

20:44:14:01. General definitions. Terms defined in SDCL 36-16-2 have the same meaning when used in this article. In addition, terms used in this article mean:

(1) "Commission," the State Electrical Commission;

(2) "Inspector's report procedure," a procedure that requires the installer to notify the inspector regarding the status of the corrections required, as listed on an inspector's report by the day specified;

(3) "Correction order," a notice written by an inspector to the person responsible for the electrical installation, listing the violations of this article and stating the time allowed for correction;

~~(4) "Doorknob card," a card that is left at the door by an inspector when no one is home, instructing the homeowner or installer to call the inspector and schedule the required inspection;~~

"Electrical lineman," a person with a minimum of four years of experience with electrical power distribution systems;

~~(6~~ 5) "Electrical school," as referred to in SDCL 36-16-2(4), a four-year educational institution which grants an electrical engineering degree (BSEE) and which is accredited by a nationally recognized accreditation agency;

~~(7~~ 6) "Electrical wiring apprenticeship program," a classroom program supplemented by a minimum of 144 hours a year of electrical wiring instruction in conjunction with the normal 2,000 hours a year of actual electrical wiring on-the-job work experience of an apprentice electrician;

(7) "Final void," the act of closing out a non-compliant installation prior to the full inspection being completed;

(8) "License," a license issued to a person who qualifies under one of the classes defined in SDCL 36-16-2 or is granted reciprocity from another state;

(9) "Local inspection system," a municipal government or power supplier that has complied with commission requirements and which provides local electrical inspections under the rules and direction of the commission and SDCL chapter 36-16;

(10) "Modular home" or "modular structure," a home or other structure built on a factory assembly line or other construction site to International Building Code specifications and transported to its destination in sections or as a complete assembly, which has no permanent steel chassis attached and is not a manufactured home as defined in SDCL 32-7A-1 or a recreational vehicle;

(11) "**National Electrical Code**," the **National Electrical Code**, published by the National Fire Protection Association (~~2014~~ 2017 edition) with the following exceptions:

(a) Article 100 – definitions - remove the new word "machinery" from the definition of "equipment";

(b) Eliminate GFCI and AFCI requirement for life support equipment and like/similar equipment as determined by Authority Having Jurisdiction;

(c) Clarify section 334.10. Uses permitted. Type NM, Type NMC, and Type NMS cables may be used in the following structures:

(i) One- and two family dwellings and accessory structures;

(ii) Multifamily dwellings, farmsteads, and accessory structures of Types III, IV, and V construction except as prohibited in 334.12; and

(iii) Other structures permitted to be of Types III, IV, and V construction except as prohibited in 334.12. Cables shall be concealed within walls, floors, or

ceiling that provide a thermal barrier of material that has at least a 15-minute thermal finish rating as identified in listing of fire-rated assemblies;

(12) "Owner's exemption," an exemption from licensure requirements in SDCL 36-16-13 for an individual owner who is personally installing electric wiring and fixtures in a residence or farmstead which is owned and resided in or on by the person installing the electrical wiring or fixtures;

(13) "Point of service attachment," as referred to in SDCL 36-16-16(1), that point where the power supplier's conductors connect to the consumer's conductors;

(14) "Wiring permit," a form notifying the commission that a described electrical installation will be made in accordance with the requirements of this article at a described location;

(15) "Wiring permit--Form B," a wiring permit to be used in an area where the commission has approved local inspection systems;

(16) "Wiring school," a postsecondary school that teaches one or more courses in electrical wiring which ~~lasts at least 18 months, consisting of 6 quarters or 4 semesters~~ covers the topics listed in § 20:44:16:12 and includes at least 576 hours of instruction on those topics.

