the International Association of Plumbing and Mechanical Officials, with errata through December 15, 2004, except for the following additions, amendments and deletions:

(a) **Appendices G, H, K and L** are not adopted as part of the **Plumbing Specialty Code**;

(b) Useful tables, **Oregon Installation Standards** and **IAPMO Installation Standards** in the **Uniform Plumbing Code**, “IS-1A-04,” “IS-1-91,” “IS-2-90,” “IS-3-00,” “IS-4-96,” “IS-5-92,” “IS-6-00,” “IS-7-90,” “IS-8-95,” “IS-9-95,” “IS-11-87,” “IS-15-82,” “IS-16-84,” “IS-18-85,” “IS-20-00,” “IS-21-89,” “IS-26-02,” “IS-27-01,” “IS-28-02,” and “IS-29-04” are adopted;

(c) Oregon amendments by the Division, through December 15, 2004, are adopted;

(d) Medical Gas and Vacuum Systems **Standard NFPA 99C-2002** Edition as published by the National Fire Protection Association.

(2) If any of the publications adopted by reference in this rule adopt other references:

(a) The adoption date of the references shall be the date stated in the publication; or

(b) If no adoption date is shown, or if reference is made to further dates the references are adopted as of April 1, 2005.

[Publications: Publications referenced are available from the agency.]
Stat. Auth.: ORS 447.020, 455.030 & 455.110
Stats. Implemented: ORS 447.020, 455.030 & 455.110
Hist.: DC 40, f. 1-6-75, ef. 2-1-75; DC 99, f. 9-2-77, ef. 11-1-77; DC 15-1979(Temp), f. 12-21-79, ef. 1-1-80; DC 2-1980, f. 2-14-80, ef. 3-1-80; DC 3-1980, f. & ef. 2-14-80; DC 4-1981, f. 5-15-81, ef. 7-1-81; DC 9-1981, f. & ef. 7-6-81; DC 14-1981(Temp), f. 10-30-81, ef. 11-6-81; DC 15-1982(Temp) f. & ef. 5-5-82; DC 1-1983, f. & ef. 1-3-83; DC 28-1984, f. 9-5-84, ef. 10-15-84; DC 10-1985, f. & ef. 4-1-85; DC 4-1987, f. & ef. 3-4-87; DC 11-1987, f. & ef. 4-21-87; Renumbered from 814-021-0005; BCA 27-1989, f. 12-5-89, cert. ef. 1-1-90; BCA 14-1990, f. & cert. ef. 6-13-90; BCA 42-1991, f. & cert. ef. 12-23-91; BCA 19-1993(Temp), f. 8-26-93, cert. ef. 9-1-93; BCA 26-1993, f. 10-22-93, cert. ef. 11-1-93; BCD 4-1996, f. 2-29-96, cert. ef. 4-1-96; BCD 6-1998, f. 3-2-98, cert. ef. 4-1-98, Renumbered from 918-750-0010; BCD 7-1999, f. 6-21-99, cert. ef. 4-1-2000; BCD 6-2000, f. 3-15-00, cert. ef. 4-1-00; BCD 27-2000, f. 10-13-00 cert. ef. 10-01-01; BCD 24-2004, f. 12-15-04, cert. ef. 4-1-05

918-750-0120**Application to Existing Buildings**

(1) No provision of the **Plumbing Specialty Code** shall be deemed to require a change in any portion of a plumbing system or any other installation within the scope of the Plumbing Specialty Code in or on an existing building or lot when such work was lawfully installed and maintained in accordance with the Plumbing Specialty Code in effect at the time of installation, except when such plumbing is determined by the authority having jurisdiction to be dangerous, unsafe, insanitary, or a nuisance and a menace to life, health, or property.

(2) Additions, alterations, repairs and replacement of plumbing within the scope of the Plumbing Specialty Code shall comply with the provisions of the code.

(3) Plumbing which is a part of any building or structure undergoing a change in use or occupancy, and regulated by the Plumbing Specialty Code, shall comply with all requirements of the code applicable to the new use or occupancy.

(4) All plumbing systems within the scope of the Plumbing Specialty Code shall be maintained in proper operating condition. All plumbing installations required by the code shall be maintained in conformance with the code in effect at the time of the initial installation.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 447.020

Stats. Implemented: ORS 447.020

Hist.: DC 39, f. 1-6-75, ef. 2-1-75; DC 1-1983, f. & ef. 1-3-83; Renumbered from 814-021-0104; BCD 6-1998, f. 3-2-98, cert. ef. 4-1-98, Renumbered from 918-750-0025

918-750-0130**Moved Buildings**

Moved buildings or structures containing plumbing regulated by the **Plumbing Specialty Code**, shall comply with the provisions of the code for new installations, except that required plumbing testing shall not require the removal of existing walls and floors. Drainage waste and vent systems shall be tested by running or flooding of the piping system or by an equivalent means of testing acceptable to the authority having jurisdiction. Plumbing systems and fixtures serving buildings or structures moved within the state shall comply with ORS 455.410.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 455.410

Stats. Implemented: ORS 455.410

Hist.: DC 39, f. 1-6-75, ef. 2-1-75; Renumbered from 814-021-0105; BCD 6-1998, f. 3-2-98, cert. ef. 4-1-98, Renumbered from 918-750-0030

918-750-0140**Alternate Materials and Methods of Construction**

Only the division acting under ORS 455.060 has the authority to grant state-wide alternate method approvals. Nothing in these rules is intended to restrict the ability of a local building official to approve alternate methods of construction for the plumbing systems of a specific structure, in accordance with the requirements of the **Plumbing Specialty Code**.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 447.020

Stats. Implemented: ORS 455.060

Hist.: DC 39, f. 1-6-75, ef. 2-1-75; Renumbered from 814-021-0106; BCD 6-1998, f. 3-2-98, cert. ef. 4-1-98, Renumbered from 918-750-0035

918-750-0150**Validity**

(1) If any provision of the **Plumbing Specialty Code**, or the application thereof to any person or property is held invalid, the remainder of the code, or the application of such provision to other persons or property, shall not be affected thereby.

(2) Code references to adopted appendices or installation standards shall apply unless specifically exempted.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 447.020

Stats. Implemented: ORS 447.020

Hist.: BCD 6-1998, f. 3-2-98, cert. ef. 4-1-98

918-750-0160**Emergency Disconnect Authority**

The inspecting jurisdiction shall have the authority to disconnect or discontinue the operation of a plumbing utility service to a building, structure or equipment in case of an emergency where it is necessary to eliminate an immediate hazard to life or property.

