



Electrical Safety

Statutes and Regulations

September 2008

**Labor Standards and Safety Division
Mechanical Inspection**



**ALASKA DEPARTMENT OF LABOR
& WORKFORCE DEVELOPMENT**

Jobs are Alaska's Future

ALASKA STATUTES

ARTICLE 6

ELECTRICAL SAFETY

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Sec. 18.60.580. Minimum electrical standards.

After the American National Standards Institute approves a new, published edition of the National Electrical Code or a new, published edition of the National Electrical Safety Code, the Department of Labor and Workforce Development may, by regulation, adopt the most recent codes to constitute the minimum electrical safety standards of the state.

Sec. 18.60.590. Code amendments; local safety codes.

- (a) The department may by regulation adopt amendments to the National Electrical Code as approved and issued by the American National Standards Institute.
- (b) AS 18.60.580 - 18.60.660 do not affect the authority of any municipality or rural electrification association to prescribe by ordinance, rule, or order standards for their respective areas of jurisdiction not less stringent than the standards prescribed by the department or those established under AS 18.60.580.

Sec. 18.60.600. Powers and duties of the department.

- (a) The department may
 - (1) adopt regulations to carry out the purposes of AS 18.60.580 - 18.60.660;
 - (2) inspect the electrical wiring of any place of employment or public structure in this state.
- (b) The department shall

- (1) keep a record of all inspection fees collected;
- (2) keep a record of all electrical inspections conducted.

Sec. 18.60.610. Delegation of authority.

Upon application to the department, a person, corporation, electric utility firm, public utility district, rural electrification association, or municipal utility district furnishing electrical current may be authorized by the commissioner to inspect the electrical wiring for a public or commercial structure as defined in AS 18.60.660 to which it is to furnish electrical current before energizing the electrical system on, in, or about the premises. Authorization by the commissioner under this section constitutes a grant of full authority to act within the provisions of AS 18.60.580 - 18.60.660 with the same immunities and privileges accorded to the state in the performance of these duties. A person or entity whose electrical wiring installation is found by the authorized inspector not to meet the standards prescribed has the right to appeal to the commissioner for a new inspection. The commissioner shall, within 15 days, furnish a new inspection by a designee not associated with the person, firm, or utility that did the original inspection.

Sec. 18.60.620. Inspection fees.

A person, corporation, electric utility firm, public utility district, rural electrification association, or municipal utility district authorized under AS 18.60.610 to provide inspection services may charge a fee for these services. After notice and hearing, the department shall set a schedule of maximum fees for inspection services rendered under AS 18.60.580 - 18.60.660. The department may review the schedule every two years after giving notice and hearing.

Sec. 18.60.630. Enforcement of compliance.

An authorized inspector under this chapter shall give written notice to the owner of constructed premises, or the contractor of premises under construction, of each violation of applicable electrical standards discovered as a result of inspection. If within 15 days after receipt of written notice of an electrical violation, the person notified does not rectify the condition, the inspector shall notify the electric utility firm, public utility district, rural electrification association, or municipality district supplying power to the premises. Upon notice in writing from the inspector, the supplier of electrical power may discontinue services to the premises where the alleged violation exists.

Sec. 18.60.640. Scope of work covered.

- (a) AS 18.60.580 - 18.60.660 cover only new installations and alterations to existing installations.
- (b) These standards are the recommended minimum standards for all new structures in the state.

Sec. 18.60.650. Penalty for violations.

A person who installs electrical wiring not in compliance with minimum electrical standards as set out in AS 18.60.580, and who fails to correct this wiring after having been notified in writing by an authorized inspector, upon conviction, is punishable by a fine of not more than \$1,000.

Sec. 18.60.660. Definitions.

In AS 18.60.580 - 18.60.660,

- (1) "commissioner" means commissioner of labor and workforce development;
- (2) "department" means the Department of Labor and Workforce Development;
- (3) "electrical wiring" means the entire electrical system, including all conducting and shielding material, all regulatory and safety apparatus, and all devices and techniques used in the process of installation;
- (4) "public structures" mean buildings such as hotels, resident housing with more than one rental unit, restaurants, taverns, lodging houses, children's homes, auditoriums, town halls, or any structure designed or used for public assembly whether publicly or privately financed.

ARTICLE 7

HIGH VOLTAGE LINES

Section

- 670 Prohibition against placement of equipment near electrical power lines and conductors.**
- 675 Posting of warning sign before operation.**
- 680 Placement of barriers for temporary work.**
- 685 Criminal penalty; civil liability for damages.**
- 690 Non applicability to certain activities.**
- 695 Definitions.**

Sec. 18.60.670. Prohibition against placement of equipment near electrical power lines and conductors.