Source: SL 1975, ch 16, § 1; 4 SDR 37, effective January 1, 1978; 5 SDR 1, effective July 20, 1978; 7 SDR 60, effective January 1, 1981; 10 SDR 62, effective January 1, 1984; 10 SDR 131, effective June 3, 1984; 12 SDR 92, effective January 1, 1986; 12 SDR 151, 12 SDR 155, effective July 1, 1986; 13 SDR 75, 13 SDR 95, effective January 1, 1987; 16 SDR 153, effective March 29, 1990; 19 SDR 155, effective April 14, 1993; 20 SDR 222, effective July 6, 1994; transferred from § 20:44:01:01, August 12, 1994; 23 SDR 2, effective July 16, 1996; 25 SDR 157, effective July 1, 1999; 28 SDR 83, effective December 19, 2001; 28 SDR 178,

effective July 1, 2002; 32 SDR 37, effective September 1, 2005; 34 SDR 322, effective July 1, 2008; 35 SDR 305, effective July 1, 2009; 37 SDR 236, effective June 29, 2011; 40 SDR 198, effective May 28, 2014.

General Authority: SDCL 36-16-12.

Law Implemented: SDCL 36-16-12.

References: The **National Electrical Code**, ~~2014~~ 2017 Edition. National Fire Protection Association, Inc., One Batterymarch Park, Quincy, MA 02169-7471. Cost: ~~\$8098.00~~. (Price subject to change).

International Building Code, ~~2012~~ 2015 Edition, pages numbered numerically, International Code Council. Copies may be obtained from the International Code Council, Inc., 4051 West Flossmoor Road, Country Club Hills, IL 60478-5771. Cost: \$104.25. Available at no cost at <https://codes.iccsafe.org/public/document/toc/542/>.

20:44:16:08. Electrical experience for advancement. In addition to passing the examination for an advanced license, electrical experience required for advancement to a different level of license is as follows:

(1) Apprentice electrician to journeyman - At least four years of licensed electrical experience under the employment and supervision of a licensed electrical contractor or Class B electrician. Experience, by on-the-job employment or postsecondary schooling, or both, must include familiarization and study of the **National Electrical Code**, commercial wiring, residential or farmstead wiring, or both, electrical motor installation, electrical motor controls, and blueprint reading;

(2) Journeyman electrician to Class B electrician - At least two years of licensed journeyman electrical experience under the employment and supervision of a licensed electrical contractor or Class B electrician of which at least one year of that experience must be in residential or farmstead wiring, or both. Experience, by on-the-job employment or postsecondary schooling, or both, must include familiarization and study of the **National Electrical Code**, residential or farmstead wiring, or both, electrical motor installation, electrical motor controls, and blueprint reading;

(3) Journeyman electrician to electrical contractor or electrical inspector - At least two years of licensed electrical journeyman experience under the employment and supervision of an electrical contractor, of which at least one year is required in commercial wiring. Additional experience must include technical knowledge to plan, lay out, and supervise the installation of electrical light, heat, and power in accordance with the **National Electrical Code**;

(4) Electrical contractor to electrical inspector - No additional experience required;

(5) Class B electrician to electrical contractor - At least one year of electrical Class B experience in commercial wiring under the employment and supervision of a licensed electrical contractor;

(6) Apprentice electrician to 501(d) electrician - At least two years of licensed electrical experience under the supervision of a licensed electrical contractor, 501(d) electrician or Class B electrician. On-the-job experience or postsecondary schooling, or both, must include familiarization and study of the **National Electrical Code**, commercial wiring, residential or farmstead wiring, or both, electrical motor installation, electrical motor controls, and blueprint reading;

(7) 501(d) electrician to journeyman - At least four years of licensed electrical experience under the supervision of a licensed electrical contractor or Class B electrician. On-the-job experience or postsecondary schooling, or both, must include familiarization and study of the **National Electrical Code**, commercial wiring, residential or farmstead wiring, or both, electrical motor installation, electrical motor controls, and blueprint reading. The electrician shall list the experience according to the type of work and the length of experience on a form provided by the commission. The commission shall verify the experience.

For the purposes of this section a person is considered licensed when employed for the purpose of completing electrical work by the federal government.

Source: 10 SDR 131, effective June 3, 1984; 12 SDR 92, effective January 1, 1986; 12 SDR 151, 12 SDR 155, effective July 1, 1986; 13 SDR 75, 13 SDR 95, effective January 1, 1987; 20 SDR 222, effective July 6, 1994; transferred from § 20:44:03:06, August 12, 1994; 35 SDR 305, effective July 1, 2009; 37 SDR 236, effective June 29, 2011.