Stat. Auth.: ORS 447.020

Stats. Implemented: ORS 447.020

Hist.: BCD 6-1998, f. 3-2-98, cert. ef. 4-1-98

918-750-0170**Conflict of Interest**

An inspecting jurisdiction shall not allow persons to perform plumbing inspections where a conflict of interest exists. An inspecting jurisdiction shall not allow plumbing inspections, through contract or otherwise, by persons with financial, family or personal interests in the installations being inspected.

Stat. Auth.: ORS 447.020

Stats. Implemented: ORS 447.020

Hist.: BCD 6-1998, f. 3-2-98, cert. ef. 4-1-98

918-750-0180

Water Conservation Plumbing Fixture and Fitting Exemptions

The following installations of plumbing fixtures and fittings are exempt from the code-adopted water conservation standards as authorized in ORS 447.145(2):

- (1) The reconstruction, alteration or repair of a building, which does not include installation of new or replacement plumbing fixtures or fittings, and existing fixtures or fittings are reinstalled.
- (2) Specialized fixtures or fittings that are intended for use as an emergency device or system including, but not limited to, emergency showers, eye wash or similar installations.
- (3) Fixtures or fittings necessary to maintain the historic character of a structure listed under ORS 358.475 to 358.565.
- (4) Special use fixtures or fittings in penal institutions, laboratories, hospitals, nursing homes or health care facilities.

Stat. Auth.: ORS 447.010

Stats. Implemented: ORS 447.010

Hist.: BCD 22-2000, f. 9-19-00, cert. ef. 10-1-00

918-750-0190

Engineered Plumbing Systems

Where plumbing system drawings or specifications are prepared by an Oregon-registered engineer and approved by the local jurisdiction, and such systems meet or exceed the requirements of the **Oregon Plumbing Specialty Code**, such systems shall be installed in accordance with the requirements of the approved engineered drawings and specifications.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 447.020

Stats. Implemented: ORS 447.020

Hist.: BCD 22-2000, f. 9-19-00, cert. ef. 10-1-00

DIVISION 770

PRODUCT APPROVALS

918-770-0050

Purpose

(1) This division of rules interprets and applies ORS 447.152 and 447.154. The rules:

- (a) Establish minimum health and safety standards for design and construction of plumbing products; and
- (b) Describe procedures for approval of plumbing product testing laboratories and bodies operating plumbing product certification systems.

(2) No plumbing product may be sold or offered for sale in the state of Oregon unless it has been:

- (a) Found by a Board-approved testing laboratory to be in conformance with plumbing product standards approved by the Board; and
- (b) Listed by a body or organization approved by the Board to certify plumbing products for conformance with product standards approved by the Board.

(3) This division of rules also establishes standards and procedures for approval of plumbing products by special deputies.

Stat. Auth.: ORS 447.152

Stats. Implemented: ORS 447.152

Hist.: BCD 10-1997, f. 7-16-97, cert. ef. 10-1-97

918-770-0060

Notice

Notice required under these rules may be given by personal service or mail, postage prepaid, addressed to the person, organization or laboratory as it appears on the records of the Board.

Stat. Auth.: ORS 447.152

Stats. Implemented: ORS 447.152

Hist.: BCD 10-1997, f. 7-16-97, cert. ef. 10-1-97

918-770-0070

Definitions

For the purposes of OAR 918, division 770, unless the context clearly indicates otherwise, the following words and terms shall have the following meanings:

(1) "Accreditation" means the procedure by which an authoritative body or organization gives formal recognition that a body or organization is competent to carry out specific tasks.

(2) "Approved Product Certification System" means a product certification system approved by the Board to certify plumbing products for conformance with product standards approved by the Board.

(3) "Approved Testing Laboratory" means a laboratory accredited by an approved accrediting organization recognized by the Board to test plumbing products for conformance with standards approved by the Board.

(4) "Board" means the Oregon State Plumbing Board.

(5) "Certificate of Accreditation" means a document issued to a testing laboratory or certification body or organization.

(6) "Certification Mark" means the mark owned, controlled and registered by a body operating a product certification system and used to identify approval or listing of a product as meeting particular product standards.

(7) "Certification Program" means a procedure by which a certification body or organization gives written assurance that plumbing products conform to specific product standards.

(8) "Division" means the Building Codes Division of the Oregon Department of Consumer and Business Services.

(9) "Plumbing Products" means all potable water supply and distribution pipes, plumbing fixtures and traps, drainage and vent pipes and building drains, including their respective joints and connections, supports, devices, receptacles, appurtenances, appliances and other related items.

(10) "Plumbing Product Standards" means standards for composition and performance testing of plumbing products or systems.

(11) "Recognized Standards" means plumbing product or system standards that have been approved by the Board as meeting the intent of the Oregon State Plumbing Specialty Code.

(12) "Scope of Accreditation" means a document issued by an accrediting organization listing the test standards or calibration services for which the organization is accredited.

Stat. Auth.: ORS 447.152

Stats. Implemented: ORS 447.152

Hist.: BCD 10-1997, f. 7-16-97, cert. ef. 10-1-97

Composting Toilet Rules

918-770-0080

Construction and Installation of Composting Toilets

(1) Definition: "Compost toilet" means a permanent toilet receptacle used to receive and store human wastes, toilet paper, biodegradable domestic garbage, and other vegetative matter for the purpose of aerobic decomposition of materials received therein.

(2) Product and Design Approval:

(a) Before a manufactured or individually designed compost toilet is installed, approval must be obtained from the division with concurrence of the board by an approved certifier to the approved standards in OAR 918-770-0050 to 918-770-0320;

(b) Criteria used to evaluate the units includes, but is not limited to:

(A) **NSF Standard 41** (May 1983 revised); or

(B) Composting toilets listed by NSF International to **NSF Standard 41** (May 1983 revised) are approved.

(3) Site Locations: Residential compost toilet installations shall be limited to areas where a grey water disposal system approved by the Department of Environmental Quality can be installed and used; or such grey water is discharged into a public sewage system.

(4) Installation:

(a) Prior to commencement of the installation of a composting toilet, a plumbing permit must be obtained from the authority having jurisdiction. A permit will be granted upon showing:

(A) The site location is in accordance with these rules; and

(B) The manufactured composting toilet or individual design has been approved by the division or listed with NSF International to **Standard 41** (May 1983 revised).

(b) Compost toilets shall be designed to provide a solid connection to the floor with corrosive-resistant fasteners:

(A) All suspended under-floor components shall be supported with non-corrosive hangers adequately designed to support the weight of the system. Hangers shall meet the approval of the authority having jurisdiction;

(B) All under-floor components designed to set on a stable surface shall have footings adequately designed to support the weight of the system.

