



## CITY OF MILPITAS

Office of Building Safety  
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### PROCEDURES FOR THE APPROVAL OF THE INSTALLATION AND USE OF ELECTRICAL EQUIPMENT

**Policy:****BDP-EL10**

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3/6/2019

Proposed by:

TUCC

Last Reviewed/  
Revised:

JDS

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Revised by:

3/8/2023

Approved By:

Building Official

**ISSUE(S):**

This policy is intended to ensure reasonable and practical safeguarding of people and property (CEC 90.1); conformity of electrical equipment to nationally recognized safety standards in harmony with the CEC; and consistency in interpretations and application of the CEC by local jurisdictions.

The installation and use of equipment required or permitted by the CEC shall be acceptable only if approved by the AHJ (CEC Section 110.2).

In judging the acceptability of the equipment, the AHJ uses the considerations set forth in CEC Section 110.3. Equipment evaluated by nationally recognized testing laboratories provides a basis for approval by the AHJ (CEC Section 90.7).

Terms used in this policy are defined in Article 100 of the California Electrical Code.

**PROPOSED GUIDELINE:****I. Listing and Labeling of Electrical Equipment**

All electrical equipment shall be listed by a nationally recognized testing laboratory (NRTL) and labeled with the certification mark of that laboratory. All equipment shall be installed and used in accordance with any instructions included in the listing (CEC Section 110.3(b)).

The listing shall be in accordance with the applicable nationally recognized safety standard for the equipment that is in harmony with the CEC. The safety standard shall be identified within the NRTL's certification directory.

The standard used for listing shall be covered by the scope of either the OSHA recognition per 29 CFR 1910.7 or the ANSI accreditation for the product certification body and approved by the building official.

OSHA link: <http://www.osha.gov/dts/otpc/nrtl/index.html>

ANSI link: <https://anab.ansi.org/product-certification>

Manufacturer's self-certification of any equipment shall not be used as a basis for approval by the AHJ.

**Exception 1: Field Modification of Listed and Labeled Electrical Equipment**

The acceptability of field modifications to listed and labeled electrical equipment shall be determined by the AHJ. The AHJ shall consider the effect of the modification on the integrity of the equipment. The AHJ has the authority to require a Field Evaluation in accordance with Exception 2, or a Field Inspection by the nationally recognized testing laboratory that listed the

equipment at no cost to the jurisdiction. A documented report shall be provided to the AHJ stating that the modified equipment continues to comply with the listing requirements.

**Exception 2:** Non-Listed Electrical Equipment:

If installed or relocated equipment is not listed and labeled, the equipment shall either be replaced with listed and labeled equipment, or the AHJ may make an evaluation on the acceptability of the equipment in accordance with CEC Section 110.3(a).

The AHJ has the authority to require a Field Evaluation by a third-party field evaluation body (FEB) approved by the AHJ in accordance with NFPA 790 at no cost to the jurisdiction. Accreditation of an FEB by International Accreditation Services (IAS) in accordance with AC 354 ([www.iasonline.org](http://www.iasonline.org)) is a method to demonstrate that the FEB meets the criteria of NFPA 790. Field evaluations are only to be performed within the scope of the FEB's accreditation.

The Field Evaluation by the third party shall be performed in accordance with NFPA 791, and a copy of the documented report shall be provided to the AHJ. When the initial report notes items require further corrections, the FEB shall confirm such corrections have been made and they meet compliance with all the regulations. The final report shall be returned to the AHJ.

## **II. Reciprocal Approval of Field-Tested Equipment Among Regional Jurisdictions**

Equipment evaluated by a third-party field evaluation organization that is relocated to another location is subject to the prior approval of the building official, provided the installation and use are substantially the same and the field evaluation report is made available to the AHJ. The AHJ has the authority to require a Field Evaluation in accordance with Exception 2.

### **REFERENCES:**

NFPA 790 - Standard for Competency of Third-Party Field Evaluation Bodies  
[www.nfpa.org/790](http://www.nfpa.org/790)

NFPA 791 - Recommended Practice and Procedures for Unlabeled Electrical Equipment Evaluation  
[www.nfpa.org/791](http://www.nfpa.org/791)

IAS AC354 - Accreditation Criteria for Field Evaluation of Unlisted Electrical Equipment  
<https://www.iasonline.org/services/field-evaluation-bodies/>