General Authority: SDCL 36-16-12.

Law Implemented: SDCL 36-16-13, 36-16-14.

20:44:16:09. Units of time allowed for schooling or other experience. The following units of time are allowed toward an electrical wiring license in lieu of the experience required by §§ ~~20:44:16:07~~ and 20:44:16:08:

(1) One month of credit for each month of schooling completed with a passing grade from a wiring school as described in § 20:44:16:12. A valid school transcript is required;

(2) Two years of credit for Bachelor of Science degree in electrical engineering (BSEE). A valid school transcript is required;

(3) A maximum of one year of credit for at least four years of verified experience as an electrical lineman as described in § 20:44:16:13;

(4) Two hours of credit for each verified hour of classroom instruction in an electrical wiring apprenticeship program as described in § 20:44:16:14;

(5) One year of credit for two years of verified military experience in the electrical wiring field.

Source: 10 SDR 131, effective June 3, 1984; 12 SDR 151, 12 SDR 155, effective July 1, 1986; 14 SDR 76, effective November 30, 1987; 20 SDR 222, effective July 6, 1994; transferred from § 20:44:03:07, August 12, 1994.

General Authority: SDCL 36-16-12.

Law Implemented: SDCL 36-16-13, 36-16-22.

20:44:16:24. Renewal of license. A maintenance electrician license holder must renew the license biennially ~~in even-numbered years~~ prior to the license expiration date and must request inspection or waiver of inspection of electrical work prior to renewal. The application for renewal of a maintenance electrician's license must contain a statement that the applicant assumes all risk, liability, and responsibility for electrical work done by its employees and must be accompanied by a renewal fee of \$40. All electrical violations found by an inspection must be corrected before the commission renews the entity's maintenance electrician license.

The commission may waive inspection if the commission receives written confirmation that no maintenance work has occurred in the preceding two years or receives an inspection report of maintenance electrical work from a qualified third party that has inspection authority over the maintenance licensee that is recognized by the commission.

A qualified third party is not a state or local electrical inspector but must have similar qualifications and must conduct electrical inspections following the **National Electrical Code**. Persons applying to the commission for approval as qualified third parties must submit applications listing their qualifications on forms provided by the commission.

Source: 23 SDR 236, effective July 16, 1997.

General Authority: SDCL 36-16-12, 36-16-13.2.

Law Implemented: SDCL 36-16-13.2.

Cross-References: Electrical experience for advancement, § 20:44:16:08. Local inspection systems, ch 20:44:21. Adoption of **National Electrical Code**, § 20:44:22:01.

20:44:19:01. Notice requirements for electrical installations. The notice requirements ~~are stated in the~~ requirement before an any electrical installation is energized is 72 hours. ~~are stated in the~~ following sections:

~~(1) General electrical installations: §§ 20:44:18:01 and 20:44:18:03;~~

~~(2) Local inspection systems: § 20:44:18:05~~

~~(3) Modular homes or modular structures: § 20:44:23:02.~~

Source: 2 SDR 89, effective July 2, 1976; 10 SDR 131, effective June 3, 1984; 12 SDR 151, 12 SDR 155, effective July 1, 1986; 20 SDR 222, effective July 6, 1994; transferred from § 20:44:11:01, August 12, 1994.

General Authority: SDCL 36-16-12.

Law Implemented: SDCL 36-16-27.

20:44:19:03. Rough-in inspection. An inspector shall record on the inspector's daily report any electrical installation that has serious or hazardous violations of the **National Electrical Code**, is too incomplete to inspect finally, or is too large to be inspected during one inspection as a rough-in inspection. A blue rough-in tag shall be dated, signed, and applied on or near the service disconnect by the electrical inspector.

When life or safety violations are noted, the inspector shall provide an inspection report to the electrical installer.

The installer shall correct all noted violations and notify the inspector of those corrections by the date specified on the inspector's report and in compliance with § 20:44:19:07.

If the installer fails to notify the inspector by the date specified on the inspector's report, the inspector shall issue a correction order to the installer ordering compliance with SDCL chapter 36-16 and this article. The inspector shall assess ~~a \$100 administrative fee at that time~~ fees according to § 20:44:20:12.