(c) Vent pipes shall be sealed at all joints and insulated in a way to minimize condensation. The vent stack shall be insulated in a way to minimize condensation. The vent stack shall extend from each chamber or seat box to a point at least two feet above the highest elevation of any portion of the building within ten feet of the vent. Each vent shall be flashed and shall terminate not less than ten feet from or at least three feet above any window, door, opening, air intake, or vent shaft; nor less than three feet in every direction from any lot line, alleys and streets excepted;

(d) All compost toilets shall be installed in an insulated area, or the chamber shall be insulated to maintain a proper temperature inside the chamber to keep a biological balance of the materials therein;

(e) Where a compost toilet is installed in an existing dwelling, piping, fixtures or equipment shall be located to not interfere with normal use or normal operation and use of windows, doors, or other required facilities.

(5) Inspections:

(a) All installations shall be installed in a workmanship like manner and shall not be put into use until inspected and approved by the authority having jurisdiction;

(b) Either the authority having jurisdiction or the division may conduct periodic inspections of any compost toilet in accordance with ORS 447.124.

(6) Maintenance:

(a) Humus from composting toilets may be used around ornamental shrubs, flowers, trees, or fruit trees and shall be buried under at least twelve inches of soil cover. Deposit of humus from any compost toilet around any edible vegetable or vegetation shall be prohibited;

(b) The compost toilet system of any premises under the jurisdiction of the authority having jurisdiction shall be maintained in a sanitary and safe operation condition by the owner or by his agent. Whenever compliance with all of the provisions of these rules fails to eliminate or alleviate a nuisance or any dangerous or insanitary condition which may involve health hazards or safety hazards, the owner or the owner's agent shall install such additional plumbing and drainage facilities or shall make such repairs or alterations or removals as may be ordered by the authority having jurisdiction.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 447.118

Stats. Implemented: ORS 447.118

Hist.: DC 12-1978, f. 4-5-78, ef. 4-15-78; DC 4-1979, f. 1-24-79, ef. 1-25-79; DC 7-1979, f. 3-26-79, ef. 4-1-79; DC 13-1981, f. 10-30-81, ef. 11-1-81; DC 1-1983, f. & ef. 1-3-83; Renumbered from 814-021-0900; BCD 6-1998, f. 3-2-98, cert. ef. 4-1-98, Renumbered from 918-790-0010; BCD 22-2000, f. 9-19-00, cert. ef. 10-1-00

918-770-0100

Approval of Testing Laboratories

Requirements for Approval of Testing Laboratories.

(1) The Board shall only accept test data submitted for the purpose of demonstrating conformance with plumbing product standards approved by the Board from testing laboratories accredited as meeting the requirements contained in ISO/IEC Guide 25:1990, General Requirements for the Competence of Calibration and Testing Laboratories, by an approved laboratory accreditation program. Testing laboratories shall only be recognized for those test procedures listed on a scope of accreditation issued by an approved laboratory accreditation program organization, or as may be specially conditioned by the Board.

(2) Approval of testing laboratories shall be based on the issuance of a Certificate of Accreditation issued by an approved laboratory accreditation program organization. Only accrediting organizations that meet the requirements contained in ISO/IEC Guide 58:1993, Calibration and Testing Laboratory Accreditation Systems — General Requirements for Operation and Recognition, that provide and maintain active certifications for testing laboratories, for specific test methods in scopes of accreditation from referenced standards, may be approved pursuant to this rule.

(3) The following testing laboratory accreditation organizations are approved as of the effective date of this rule:

(a) National Voluntary Laboratory Accreditation Program (NVLAP); and

(b) State of Oregon Electrical and Elevator Board. Other organizations may apply for recognition by submitting application to the Chief Plumbing Inspector.

Stat. Auth.: ORS 447.152

Stats. Implemented: ORS 447.152

Hist.: BCD 10-1997, f. 7-16-97, cert. ef. 10-1-97

918-770-0110

Standards of Approval for Bodies Operating Product Certification Systems

Bodies and organizations that desire to operate product certification systems for the purpose of providing written assurances that plumbing products conform to specific product standards approved by the Board shall be required to demonstrate compliance with the requirements contained in ISO/IEC Guide 65:1996, General Requirements for Bodies Operating Product Certification Systems. Approved product certifiers shall be required to provide the Board at least one copy of a product directory or listing of plumbing products that the certifier has found to conform to product standards approved by the Board.

Stat. Auth.: ORS 447.152

Stats. Implemented: ORS 447.152

Hist.: BCD 10-1997, f. 7-16-97, cert. ef. 10-1-97; BCD 20-2001, f. 12-21-01, cert. ef. 1-1-02

918-770-0120

Application Procedures

(1) A testing laboratory that desires approval to test plumbing products for conformance with product standards approved by the Board shall submit an application to the Chief Plumbing Inspector. The application shall specify the product standards to which the laboratory seeks approval to test. The application shall also include a Certificate of Accreditation issued by an approved laboratory accreditation program organization.

(2) Laboratory accrediting organizations that desire approval to issue Certificates of Accreditation shall submit an application to the Chief Plumbing Inspector. The application shall contain evidence of compliance with the requirements contained in ISO/IEC Guide 58:1993, Calibration and Testing Laboratory Accreditation Systems — General Requirements for Operation and Recognition.

(3) Bodies and organizations seeking approval to certify plumbing products for conformance with product standards approved by the Board shall submit an application to the Chief Plumbing Inspector. The application shall contain documented evidence of compliance with the requirements contained in ISO/IEC Guide 65:1996, General Requirements for Bodies Operating Product Certification Systems.

(4) Approval of testing laboratories, laboratory accreditation organizations and product certification systems shall be for an indefinite period and contingent upon the laboratory, accreditation organization or product certification system maintaining compliance with the applicable approval requirements.

(5) If an application is denied, the applicant shall be notified in writing of the reasons. The applicant may submit revisions which are needed to obtain approval without prejudice.

Stat. Auth.: ORS 447.152

Stats. Implemented: ORS 447.152

Hist.: BCD 10-1997, f. 7-16-97, cert. ef. 10-1-97; BCD 20-2001, f. 12-21-01, cert. ef. 1-1-02

918-770-0130

Revocation of Approval

(1) The Board may revoke the approval of a testing laboratory, laboratory accreditation organization or product certification system for failure to comply with any of the applicable approval requirements described in these rules.

(2) The Board shall provide a testing laboratory, accrediting organization or certifier notice of intent to revoke approval. A testing laboratory, accrediting organization or certifier shall have 30 days from the date of receipt of a notice to respond to the proposal. Judicial review of the Board's decision to revoke approval shall be available as provided for in ORS Chapter 183. Unless the Board determines that allowing a testing laboratory, accrediting organization or certifier to continue to accredit laboratories or to test or certify plumbing products would result in an immediate threat to public health and safety, the Board's decision to revoke an approval of a testing laboratory, accrediting organization or certifier shall be stayed pending the outcome of any appeal.

