

# Virginia Regulatory Town Hall

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Exempt Action Final  
Agency Background



Regulation  
Document

<b>Agency name</b>	Virginia Department of Labor and Industry/Safety and Health Codes Board
<b>Virginia Administrative Code (VAC) citation</b>	16 VAC 25-90-1910.6, Incorporation by reference; 16 VAC 25-90-1910.66, Powered Platforms, Manlifts, and Vehicle-Mounted Work Platforms, Appendix D, Existing Installations (Mandatory); 16 VAC 25-90-1910.302 through 16 VAC 25-90-1910.308, Electrical Standard, Subpart S of Part 1910; and 16 VAC 25-90-1910.399, Definitions Applicable to this Subpart
<b>Regulation title</b>	Electrical Standard, Subpart S of Part 1910
<b>Action title</b>	Revised Final Rule to the Electrical Standard, Subpart S of Part 1910
<b>Final agency action date</b>	June 26, 2007
<b>Document preparation date</b>	June 26, 2007

When a regulatory action is exempt from executive branch review pursuant to § 2.2-4002 or § 2.2-4006 of the Virginia Administrative Process Act (APA), the agency is encouraged to provide information to the public on the Regulatory Town Hall using this form.

Note: While posting this form on the Town Hall is optional, the agency must comply with requirements of the Virginia Register Act, the *Virginia Register Form, Style, and Procedure Manual*, and Executive Orders 21 (02) and 58 (99).

## Summary

*Please provide a brief summary of all regulatory changes, including the rationale behind such changes. Alert the reader to all substantive matters or changes. If applicable, generally describe the existing regulation.*

Federal OSHA revised and updated the provisions contained in §§1910.302 through 1910.308 of the existing Subpart S electrical installation standard. It determined that electrical hazards in the workplace pose a significant risk of injury or death to employees, and that the requirements in the revised standard, which draw heavily from the 2000 edition of the National Fire Protection association's (NFPA) Electrical Safety

Requirements for Employee Workplaces (NFPA 70E), and the 2002 edition of the National Electrical Code (NEC), are reasonably necessary to provide protection from these hazards. [*Note: The 2000 NFPA 70E is based on the 1999 NEC.*]

The update to Subpart S applies to electrical installations and equipment utilized in workplaces in general industry and in shipyard employment, longshoring, and marine terminals. Installations exempted by Subpart S present special design considerations that are not adequately addressed in Subpart S, for example, electric power transmission and distribution installations. Such transmission and distribution installations are typically installed where they are accessible only to specifically trained and skilled employees and where unqualified persons will not have access to these installations.

This revision will provide the first update of the installation requirements in the general industry electrical installation standard since 1981. It focuses on safety in the design and installation of electric equipment in the workplace. It also includes a new alternative method for classifying and installing equipment in Class I hazardous locations; new requirements for ground-fault circuit interrupters (GFCIs) and new provisions on wiring for carnivals and similar installations.

Federal OSHA removed and reserved Appendices B and C of the current Subpart S for future use because they did not contain any material.

The following sections were also impacted by the revised final rule:

- 1) **§1910.6, Incorporation by reference**, was amended by revising the introductory text to paragraph (e). Paragraph (e)(33), which read: “ANSI C1-71, National Electrical Code, IBR approved for §1910.66 Appendix D(c)(22)(i) and (vii)” was removed and reserved. The introductory text to paragraph (q) was also revised by amending the address where NFPA materials could be purchased. Paragraph (q) (16) which read: “NFPA 70-1971, National Electrical Code, IBR approved for §1910.66 App. D(c)(2)” was removed and reserved.
- 2) **§1910.66, Powered Platforms, Manlifts, and Vehicle-Mounted Work Platforms, Subpart F of Part 1910, paragraph (c)(22)(i) of Appendix D, Existing Installations (Mandatory)**, was amended by substituting “Subpart S of this Part” for the “National Electrical Code, NFPA 70 – 1971; ANSI C1 – 1971 (Rev. of C1 – 1968)”.
- 3) **§1910.399, Definitions applicable to this subpart**, was amended by adding thirteen definitions, all but one of which are based on NFPA 70E-2000 and the 2002 NEC. These new definitions will help clarify the requirements in Subpart S. Other non-substantive changes were also made to the definitions.

*Please provide a statement of the final action taken by the agency including (1) the date the action was taken, (2) the name of the agency taking the action, and (3) the title of the regulation.*

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On June 26, 2007, the Safety and Health Codes Board adopted federal OSHA's revised final rule to the Electrical Standard, Subpart S of Part 1910, §§1910.302 through 1910.308; §1910.399, Definitions Applicable to this Subpart; and 16 VAC 25-90-1910.66, Powered Platforms, Manlifts, and Vehicle-Mounted Work Platforms, Appendix D, Existing Installations (Mandatory), with an effective date of December 15, 2007.

### **Family impact**

*Assess the impact of this regulatory action on the institution of the family and family stability.*

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This revised final rule will have no impact on the institution of the family and family stability.