If the installer fails to comply with the correction order or fails to pay the \$100 ~~administrative fee~~ fees according to § 20:44:20:12, the inspector ~~shall~~ may final void the installation with notice of non-compliance to installer, order a disconnect, or make a compliance request of the electrician's undertaking fund. In addition, the commission ~~shall~~ may conduct a hearing to determine whether the violator's license should be revoked.

If at any time during the process the owner of a residential or farmstead installation refuses to allow for corrections by an installer the inspector shall final void the installation with notice of non-compliance to installer or order the service disconnected. If at any time during the process the owner of a commercial installation refuses to allow for corrections the inspector shall order the service disconnected.

If ~~a person~~ an owner performing electrical installations under an owner's exemption refuses to make corrections, the inspector shall ~~black tag the wiring installation and give the owner a correction order that requires compliance with the wiring requirements within a specified number of days, but not more than 30. The inspector shall check the installation at the end of the time specified and either approve the corrections, final void the installation with notice of non-compliance to installer~~ owner, provide an inspection report to the owner, or order the service disconnected under the authority of SDCL 36-16-31. The owner shall correct all noted violations and notify the inspector of those corrections by the date specified on the inspector's report and in compliance with § 20:44:19:07. If the owner fails to notify the inspector by the date specified on the inspector's report, the inspector shall issue a correction order to the owner ordering compliance with SDCL chapter 36-16 and this article. The inspector shall assess fees according to § 20:44:20:12.

Violations considered inconsequential to the safety of life and property do not require an inspector's report, and corrections may be made at the convenience of the installer. This status may change with the next inspection.

~~The inspector shall red tag violations hazardous to life and property as a condemnation notice and demand compliance within 24 hours, subject to a correction order or SDCL 36-16-31.~~

Source: 2 SDR 89, effective July 2, 1976; 12 SDR 92, effective January 1, 1986; 12 SDR 151, 12 SDR 155, effective July 1, 1986; 14 SDR 76, effective November 30, 1987; 16 SDR 153, effective March 29, 1990; 20 SDR 222, effective July 6, 1994; transferred from § 20:44:11:03, August 12, 1994; 40 SDR 198, effective May 28, 2014.

General Authority: SDCL 36-16-12, 36-16-30.

Law Implemented: SDCL 36-16-15, 36-16-29, 36-16-31.

Cross-Reference: Undertaking and insurance required, SDCL 36-16-20.

20:44:19:05. Final inspection with an inspector's report. If an installation is nearly complete and the inspector is satisfied that any minor infractions remaining will not constitute a hazard to life or property, the inspector may issue an inspector's report. The inspector shall submit the ~~final inspection~~ inspector's report to the electrical contractor, Class B electrician, or individual doing electrical wiring under an owner's exemption, subject to those corrections specified in the inspector's report. The inspector ~~shall~~ may sign, date, and apply the final green tag on or near the service disconnect.

The installer shall correct all noted violations and notify the inspector of those corrections by the date specified on the inspector's report and in compliance with § 20:44:19:07.

If the installer fails to notify the inspector by the date indicated on the inspector's report, the inspector shall issue ~~to the installer a correction order demanding immediate compliance, payment of a \$100 administrative fee, and a reinspection fee, calculated according to § 20:44:20:10.~~ to the installer ordering compliance with SDCL chapter 36-16 and this article. The inspector shall assess fees according to § 20:44:20:12.

If the installer fails to comply with the terms of the correction order or fails to pay the ~~\$100 administrative fee~~ fees according to § 20:44:20:12, the ~~commission~~ inspector shall may final void the installation with notice of non-compliance to installer, order a disconnect, or make a compliance request of the electrician's undertaking fund. and may conduct a hearing for the purpose of determining whether the violator's license should be revoked. In addition, the commission may conduct a hearing to determine whether the violator's license should be revoked.

If at any time during the process the owner of a residential or farmstead installation refuses to allow for corrections by an installer the inspector shall final void the installation with

notice of non-compliance to installer or order the service disconnected. If at any time during the process the owner of a commercial installation refuses to allow for corrections the inspector shall order the service disconnected.