Stat. Auth.: ORS 447.152

Stats. Implemented: ORS 447.152

Hist.: BCD 10-1997, f. 7-16-97, cert. ef. 10-1-97

918-770-0140**Change in Status**

Approved laboratories, accrediting organizations and certifiers shall inform the Board of any change in conditions or criteria of approval or accreditation that could affect the status of their approval, accreditation or conformance to these rules, including but not limited to ownership, location, staffing, facilities and configuration. The notice shall be provided to the Board within 30 days of any change which could affect any approval, accreditation or certification system status.

Stat. Auth.: ORS 447.152

Stats. Implemented: ORS 447.152

Hist.: BCD 10-1997, f. 7-16-97, cert. ef. 10-1-97

918-770-0200**Product Certification by Special Deputies**

(1) Plumbing products may be approved by a special deputy appointed by the Chief Plumbing Inspector if:

(a) No more than three similar products exist or are intended to be produced;

(b) There are no more than two manufacturers of the same or similar product, and the person requesting certification does not intend to seek further special deputy certification of the product for sale in Oregon; and

(c) The product is not offered for sale in Oregon more than two times over any two-year period following an inspection by a special deputy.

(2) For the purposes of this rule, "three similar products" includes custom-assembled products intended for the same general purpose.

Stat. Auth.: ORS 447.152

Stats. Implemented: ORS 447.152

Hist.: BCD 10-1997, f. 7-16-97, cert. ef. 10-1-97

918-770-0210**Submission of Plumbing Products for Approval by Special Deputy**

Persons seeking approval of plumbing products by a special deputy shall provide the special deputy with a sample of the product for which approval is sought or a site-specific location where the product may be reviewed. The applicant shall also provide the special deputy with design or shop drawings, engineering data and any other test data that the special deputy determines to be reasonably necessary to evaluate the plumbing product for which approval is sought.

Stat. Auth.: ORS 447.152

Stats. Implemented: ORS 447.152

Hist.: BCD 10-1997, f. 7-16-97, cert. ef. 10-1-97

918-770-0220**Fees and Procedures**

(1) Persons requesting product approval by special deputies shall pay hourly inspection fees at the rate of \$40 per hour as a specially requested inspection. If the Board or special deputy determines that a product requires additional testing or evaluation through a laboratory or engineering firm, the person requesting special deputy certification shall pay the company doing the testing or evaluation directly.

(2) Special deputy inspection fees shall be paid prior to inspection. If the exact amount cannot be determined in advance, the person requesting a special deputy inspection shall pay the division an amount sufficient to pay the estimated fee prior to inspection. Any portion of the deposit not required for the fee shall be refunded to the applicant upon written request.

Stat. Auth.: ORS 447.152

Stats. Implemented: ORS 447.152

Hist.: BCD 10-1997, f. 7-16-97, cert. ef. 10-1-97

918-770-0230**Special Deputy Certification Procedures**

(1) A special deputy inspector may determine if a plumbing product meets applicable minimum health and safety standards adopted by the Board by:

(a) Examining the product and its components for compliance with applicable product standards approved by the Board;

(b) Reviewing the assembly of labeled, listed, recognized or non-certified components for correct and applicable application and installation;

(c) Reviewing code compliance; and

(d) Requiring "production type" testing where required by the applicable product safety standard adopted by the Board.

(2) A certification label is attached by the special deputy inspector on the product, or placement of a certification label is authorized.

(3) Where production line products are accepted for special deputy certification, the special deputy may examine the product to approved standards, determine whether the product meets minimum health and safety standards and review production quality control processes. The special deputy may authorize attachment of labels to all future products manufactured in conformance with the manufacturer's quality control plan approved by the special deputy. The special deputy may make periodic visits to any manufacturing facility to verify that the product continues to be manufactured in accordance with an approved quality control plan. Certifications of production line products approved by a special deputy shall be conditioned on the product continuing to be manufactured in conformance with the product specifications and manufacturing requirements as originally approved by the special deputy.

Stat. Auth.: ORS 447.152

Stats. Implemented: ORS 447.152

Hist.: BCD 10-1997, f. 7-16-97, cert. ef. 10-1-97

918-770-0300**Certification Marks and Product Standards Identification**

Plumbing products listed under the provisions of these rules must be identifiable. The certification mark of an approved certification body shall be marked upon the certified product or on a separate document enclosed in the product's packaging. If the certification mark is enclosed on a separate document within the product packaging, it must also include the following:

(1) A picture, image or line drawing clearly showing the product certified;

(2) The registered marks in 15 USC 1051 et seq. of the product certifier;

(3) The product specifications and standards which the product is certified as meeting, including the appropriate adoption dates of the listed standards;

(4) The name or mark of the manufacturer and model number of the product certified;

(5) The location of the manufacturing plant of origin for the product; and

(6) Any labeling information required for the product listed in the product standards approved by the Board.

Stat. Auth.: ORS 447.152

Stats. Implemented: ORS 447.152

Hist.: BCD 10-1997, f. 7-16-97, cert. ef. 10-1-97

918-770-0320**Approved Plumbing Product Standards and Specifications**

The following standards and specifications for plumbing products are approved by the Board:

(1) Composting Toilets, **NSF Standard No. 41 — May 1983.**

(2) Recognized plumbing product standards listed in Chapter 14, Table 14-1 of the **Oregon State Plumbing Specialty Code** adopted in OAR 918-750-0110.

(3) Testable backflow prevention assemblies approved by the Oregon Health Division Drinking Water Program and listed on the January 2000 "Approved Backflow Prevention Assembly List."

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 447.152

Stats. Implemented: ORS 447.152

Hist.: BCD 10-1997, f. 7-16-97, cert. ef. 10-1-97; BCD 22-2000, f. 9-19-00, cert. ef. 10-1-00

918-770-0330**Exempt Plumbing Products**

The following plumbing products are exempt from product approval by the board:

(1) Lead roof flashings;

(2) Pipe hanger hooks; and

(3) Nail plates.

Stat. Auth.: ORS 447.154

Stats. Implemented: ORS 447.154

Hist.: BCD 22-2000, f. 9-19-00, cert. ef. 10-1-00

DIVISION 780

FEES, PERMITS, INSPECTIONS

918-780-0030

Examination Fees

The following fees are adopted for examination, re-examination, certificate of competency, or renewal of certificate:

- (1) Application for written examination and practical examination for a journeyman plumber's certification of competency — \$65.
- (2) Journeyman plumber's certificate of competency, original and biennial renewal including \$10 per year continuing education charge — \$120.
- (3) Examination for a Limited Specialty Plumber's Certificate of Competency — \$125.
- (4) Limited Specialty Plumber's Certificate of Competency, original and biennial renewal — \$125.
- (5) Annual registration to conduct a plumbing business, original or renewal — \$150.
- (6) Special Business Registration and Installer Certification for Medical Gas Systems, original and annual renewal — \$50.
- (7) Limited Specialty Plumber's Certificate of Competency for Solar Heating and Cooling Installers, original or biennial renewal — \$100.