A person individually or through an agent or employee may not

- (1) place any type of tool, equipment, machinery, or material that is capable of lateral, vertical, or swinging motion, within 10 feet of a high voltage overhead electrical line or conductor;
- (2) store, operate, erect, maintain, move, or transport tools, machinery, equipment, supplies, materials, apparatus, buildings, or other structures within 10 feet of a high voltage overhead electrical line or conductor.

Sec. 18.60.675. Posting of warning sign before operation.

A person individually or through an agent or employee may not operate a crane, derrick, power shovel, drilling rig, hoisting equipment, or similar apparatus, any part of which is capable of vertical, lateral, or swinging motion, unless the operator or the operator's employer posts and maintains, in plain view of the operator, a durable warning sign legible at 12 feet that reads as follows: "It is unlawful to operate this equipment within 10 feet of high voltage lines."

Sec. 18.60.680. Placement of barriers for temporary work.

Before a person is going to temporarily engage in work or other activity in closer proximity to a high voltage line or conductor than is permitted by AS 18.60.670, the person shall immediately notify the operator or owner of the high voltage line or conductor of the work to be performed and make appropriate arrangements, with payment satisfactory to the operator, for the installation of temporary mechanical barriers, temporary deenergization and grounding of the conductors, or a temporary raising of the conductors. Costs incurred by an operator or owner of a high voltage line or conductor in providing barriers, deenergization, and grounding as specified

in this section shall be paid by the person engaging in the work that requires these protective measures.

Sec. 18.60.685. Criminal penalty; civil liability for damages.

(a) A person who violates AS 18.60.670 - 18.60.695 is guilty of a misdemeanor, and upon conviction is punishable by a fine of not more than \$500, or by imprisonment for not more than six months, or by both.

(b) If a violation of AS 18.60.670 - 18.60.695 results in physical or electrical contact with an overhead high voltage line or conductor, the violator is liable to the owner or operator of the high voltage line or conductor for all damage to the facilities and for all liability incurred by the owner or operator as a result of the unlawful activities.

(c) Each day on which a person fails to post or maintain a sign as required by AS 18.60.675 constitutes a separate and additional violation.

Sec. 18.60.690. Non applicability to certain activities.

AS 18.60.670 - 18.60.695 do not apply to

- (1) activities relating to high voltage overhead conductors or their supporting structures conducted by persons authorized by the operator or owner of high voltage overhead conductors or their supporting structures;
- (2) work done on telephone or communication circuits or their supporting structures;
- (3) the operation or maintenance of equipment traveling or moving upon fixed rails of a railroad; or
- (4) emergency situations in which life is endangered.

Sec. 18.60.695. Definitions.

In AS 18.60.670 - 18.60.695,

(1) "high voltage" means a voltage in excess of 750 volts between conductors or between any single conductor and the ground;

(2) "overhead lines or overhead conductors" means all bare or insulated electrical conductors installed aboveground except those that are de-energized and grounded or enclosed in iron pipe or other metal covering of equal strength.

ALASKA ADMINISTRATIVE CODE

**Chapter 70
Electrical Safety Code**

Section

- 10. Scope and effect.**
- 20. (Repealed).**
- 25. Minimum electrical standards.**
- 30. (Repealed).**
- 40. Authorization.**
- 50. (Repealed).**
- 60. Inspections.**
- 70. Inspection fees.**
- 75. Appeals.**
- 80. Computation of time.**
- 85. Sale or transfer of consumer electrical products.**
- 86. Exemptions to third-party certification.**
- 90. Definitions.**

8 AAC 70.010. Scope and effect.

8 AAC 70.010 - 8 AAC 70.090 apply to all installations of new electrical wiring and alterations to existing electrical wiring in all "public structures," as defined in 8 AAC 70.090, and any place of employment. (Eff. 10/9/70, Register 36)

Authority:	AS 18.60.580	AS 18.60.600	AS 18.60.660
	AS 18.60.590	AS 18.60.640	

8 AAC 70.020. Minimum standards.

Repealed 5/19/84.

Editor's note: AS 18.60.580 adopts the 1981 edition of *National Electrical Code* and the latest published edition of the *National Electrical Safety Code*. Copies of the *National Electrical Code* are available through the National Fire Protection Association, 470 Atlantic Avenue, Boston, Massachusetts 02210. Copies of the *National Electrical Safety Code* are available through the Institute of Electric and Electronics Engineering, 345 East 47th Street, New York, New York 10017.

8 AAC 70.025. Minimum electrical standards.

(a) The 2008 Edition of the *National Electrical Code* (NFPA 70-2008) adopted by the National Fire Protection Association on June 3-7, 2007 and approved by the American National

Standards Institute on August 15, 2007 constitutes the minimum electrical code for the state and is adopted by reference.