If an owner performing electrical installations under an owner's exemption refuses to make corrections, the inspector shall provide an inspection report to the owner, final void the installation with notice of non-compliance to installer, or order the service disconnected. The owner shall correct all noted violations and notify the inspector of those corrections by the date specified on the inspector's report and in compliance with § 20:44:19:07. If the owner fails to notify the inspector by the date specified on the inspector's report, the inspector shall issue a correction order to the owner ordering compliance with SDCL chapter 36-16 and this article. The inspector shall assess fees according to § 20:44:20:12.

Violations considered inconsequential to the safety of life and property do not require an inspector's report, and corrections may be made at the convenience of the installer. This status may change with the next inspection.

Source: 2 SDR 89, effective July 2, 1976; 5 SDR 1, effective July 20, 1978; 10 SDR 131, effective June 3, 1984; 12 SDR 92, effective January 1, 1986; 12 SDR 151, 12 SDR 155, effective July 1, 1986; 14 SDR 76, effective November 30, 1987; black-tagging provision transferred from § 20:44:11:07, 18 SDR 83, effective November 10, 1991; 20 SDR 222, effective July 6, 1994; transferred from § 20:44:11:06, August 12, 1994; 40 SDR 198, effective May 28, 2014.

General Authority: SDCL 36-16-12.

Law Implemented: SDCL 36-16-15, 36-16-29, 36-16-31.

Cross-Reference: Minimum fee for requested electrical inspections, § 20:44:20:10.

20:44:19:07. Commission's responsibility to provide inspections for inspection fees paid. The following standardized inspection procedure applies when the electrical inspector is unable to make contact with the installer:

(1) Any installer must provide at least 72 hour notification to the commission office when an electrical job is at a rough-in stage requiring inspection to assure compliance with the **National Electrical Code**, a stage of correcting or completing items on a report, or prior to occupancy for final inspection. Failure to comply is subject to a \$100 administrative fee. Notification forms shall be supplied by the commission when requested by the contractor;

(2) ~~The inspector shall leave a doorknob card~~ commission shall attempt to provide notification announcing the attempt to conduct an inspection. ~~The card~~ notification will contain instructions for the installer or owner to contact the inspector to schedule an inspection appointment;

(3) If there is no response from the first ~~doorknob card~~ notification, the inspector shall make an additional attempt to inspect. If the inspector is still unable to make an inspection, ~~the inspector shall leave a second doorknob card~~ the commission shall attempt to provide additional notification stating the installation has been finalized without confirming compliance. ~~stating that the wiring permit will be returned to the Pierre office and the installation is subject to inspection at the request of the owner;~~ and

(4) ~~Homeowner permits~~ Permits requiring multiple rough-ins and/or more than one scheduled final inspection will be charged an additional fee according to § 20:44:20:10.

Source: 2 SDR 89, effective July 2, 1976; 12 SDR 151, 12 SDR 155, effective July 1, 1986; 20 SDR 222, effective July 6, 1994; transferred from § 20:44:11:08, August 12, 1994; 32 SDR 37, effective September 7, 2005; 37 SDR 236, effective June 29, 2011.

General Authority: SDCL 36-16-12.

Law Implemented: SDCL 36-16-29.

20:44:20:10. Minimum fee for requested electrical inspections. A minimum inspection fee of \$50 for each inspection hour or fraction thereof is charged for electrical inspections requested for installations not covered by §§ 20:44:20:01 to 20:44:20:09, inclusive.

Source: SL 1975, ch 16, § 1; 2 SDR 89, effective July 2, 1976; 7 SDR 90, effective April 1, 1981; 12 SDR 92, effective January 1, 1986; 12 SDR 151, 12 SDR 155, effective July 1, 1986; 20 SDR 92, effective January 1, 1994; 20 SDR 222, effective July 6, 1994; transferred from § 20:44:06:10, August 12, 1994; 32 SDR 37, effective September 1, 2005.

General Authority: SDCL 36-16-12, 36-16-30.

Law Implemented: SDCL 36-16-30.