Stat. Auth.: ORS 693.103 & 693.135

Stats. Implemented: ORS 693.103

Hist.: DC 4, f. 8-13-71, ef. 9-11-71; DC 25-1978, f. 9-5-78, ef. 9-20-78; Renumbered from 814-021-0504; DC 13-1981, f. 10-30-81, ef. 11-1-81; DC 2-1983, f. & ef. 1-3-83; BCA 5-1988, f. & ef. 2-23-88; Renumbered from 814-020-0015; BCA 4-1991(Temp), f. & cert. ef. 2-28-91; BCA 18-1991, f. & cert. ef. 6-12-91; BCA 23-1993, f. 10-15-93, cert. ef. 11-1-93; BCD 25-1994, f. 10-26-94, cert. ef. 11-1-94; BCD 15-1996(Temp), f. & cert. ef. 7-1-96; BCD 20-1996, f. 9-30-96, cert. ef. 10-1-96; BCD 6-1998, f. 3-2-98, cert. ef. 4-1-98, Renumbered from 918-690-0015; BCD 3-2002, f. 3-5-02, cert. ef. 4-1-02; BCD 13-2002, f. 6-28-02, cert. ef. 7-1-02

918-780-0035

Exempt Ordinary Minor Plumbing Repairs

(1) Effective April 1, 2006, state building code provisions for permit or inspection of ordinary minor plumbing repairs follow:

(a) A registered plumbing contractor and any person exempt from licensing under ORS 693.020 are exempted from permit or inspection for ordinary minor plumbing repairs as defined in section (2) for residential and commercial structures;

(b) The term "any person" is defined by ORS 693.020 and includes but is not limited to individuals, corporations, partnerships, public and municipal corporations, political subdivisions, any Oregon state and federal government agencies.

(2) The term "ordinary minor plumbing repairs" is defined as follows:

(a) Includes repair, replacement or maintenance of existing plumbing fixtures, appliances, appurtenances and related water supply and drain attachments for the purpose of restoring a plumbing installation to a safe and sanitary operating condition.

(b) Does not include new construction, replacement of water heaters, or underground plumbing.

(3) In addition to the exemption in section (1), a registered plumbing contractor does not need a permit or inspection for emergency repair or replacement of the following: freeze-damaged, leaking-exposed, or concealed piping not exceeding five feet of new piping per structure for a period of 180 days, provided the repair or replacement does not involve any changes or alterations to the existing plumbing system.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 447.072 & 447.076

Stats. Implemented: ORS 447.072 & 447.076

Hist.: BCD 21-2003, f. 12-31-03, cert. ef. 1-1-04; BCD 6-2006, f. & cert. ef. 4-4-06

918-780-0040

Plumbing Plan Reviews

(1) A jurisdiction providing plumbing code plan review services may only require plumbing plan review for a complex structure. For purposes of this rule, a "complex structure" is a plumbing system designed, constructed or reconstructed to accommodate any of the following:

(a) The installation or alteration of a medical gas and vacuum system for health care facilities;

(b) The installation or alteration of chemical drainage waste and vent systems containing chemical agents potentially detrimental to the integrity of a plumbing system;

(c) The installation or alteration of wastewater pretreatment systems for building sewers;

(d) The installation of vacuum drainage waste and vent systems;

(e) The installation or alteration of reclaimed wastewater systems;

(f) The installation of a commercial booster pump system needed to maintain a minimum residual water pressure in a structure supplied by a municipal source;

(g) The installation of a plumbing system requiring a building water service line with an interior diameter or nominal pipe size of two inches or greater except those two inch systems which have been designed and stamped by a licensed engineer;

(h) The installation of any multi-purpose sprinkler system under standards adopted by the department.

(2) If a jurisdiction providing plumbing code plan review services requires a plumbing code plan review as authorized by section (1) of this rule, the jurisdiction may require the submission of complete specifications, piping layout and fixture location drawings of the proposed system or alteration before issuing a permit. Plans and specifications must indicate the nature and extent of the work proposed and show in detail that the work will conform to provisions of the Plumbing Specialty Code.

(3) A jurisdiction requiring plumbing code plan review may not require plan review on more than one building or structure under construction or reconstruction at the same jobsite, as long as:

(a) The plumbing systems of the buildings or structures are materially alike; and

(b) A person obtains plumbing permits for the buildings or structures within a reasonable time.

(4) Any required plumbing code plan review service may be waived by a jurisdiction if the nature of the work applied for is such that reviewing of plans is not necessary to determine compliance with the Plumbing Specialty Code.

(5) When the plumbing plan review is completed by a qualified plumbing plan reviewer and a plumbing permit issued, the plans must be endorsed in writing and stamped "Approved." The approved plans cannot be changed without authorization from the jurisdiction providing plumbing code plan review services.

(6) Issuance of a permit or approval of plans will not prevent the jurisdiction providing plumbing code plan review services from

(a) requiring the correction of errors in plans and specifications; or

(b) Preventing construction operations when in violation of the Plumbing Specialty Code or of any other ordinance; or

(c) Revoking any certificate of approval when issued in error.

(7) Nothing in this rule prevents a jurisdiction from providing plan review services for utility systems situated outside the building exterior of a particular jobsite.

(8) Nothing in this rule prevents a jurisdiction from requiring information on grease processing equipment systems.

(9) Where applicable, the Department of Consumer and Business Services' fees for plan review on complex structures will be based on the time required to review the plans, but must not exceed 30 percent of the total plumbing permit fee for the building or structure under review. When plans are incomplete or substantially changed to require additional plan review services, the department may charge an additional fee based on the time required for the additional review.

(10) Nothing in these rules shall prohibit the owner or owner's agent from requesting and receiving a plan review for non-complex structures.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 447.020 & 455.020

Stats. Implemented: ORS 447.020

Hist.: DC 39, f. 1-6-75, ef. 2-1-75; DC 13-1981, f. 10-30-81, ef. 11-1-81; Renumbered from 814-021-0115; BCD 6-1998, f. 3-2-98, cert. ef. 4-1-98, Renumbered from 918-760-0020; BCD 21-1998, f. 9-30-98, cert. ef. 10-1-98; BCD 7-2006, f. 6-7-06, cert. ef. 10-1-06

918-780-0045

Medical Gas System Plan Reviews

(1) The authority having jurisdiction shall require complete specifications and plans for medical gas system installations or proposed

alterations prior to issuing a permit. Plans and specifications shall indicate the nature and extent of the work proposed and show in detail that the work will conform with the medical gas provisions of these rules. Sizing calculations may be requested by the administrative authority.