(b) The 2007 Edition of the *National Electrical Safety Code* (ANSI C2-2007), approved by the American National Standards Institute on June 16, 2006, constitutes the minimum electrical safety standards of the state and is adopted by reference. (Eff. 4/27/96, Register 138; am 12/17/99, Register 152; am 9/25/2002, Register 163; am 6/14/2006, Register 178; am 9/27/2008, Register 187)

Authority: AS 18.60.580 AS 18.60.600

Editor's note: Copies of the *National Electric Code* and the *National Electrical Safety Code*, adopted by reference in 8 AAC 70.025, are available for public review at the Mechanical Inspection Section, Division of Labor Standards and Safety, Department of Labor and Workforce Development, 3301 Eagle Street, Suite 302, Anchorage, AK 99503; telephone (907) 269-4925. Additionally, copies of the *National Electric Code* may be obtained by contacting the National Fire Protection Association, One Batterymarch Park, Quincy, MA 02169-7471; telephone: (800) 344-3555; facsimile: (617) 770-0700; Internet address: <http://www.nfpa.org>. Copies of the *National Electrical Safety Code* may be obtained by contacting the Institute of Electrical and Electronics Engineers Inc., 3 Park Avenue, New York, NY 10016-5997.

8 AAC 70.030. Acceptable standards.

Repealed 5/19/84.

8 AAC 70.035. Electrical maintenance. For purposes of AS 18.60.640(a), new installations and alterations to existing installations do not include electrical maintenance. For purposes of this section,

(1) The replacement or repair of electrical utilization equipment or devices with equipment or devices having the same electrical and mechanical characteristics constitutes electrical maintenance, if the replacement equipment or devices do not

(A) need alteration or adaption to be installed; or

(B) change the electrical load of the affected circuit; and

(2) the replacement of conduit or other wiring methods, or conductors, regardless of the length or amount, constitutes installation, and is subject to AS 18.60.580 – 18.60.660. (Eff. 9/27/2008, Register 187)

Authority: AS 18.60.600 AS 18.60.640

8 AAC 70.040. Authorization.

(a) An application for authorization to perform an inspection under AS 18.60.610 must contain the name of the inspector to be authorized, the inspector's working experience and certificate of fitness number, and evidence that the inspector is employed by a corporation, electric utility firm, public utility district, rural electrification association, or municipal utility district furnishing electrical current. This information must be submitted to the department on the employer's letterhead stationery.

(b) If the applicant meets the requirements of this section and AS 18.60.610 , the department will appoint the applicant as a deputy electrical inspector. (Eff. 10/9/70, Register 36; am 5/19/84, Register 90)

Authority: AS 18.60.600 AS 18.60.610

8 AAC 70.050. Submission of plans.

Repealed 5/19/84.

8 AAC 70.060. Inspections.

Inspections conducted under AS 18.60.610 must be reported to the department within 15 days after the date of inspection. The report must contain the

- (1) name of the entity employing the inspector;
- (2) name of the inspector;
- (3) type of inspection;
- (4) name of the owner of the premises;
- (5) name of the installer of electrical wiring;
- (6) address of the premises;
- (7) type of premises;
- (8) code violations observed; and
- (9) fee charged for the inspection. (Eff. 10/9/70, Register 36; am 5/19/84, Register 90)

Authority: AS 18.60.600 AS 18.60.610

8 AAC 70.070. Inspection fees.

A person, corporation, electric utility firm, rural electrification association, public utility district or municipal utility district that performs an inspection provided for by 8 AAC 70.020 - 8 AAC 70.040, may charge a fee not to exceed \$50 per inspection or re-inspection. (Eff. 10/9/70, Register 36)

Authority: AS 18.60.600 AS 18.60.620

8 AAC 70.075. Appeals.

(a) A notice issued under AS 18.60.630 for a violation of AS 18.60.580 - AS 18.60.695 or this chapter, based upon a department inspection under AS 18.60.600 (a)(2), is final unless a person affected, or the owner or contractor of the premises inspected, files an appeal with the commissioner within 30 days after receipt of the notice. The appeal must be in writing and must include

- (1) a specification of objections to the department's findings, and a concise summary of facts in support of each objection; and
- (2) a description of the relief sought.

(b) The commissioner's decision will be based upon the department's record, including the written appeal, and will state the facts relied upon by the commissioner in making the decision.

(c) The commissioner will, in his or her discretion, hold a hearing on the appeal to supplement the record where clarification or additional facts may be necessary for a proper resolution of the appeal.

(d) A hearing held under this section will be conducted in accordance with AS 44.62.330 - 44.62.630, except that the director of the labor standards and safety division of the Department of Labor and Workforce Development, or his or her designee, shall act as hearing officer.