CHAPTER 20:44:22

ELECTRICAL INSTALLATIONS

Section

- 20:44:22:01 Adoption of **National Electrical Code**.
- 20:44:22:02 Electrical ~~material, devices, or appliances~~ equipment to comply with rules.
- 20:44:22:03 Electrical ~~material, devices, or appliances~~ equipment to conform to approved purposes and show identification.
- 20:44:22:04 State electrical inspector authorized to enforce rules and specifications.
- 20:44:22:05 Special approval of state electrical inspector.
- 20:44:22:06 Individual homeowner to comply with wiring requirements.
- 20:44:22:07 Residential heating plant disconnect.
- 20:44:22:08 Repealed.
- 20:44:22:09 Repealed.
- 20:44:22:10 Service entrance disconnect location.
- 20:44:22:11 Repealed.
- 20:44:22:12 Electrical metallic tubing.
- 20:44:22:13 Repealed.
- 20:44:22:14 Repealed.
- 20:44:22:15 Repealed.
- 20:44:22:16 Underground conductors to comply with installation requirements.
- 20:44:22:17 Repealed.
- 20:44:22:18 Repealed.
- 20:44:22:19 Repealed.
- 20:44:22:20 Repealed.

- 20:44:22:21 Inspection for bonding of swimming pools.
- 20:44:22:22 Repealed.
- 20:44:22:23 Dwelling unit receptacle outlets -- Countertops and peninsulas.
- 20:44:22:24 Working space about electrical equipment operating at 600 volts, nominal, or less.
- 20:44:22:25 Electrical receptacles in health care facilities.
- 20:44:22:26 Repealed.
- 20:44:22:27 Residential housing units moved to new locations.
- 20:44:22:28 System grounding connections.

20:44:22:02. Electrical ~~material, devices, or appliances~~ equipment to comply with rules. A person or the person's agent or employee may not sell, offer for sale, or expose for sale any electrical ~~material, devices, or appliances~~ equipment designed for attachment to or installation in or on any electrical circuit or system for light, heat, or power which does not comply with this article.

Source: SL 1975, ch 16, § 1; 12 SDR 151, 12 SDR 155, effective July 1, 1986; transferred from § 20:44:05:02, August 12, 1994.

General Authority: SDCL 36-16-12.

Law Implemented: SDCL 36-16-27.

20:44:22:03. Electrical ~~material, devices, or appliances~~ equipment to conform to approved purposes and show identification. Only ~~those materials, devices, or appliances~~ the electrical equipment ~~are~~ approved in accordance with § 20:44:22:04 for the purpose intended may be installed to use electricity for light, heat, or power. This includes all materials used to install such ~~materials, devices, or appliances~~ electrical equipment. The manufacturer's name, trademark, or other identification symbol must be placed on or provided with the ~~materials, devices, or appliances~~ electrical equipment, together with the rated voltage, current, wattage, or other applicable ratings necessary to determine the purpose and use for which they are intended.

Source: SL 1975, ch 16, § 1; 12 SDR 151, 12 SDR 155, effective July 1, 1986; 20 SDR 222, effective July 6, 1994; transferred from § 20:44:05:03, August 12, 1994; 29 SDR 87, effective December 24, 2002.

General Authority: SDCL 36-16-12.

Law Implemented: SDCL 36-16-27.

20:44:22:04. State electrical inspector authorized to enforce rules and specifications.

The state electrical inspector shall enforce all rules and specifications in this article as necessary to determine conformity of electrical ~~materials, devices, or appliances~~ equipment with approved methods of construction in order to protect life and property. The label of a nationally recognized electrical testing laboratory, inspection agency, or other organization concerned with product evaluation that maintains periodic inspection during production of equipment or materials, whose label indicates compliance with nationally recognized standards or tests to determine suitable usage in a specified manner, is prima facie evidence that such electrical ~~materials, devices, or appliances~~ equipment ~~are~~ is in conformity and listed for installation under the provisions of this article.

Source: SL 1975, ch 16, § 1; 12 SDR 151, 12 SDR 155, effective July 1, 1986; 20 SDR 222, effective July 6, 1994; transferred from § 20:44:05:04, August 12, 1994.