(2) Medical gas systems plan review may be waived by the authority having jurisdiction for small renovations, repairs or extensions to existing systems, if the nature of the work applied for is such that reviewing of plans is not necessary to determine compliance with the medical gas provisions of these rules.

(3) Where medical gas system plans, specifications or calculations are required by the authority having jurisdiction, such plans shall bear the seal and signature of an Oregon-registered professional engineer.

(4) When the medical gas systems plan review is completed by a qualified medical gas plan reviewer and a medical gas permit is issued, the plans shall be endorsed in writing and stamped "approved." The approved plans shall not be changed without authorization from the inspecting authority having jurisdiction.

(5) Issuance of a permit or approval of plans shall not prevent the authority having jurisdiction from requiring the correction of errors in plans and specifications or from preventing construction operations when in violation of the Plumbing Specialty Code, or of any other ordinance or from revoking any certificate of approval when issued in error.

(6) The cost of plan review for medical gas systems work performed by the Building Codes Division shall be based on the time required to review the plans, but shall not exceed 30 percent of the total plumbing permit fee for the building or structure under review. When plans are incomplete or substantially changed so as to require additional plan review, additional plan review fees may be charged based on the additional time required.

Stat. Auth.: ORS 447.020
Stats. Implemented: ORS 447.010
Hist.: BCD 27-2000, f. 10-13-00 cert. ef. 10-01-01

918-780-0050

Qualifications for Persons Performing Plumbing and Medical Gas Systems Plan Reviews

Plumbing plan reviews shall be conducted only by persons with the appropriate division plumbing inspector or limited plumbing inspector certification. Medical gas systems plan reviews shall be conducted only by persons with the appropriate division plumbing inspector certification and a current and valid medical gas inspector certification as defined in OAR 918-695-0410. Persons employed for purposes of enforcing the requirements of other administrative agencies are exempt from this rule.

Stat. Auth.: ORS 447.010, 447.020 & 455.020
Stats. Implemented: ORS 447.010 & 447.020
Hist.: BCD 6-1998, f. 3-2-98, cert. ef. 4-1-98; BCD 27-2000, f. 10-13-00 cert. ef. 10-01-01

918-780-0060

Permit Application

(1) A plumbing permit shall be issued by the inspecting jurisdiction only in the name of the responsible person or firm performing the plumbing work.

(2) The signature of a registered plumbing contractor, residential pump installer, home owner or the contractor's authorized representative is required on each permit to indicate responsibilities under ORS 447.020.

(3) The inspecting jurisdiction shall request verification of plumbing business registration, journeyman plumber licensing, medical gas certification or apprentice registration or other appropriate licenses.

(4) A separate permit shall be obtained for each building or structure.

Stat. Auth.: ORS 447.010 & 447.020
Stats. Implemented: ORS 447.010 & 447.020
Hist.: DC 31, f. 4-19-74, ef. 5-11-74; Renumbered from 814-029-0030; DC 1-1983, f. & ef. 1-3-83; Renumbered from 814-021-0615; BCD 6-1998, f. 3-2-98, cert. ef. 4-1-98, Renumbered from 918-780-0020; BCD 27-2000, f. 10-13-00 cert. ef. 10-01-01

918-780-0070

Permit Expiration

Every permit issued by the authority having jurisdiction under the **Plumbing Specialty Code** expire by limitation and become null and void, if the work authorized by the permit is not started within 180

days from date of the permit, or if work authorized by the permit is suspended or abandoned at any time after the work is started for a period of 180 days. Before resuming work, a new permit shall be obtained. The fee shall be one-half the amount required for a new permit for the work, provided no changes have been made, or will be made in the original plans and specifications; and suspension or abandonment of the work has not exceeded one year.

[Publications: Publications referenced are available from the agency.]
Stat. Auth.: ORS 447.020 & 455.020
Stats. Implemented: ORS 447.020
Hist.: DC 39, f. 1-6-75, ef. 2-1-75; Renumbered from 814-021-0116; BCD 6-1998, f. 3-2-98, cert. ef. 4-1-98, Renumbered from 918-760-0025

918-780-0080

Plumbing Permit Fees

The following inspection fees are established by the board for the Building Codes Division plumbing inspections under ORS 447.020 and 447.095. This rule does not apply to municipalities administering a plumbing program:

(1) Notwithstanding any provision of this rule, which could result in a lower fee, the minimum inspection fee is \$46.

(2) One and Two Family Dwellings (Dwellings) Inspection Fees — Dwelling inspection fees for new construction, including drain, waste, vent and water distribution piping, and setting of plumbing fixtures and appliances, building sanitary, storm or combination sewer service piping, and potable water service piping. The plumbing permit fees for one and two family dwelling construction, remodeling or alterations are a flat fee based only on the square footage of the structure for new construction or the number of plumbing fixtures for remodeling or alterations, as follows:

(a) Base fee (new construction 1800 square feet or less) — \$210;
(b) Additional square feet exceeding 1800 @ \$.20 per square foot over 1800;

(c) Remodel/alteration (each 10 fixtures or less) — \$67.

(3) Manufactured Dwellings or Prefabricated Structures Inspection Fees — Manufactured dwelling or prefabricated structures inspection fees for connections to building sewer and water supply — \$64.

(4) Recreational Vehicle and Manufactured Dwelling Parks Inspection Fees:

(a) \$320 for the first ten or fewer spaces; and

(b) \$275 for each 10 additional spaces.

(5) Commercial, Industrial, and dwellings, other than one- and two-family: Inspection Fee:

(a) Base fee (includes up to 3 fixtures and the first 100' for each exterior, sanitary sewer, storm sewer or water supply building utility piping) — \$60;

(b) \$20 per each fixture over the first 3; and

(c) Site utilities exceeding the first 100' of each (water service, storm and sanitary sewer) \$20 each additional 100' of piping or part thereof.

(6) Miscellaneous Inspection Fees:

(a) Charges for inspections requested by a governmental agency under ORS 190.003 to 190.110 are negotiable and subject to revisions project-to-project.

(b) Include, but are not limited to, residential fire sprinkler systems (multi-purpose), indirect wastes, specialty fixtures and reinspection — \$46.

(c) Specially requested inspections — \$46 per hour or any portion of an hour.

(7) For the purposes of calculating the permit fees under this rule, "fixtures" includes but are not limited to the following:

(a) Bathtubs;

(b) Bidets;

(c) Clothes washers;

(d) Drinking fountains;

(e) Laundry tubs;

(f) Showers;

(g) Sinks;

(h) Urinals;

(i) Water closets; and

(j) Water heaters;

(8) Medical Gas System Inspection Fees — Inspection fees for medical gas systems are a combination of:

(a) A \$219 base fee; and

(b) \$1 per each inlet or outlet.