(e) Within 30 days after the hearing, a copy of the decision will be sent to the appellant. Within 30 days after the decision is issued, the appellant may appeal to the superior court. (Eff. 5/19/84, Register 90)

Authority: AS 18.60.600

Editor's note: As of Register 151 (October 1999), the regulations attorney made technical revisions under AS 44.62.125 (b)(6) to reflect the name change of the Department of Labor to the Department of Labor and Workforce Development made by ch. 58, SLA 1999 and the corresponding title change of the commissioner of labor.

8 AAC 70.080. Computation of time.

Sundays and holidays recognized by the State of Alaska are excluded from the computation of time a notice is mailed. If notice is mailed, the day of mailing and the day of receipt are not included in the computation of time. (Eff. 10/9/70, Register 36)

Authority: AS 18.60.600

8 AAC 70.085. Sale or transfer of consumer electrical products.

(a) In order to qualify as an approved third-party certification program, it must be conducted by a third-party testing/inspection body that meets the requirements of ANSI Z34.1 - 1987, *American National Standards for Certification - Third-Party Certification Program*, published by the American National Standards Institute.

(b) Consumer electrical products manufactured before August 14, 1990 that are not listed by an approved third-party certification program must bear a bright mustard-yellow one and one-half inch by one inch label illustrated below that states the following:

(c) A person who sells, offers to sell, or otherwise transfers a consumer electrical product manufactured before August 14, 1990 shall obtain warning labels from the mechanical inspection section in the Anchorage office of the Department of Labor and Workforce Development. The request must identify the following information about the product to be labeled:

(1) date of manufacture, or if the date of manufacture is not known, a copy of the invoice must be submitted showing date of purchase;

(2) model or catalog number;

(3) product name;

(4) location where the product will be displayed or offered for sale or transfer; and

(5) name and address of the person responsible for the proper application of the label to the product and for the return of all unused or damaged labels to the department.

(d) The warning label must be permanently attached to the electrical product so that it is readily visible to a consumer without lifting or moving the product.

(e) The use of a defaced or altered warning label is prohibited. (Eff. 9/25/93, Register 127)

Authority: AS 45.45.910

Editor's note: A copy of ANSI Z34.1-1987, *American National Standard for Certification - Third-Party Certification Program*, may be obtained from the American National Standards Institute, 1430 Broadway, New York, New York 10018.

For the purposes of 8 AAC 70.085(c), warning labels are available from Mechanical Inspection, Department of Labor and Workforce Development, 3301 Eagle St., Suite 302, Anchorage, Alaska 99503; telephone: (907) 269-4925.

As of Register 151 (October 1999), the regulations attorney made technical revisions under AS 44.62.125 (b)(6) to reflect the name change of the Department of Labor to the Department of Labor and Workforce Development made by ch. 58, SLA 1999 and the corresponding title change of the commissioner of labor.

8 AAC 70.086. Exemptions to third-party certification.

The following products are exempt from the requirements of AS 45.45.910:

- (1) a work of art reviewed by the department and determined to be within the definition of 8 AAC 70.090(10); or
- (2) a consumer electrical product that has been determined by the department to be an unusual application design for which no standard of manufacture exists and, in the opinion of the department, does not present an undue hazard to life or property. (Eff. 9/25/93, Register 127)

Authority: AS 45.45.910

8 AAC 70.090. Definitions.

In 8 AAC 70.010 - 8 AAC 70.090

- (1) "department" means the Department of Labor and Workforce Development;
- (2) "commissioner" means the commissioner of labor and Workforce Development and his authorized designee;
- (3) "electrical wiring" means the entire electrical system, including all conducting and shielding material, all regulatory and safety apparatus, and all devices used in the process of installation;
- (4) "public structure" means buildings such as hotels, resident housing with more than one rental unit, restaurants, taverns, lodging houses, children's homes, auditoriums, town halls, or any structure designed or used for public assembly, whether publicly or privately financed;

- (5) repealed 5/19/84;
- (6) "alteration" means an addition to an existing structure where the total cost of the new construction is \$2,000 or more;
- (7) "electrical product" means any electrical equipment, appliance, material, device, or apparatus to convey or to be operated by electrical current;
- (8) "third-party testing/inspection body" means an organization that possesses the necessary technical competence and that is not operated or controlled by a manufacturer, supplier, or buyer of a certified product or service in that it has no organizational, financial, or commercial involvements with the producer or buyer that might pose a potential conflict of interest; and
- (9) "work of art" means any electrical components or circuitry intended to be energized as a function of the artistic medium that is not addressed in the *National Electrical Code*; "work of art" does not include any electrical components or circuitry whose primary purpose is to provide any part of the mechanical or electrical power or lighting system of a building or other structure and its adjacent property. (Eff. 10/9/70, Register 36; am 5/19/84, Register 90; am 9/25/93, Register 127)

Authority: AS 18.60.600 AS 45.45.910

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