General Authority: SDCL 36-16-12.

Law Implemented: SDCL 36-16-27, 36-16-29.

20:44:22:05. Special approval of state electrical inspector. The state electrical inspector may grant special approval of ~~materials, devices, or appliances~~ electrical equipment as machinery if no standard has been prepared or adopted to which they should conform. Special approval applies only to the ~~specific sample~~ electrical equipment approved and not to the line as manufactured, stored, sold, installed, or attached and may be granted only for ~~those materials, devices, or appliances~~ electrical equipment as designated by the owner as machinery which, in the opinion of the ~~state electrical inspector~~ owner, ~~are~~ is safe for the use intended. All special approvals ~~by state electrical inspectors~~ must first be authorized by the commission.

The state or any of its political subdivisions does not assume any liability for damage or injury to persons or property because of the use of such ~~materials, devices, or appliances~~ electrical equipment designated as machinery.

Source: SL 1975, ch 16, § 1; 2 SDR 89, effective July 2, 1976; 12 SDR 151, 12 SDR 155, effective July 1, 1986; 14 SDR 76, effective November 30, 1987; 20 SDR 222, effective July 6, 1994; transferred from § 20:44:05:05, August 12, 1994; 29 SDR 87, effective December 24, 2002.

General Authority: SDCL 36-16-12, 36-16-29.

Law Implemented: SDCL 36-16-12, 36-16-27, 36-16-29, 36-16-36.

20:44:22:07. Residential heating plant disconnect. Heating plant installations that include auxiliary motor-operated equipment rated 25 amps or less require a disconnect at the unit.

Source: SL 1975, ch 16, § 1; 12 SDR 151, 12 SDR 155, effective July 1, 1986; transferred from § 20:44:05:07, August 12, 1994; 29 SDR 87, effective December 24, 2002.

General Authority: SDCL 36-16-12.

Law Implemented: SDCL 36-16-12.

Note: Also see Article ~~210~~ 424 of the **National Electrical Code**.

20:44:22:12. Electrical metallic tubing. Electrical metallic tubing may not be used in concrete below grade or in concrete slab or masonry in direct contact with earth nor embedded in earth or fill. The use of a vapor barrier has no effect on the requirements of this section.

Source: SL 1975, ch 16, § 1; 12 SDR 151, 12 SDR 155, effective July 1, 1986;
transferred
from § 20:44:05:13, August 12, 1994.

General Authority: SDCL 36-16-12.

Law Implemented: SDCL 36-16-12.

Note: Also see Article 300 and 358 of the **National Electrical Code**.

20:44:22:24. Working space about electrical equipment operating at 600 volts, nominal, or less. In new structures, additional working spaces for switchboards, panelboards, and motor control centers operating at 600 volts, nominal, or less, to ground shall extend two feet from the front of the dedicated space and two feet from the top of the working spaces specified in the **National Electrical Code**. This applies only to items not a part of the electrical installation.

Source: 19 SDR 155, effective April 14, 1993; transferred from § 20:44:05:29, August 12, 1994; 29 SDR 87, effective December 24, 2002.

General Authority: SDCL 36-16-12.

Law Implemented: SDCL 36-16-12.

Cross-Reference: **National Electrical Code**, Articles 110.26(A)(1), (2), and (3) and 110.26F(1)a.

20:44:22:27. Residential housing units moved to new locations. Single, modular, or multifamily residential units moved from one location to another must have at least a 100-ampere service at the new location and must meet the following requirements of the **National Electrical Code**, Article: ~~406-12, 210-8 and 210-12~~

- (1) 210.8 - ground fault circuit interrupter protection;
- (2) 210.12 - arc fault circuit interrupt protection;
- (3) 406.12 - tamper resistant receptacles;
- (4) 210.63 - receptacle within 25 feet of the heating and ac equipment; and
- (5) 406.9 - in use covers,

Source: 19 SDR 155, effective April 14, 1993; 20 SDR 222, effective July 6, 1994; transferred from § 20:44:05:32, August 12, 1994; 23 SDR 2, effective July 16, 1996; 29 SDR 87, effective December 24, 2002; 40 SDR 198, effective May 28, 2014.