Stat. Auth.: ORS 447.020 & 447.095
 Stats. Implemented: ORS 447.020 & 447.095
 Hist.: DC 31, f. 4-19-74, ef. 5-11-74; DC 72, f. 4-19-76, ef. 6-1-76; DC 78 (Temp), f. & ef. 6-16-76 thru 10-13-76; DC 10-1978, f. & ef. 3-16-78; Renumbered from 814-029-0020; DC 13-1981, f. 10-30-81, ef. 11-1-81; DC 1-1983, f. & ef. 1-3-83; DC 27-1984, f. 8-31-84, ef. 10-15-84; DC 16-1987(Temp), f. 6-25-87, ef. 6-26-87; BCA 12-1988, f. & ef. 9-8-88; Renumbered from 814-021-0610; BCA 15-1993(Temp), f. 6-30-93, cert. ef. 9-1-93; BCA 3-1994, f. 1-14-94, cert. ef. 2-27-94; BCD 6-1998, f. 3-2-98, cert. ef. 4-1-98, Renumbered from 918-780-0015; BCD 27-2000, f. 10BCD 13-2004, f. 9-7-04, cert. ef. 10-1-04-13-00 cert. ef. 10-01-01; BCD 13-2002, f. 6-28-02, cert. ef. 7-1-02; BCD 13-2004, f. 9-7-04, cert. ef. 10-1-04

Plumbing Inspections

Minor Plumbing Installations Subject to Random Inspections

918-780-0130

Use of Minor Installation Labels

(1) Plumbing contractors having a valid certificate of registration under ORS 447.030 and a verified Construction Contractors Board license, when using plumbers having a certificate of competency under ORS Chapter 693, may purchase and use minor labels as described by OAR 918-100-0000 through 918-100-0060; and

(2) Only permit requirements are deleted. The **Plumbing Specialty Code** and **One- and Two-Family Dwelling Specialty Code** plumbing installation provisions and plumbing product certification requirements shall be followed.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 447.072, 447.076, 455.154 & 455.155

Stats. Implemented: ORS 447.072, 447.076, 455.154 & 455.155

Hist.: BCD 17-1994, f. 7-21-94, cert. ef. 10-1-94; BCD 9-1997(Temp), f. 6-30-97, cert. ef. 7-1-97; BCD 17-1997, f. 9-30-97, cert. ef. 10-1-97; BCD 22-2000, f. 9-19-00, cert. ef. 10-1-00; BCD 4-2002, f. 3-8-02, cert. ef. 4-1-01; BCD 22-2004, f. & cert. ef. 10-1-04

918-780-0140

Scope of Plumbing Work Allowed with Minor Installation Label
 "Minor plumbing" for installations under the minor label programs permitted by OAR 918-100-0000 through 918-100-0060 shall be as follows:

(1) Commercial and industrial minor installation label programs include:

(a) Accessible plumbing repair and maintenance;

(b) Replacement of up to three accessible plumbing appliances, appurtenances or fixtures as defined in the Plumbing Specialty Code; or

(c) Replacement of up to 20 feet of plumbing piping.

(2) One- and two-family dwelling minor installation label programs include:

(a) Repair, replacement, or maintenance of water heaters, including water heater conversions;

(b) Alteration of parts of an existing plumbing system not exceeding three fixtures, or 20 feet of new piping or both provided the work is "accessible" to an inspector; or

(c) Repair or replacement of concealed freeze-damaged or leaking parts of an existing plumbing system not exceeding three fixtures, or 20 feet of new piping or both.

(d) Plumbing fixtures as used in this section include, but are not limited to, bathtubs, bidets, showers, sinks, water closets and water heaters.

(3) Cross-connection control devices are not considered minor plumbing installations and are excluded under these rules.

Stat. Auth.: ORS 447.072, 447.076, 455.154 & 455.155

Stats. Implemented: ORS 447.072, 447.076, 455.154 & 455.155

Hist.: BCD 17-1994, f. 7-21-94, cert. ef. 10-1-94; BCD 6-1998, f. 3-2-98, cert. ef. 4-1-98; BCD 4-2002, f. 3-8-02, cert. ef. 4-1-01; BCD 22-2004, f. & cert. ef. 10-1-04

DIVISION 785

ENFORCEMENT

918-785-0100

Plumbing Section

The chief plumbing inspector is charged with the organization and enforcement of the **Plumbing Specialty Code** created under ORS 447.020 and defined as a Specialty Code under ORS 455.010, as a part of the **State Building Code** under ORS 455.010.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 447.020

Stats. Implemented: ORS 447.020

Hist.: DC 39, f. 1-6-75, ef. 2-1-75; DC 1-1983, f. & ef. 1-3-83; Renumbered from 814-021-0113; BCD 6-1998, f. 3-2-98, cert. ef. 4-1-98, Renumbered from 918-760-0010

918-785-0110

Powers and Duties of the Chief Plumbing Inspector

(1) The chief plumbing inspector is authorized and directed to enforce all the provisions of the **Plumbing Specialty Code** and to assist in enforcement of the pertinent regulations of the **Oregon Structural Specialty Code**.

(2) The chief plumbing inspector and the building official are authorized and directed under provisions of ORS Chapters 447, 455 and 693 to enforce all provisions, rules and regulations governing plumbing systems and plumbing fixtures in effect on the date of adoption of the Plumbing Specialty Code when requested by federal, state or municipal agencies whose rules and regulations require conformity to this code as a condition of acceptance, licensing, operation or occupancy.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 447.020

Stats. Implemented: ORS 447.020

Hist.: DC 39, f. 1-6-75, ef. 2-1-75; DC 32-1978, f. 12-19-78, ef. 1-1-79; DC 8-1981, f. & ef. 7-2-81; DC 1-1983, f. & ef. 1-3-83; Renumbered from 814-021-0114; BCD 6-1998, f. 3-2-98, cert. ef. 4-1-98, Renumbered from 918-760-0015

918-785-0200

Inspection and Enforcement

(1) Permits Required:

(a) No person, firm, or corporation shall do plumbing or effective October 1, 2001, medical gas systems work in the State of Oregon without first obtaining a plumbing permit or minor label when required and paying the appropriate fees to the authorized permit issuing agency;

(b) Plumbing permit fees shall be doubled if installation is started prior to issuance of the permit, except that this provision will not apply to proven emergency installations, in which case a permit shall be obtained within five days of starting installation.

(2) Purpose of Permit. The issuance or granting of a plumbing permit is for the purpose of knowing where to make inspections and to defray the cost of inspections. The permit shall not be construed to be an approval of any violation of any of the provisions of the statutes or of OAR 918, divisions 750 to 785. The issuance of a permit shall not prevent the administrator from thereafter requiring the correction of errors in sums due for the permit in installations or in requiring the work to be done only by those authorized by law.

(3) Notice Required for Inspections:

(a) No plumbing or effective October 1, 2001, medical gas systems installation shall be covered or concealed without first obtaining the approval of the inspecting jurisdiction;

(b) The inspecting jurisdiction shall have a minimum of 48 hours, excluding Saturdays, Sundays, and holidays, after notification that the permittee is ready for an inspection, in which to make the following inspections:

(A) New Construction or Remodeling:

(i) A rough-in inspection prior to placement of any concrete, cover, or backfill, or prior to placement of sub-flooring if frame construction must be requested by the permittee;

(ii) A cover inspection when all rough-in plumbing is in place prior to being covered;

(iii) A final inspection of plumbing fixtures and connections just prior to the building or remodeled area being occupied.

(B) Other Inspections. In addition to the inspections required to be called for by the permittee as specified above, the division may make or require any plumbing installation to ascertain compliance with the provisions of statutes or rules. Rough-in inspections prior to placement of sub-flooring for frame construction may be waived by the inspecting jurisdiction, if adequate accessibility is available and prior approval is granted.

(4) Correction Notice for Violations. All deviations from the requirements of the statutes or rules shall be specified in writing and a copy furnished to the permittee. An additional copy may be posted at the site of the installation or mailed or delivered to the permittee or the permittee's agent at the address shown on the permit. The division may provide information on the meaning or application of the statutes and rules but shall not design or lay out work for contractors, owners, or users. Refusal, failure, or neglect to correct deviations from the min-

imum standards specified in the notice within 30 days of receipt or of posting of notice of violation shall be considered a separate violation of these administrative rules.

(5) Enforcement. Whenever any plumbing installation is being made contrary to the provisions of the **Plumbing Specialty Code**, by unlicensed persons, when a license is required, or OAR 918, divisions 750 to 785, the inspecting jurisdiction shall order the installation stopped by notice in writing served on any person engaged in causing such installation to be made, or by posting a copy at the site of the installation, and no person shall proceed with the installation until authorized by the inspecting jurisdiction.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 447.010 & 447.020

Stats. Implemented: ORS 447.010 & 447.020

Hist.: DC 31, f. 4-19-74, ef. 5-11-74; Renumbered from 814-029-0010; DC 1-1983, f. & ef. 1-3-83; Renumbered from 814-021-0605; BCD 21-1996, f. 9-30-96, cert. ef. 10-1-96; BCD 6-1998, f. 3-2-98, cert. ef. 4-1-98, Renumbered from 918-780-0010; BCD 22-2000, f. 9-19-00, cert. ef. 10-1-00

918-785-0210

Calls for Inspection

(1) All persons who take out a plumbing permit, home owners as well as plumbing contractors, shall request an inspection within 24 hours of:

(a) The completion of any plumbing or medical gas systems installation intended to be covered or concealed or which is intended to be placed into service before the final plumbing inspection; and

(b) The completion of all plumbing or medical gas systems installations for the job site covered by a particular permit.

(2) Transactions under a master inspection permit are covered by separate requirements.

Stat. Auth.: ORS 447.010 & 447.020

Stats. Implemented: ORS 447.010 & 447.020

Hist.: BCD 6-1998, f. 3-2-98, cert. ef. 4-1-98; BCD 27-2000, f. 10-13-00 cert. ef. 10-01-01

918-785-0220

Requests for Inspection and Notice of Results

(1) Except as provided in section (2) of this rule, an inspecting jurisdiction shall inspect within 48 hours of a written request for inspection unless the time for inspection is extended to a set date by mutual agreement. The 48 hours excludes Saturdays, Sundays and holidays.

(2) The inspecting jurisdiction shall inspect an installation at a remote location within a reasonable time of the request.

(a) For the purpose of this section, a "remote location" is:

(A) An inspection location that is more than 60 miles one way using the most direct route, measured from the closest of the inspector's station, inspection office or the inspecting jurisdiction's primary offices; or

(B) An inspection location that requires more than one hour or normal driving, one way, using the most direct route from the closest point mentioned in paragraph (A) of this subsection.

(b) For the purposes of this section, "within a reasonable time" means a response time that takes into account the time, distance and number of inspection requests, but shall not exceed seven consecutive calendar days including the date the request was received unless the time for inspection is extended to a set date by mutual agreement. If the seventh calendar day falls on a weekend or holiday, this is extended to include the next business day.

(3) Reasonable procedures designed to provide actual notice of inspection results shall be used by all inspecting jurisdictions to notify the person requesting inspections, of the results of plumbing inspection. "Reasonable procedures designed to provide actual notice" shall include posting at the job site and:

(a) Nothing more when the installation is by an owner;

(b) Nothing more when the installation is approved;

(c) For other than for a one- or two-family dwelling, notification of any deficiencies on a specific permit by:

(A) FAX transmittal to the plumbing contractor;

(B) Personal delivery to the plumbing contractor;

(C) Mailing;

(D) Telephone followed by written notification; or

(E) Other electronic or automated notification systems.

(d) By written confirmation of inspection approval if a permit holder requests confirmation.

(4) If the inspection mentioned in sections (1) and (2) of this rule involved a cover inspection and does not include any medical gas systems or components, the work cannot be covered unless:

(a) Inspection clearance is given; or

(b) The request for inspection is in writing communicated to the inspecting jurisdiction, with notice that a cover inspection is involved, no extensions are agreed to and the maximum time for making the required inspection under sections (1) and (2) of this rule are exceeded. For the purposes of this subsection:

(A) Written request includes a letter, telegram or FAX transmittal; and

(B) The burden of proof is on the person requesting the plumbing inspection to prove that a written request was communicated.

Stat. Auth.: ORS 447.010 & 447.020

Stats. Implemented: ORS 447.010 & 447.020

Hist.: BCD 6-1998, f. 3-2-98, cert. ef. 4-1-98; BCD 27-2000, f. 10-13-00 cert. ef. 10-01-01

918-785-0230

Correction of Defects

Defects in plumbing installations noted by the plumbing inspector shall be corrected and an inspection request made within 30 calendar days of the date of actual notice of deficiency. For the purpose of this rule, actual notice is given when the inspecting jurisdiction does everything required in OAR 918-785-0220.

Stat. Auth.: ORS 447.020

Stats. Implemented: ORS 447.020

Hist.: BCD 6-1998, f. 3-2-98, cert. ef. 4-1-98; BCD 3-2002, f. 3-5-02, cert. ef. 4-1-02