General Authority: SDCL 36-16-12.

Law Implemented: SDCL 36-16-27.

20:44:22:28. System grounding connections. All grounding electrode conductors of the system grounding connections must terminate on the neutral bus inside the service equipment unless they are inspected before the service is energized by the power supplier.

Source: 19 SDR 155, effective April 14, 1993; 20 SDR 222, effective July 6, 1994; transferred from § 20:44:05:33, August 12, 1994.

General Authority: SDCL 36-16-12.

Law Implemented: SDCL 36-16-27.

Cross-Reference: National Electrical Code, Article ~~250-23~~ 250.

CHAPTER 20:44:24

CARNIVALS AND SEASONAL DWELLINGS

Section

- 20:44:24:01 Carnivals, celebrations, and seasonal dwellings to have wiring permit.
- 20:44:24:02 Temporary installations for carnivals and celebrations.
- 20:44:24:03 Additional requirements for temporary installations for carnivals and celebrations.
- 20:44:24:04 Notice of itinerary and application for inspection.
- 20:44:24:05 Minimum inspection fee.
- 20:44:24:06 Fee to be paid to ~~inspector~~commission.
- 20:44:24:07 Repealed.

20:44:24:01. Carnivals, celebrations, and seasonal dwellings to have wiring permit.

Prior to being connected for use All all electrical installations and service connections for carnivals, celebrations, and seasonal dwellings must have a wiring permit as set forth in §§ 20:44:18:01 to 20:44:18:05, inclusive.

Source: SL 1975, ch 16, § 1; 12 SDR 151, 12 SDR 155, effective July 1, 1986; 20 SDR 222, effective July 6, 1994; transferred from § 20:44:09:01, August 12, 1994.

General Authority: SDCL 36-16-12.

Law Implemented: SDCL 36-16-27.

20:44:24:04. Notice of itinerary and application for inspection. Each outdoor amusement enterprise entity, celebration sponsor, or carnival operating or intending to operate in South Dakota shall notify the commission each year of its itinerary and apply for the initial inspection ~~on or before~~ at least 10 business days prior to the first calendar engagement in the state. A list of rides, concessions, and booths are to be provided to commission at least 72 hours prior to energization. Failure to comply is subject to a \$100 administrative fee.

Source: SL 1975, ch 16, § 1; 12 SDR 151, 12 SDR 155, effective July 1, 1986; transferred from § 20:44:09:04, August 12, 1994.

General Authority: SDCL 36-16-12.

Law Implemented: SDCL 36-16-27.

20:44:24:05. Minimum inspection fee. Inspection fees for carnivals or celebrations are charged to the ~~carnival~~-owners and concessionaires in accordance with the following schedule:

- (1) \$5 for each ride or concession, or for a single concession generator or transformer;
- (2) \$3 for reinspection of each unit, if required; and
- (3) \$20 for inspection of transformers or generators.

Source: SL 1975, ch 16, § 1; 5 SDR 1, effective July 20, 1978; 12 SDR 151, 12 SDR 155, effective July 1, 1986; 20 SDR 222, effective July 6, 1994; transferred from § 20:44:09:05, August 12, 1994.

General Authority: SDCL 36-16-12, 36-16-30.

Law Implemented: SDCL 36-16-27, 36-16-30.

20:44:24:06. Fee to be paid to ~~inspector~~ commission. Fees required by § 20:44:24:05 shall be paid by the carnival owner or celebration sponsor to the ~~inspector conducting the inspection at each engagement~~ commission prior to or at the time of inspection. The inspector shall sign, date, and apply a sticker for each ride, concession, or booth. ~~The inspector conducting each inspection shall issue a wiring permit to each ride or concession, documenting the inspection status.~~

Source: SL 1975, ch 16, § 1; 10 SDR 131, effective June 3, 1984; 12 SDR 92, effective January 1, 1986; 12 SDR 151, 12 SDR 155, effective July 1, 1986; 20 SDR 222, effective July 6, 1994; transferred from § 20:44:09:06, August 12, 1994.

General Authority: SDCL 36-16-12, 36-16-30.

Law Implemented: SDCL 36-16-30.