

# JOINT BOARD OF LICENSURE AND CERTIFICATION

## STATE OF NEW HAMPSHIRE

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## Technical Bulletin

### Listed Equipment

July 20, 2015

It has come to the attention of the Electricians' Board that many questions have been raised regarding the requirement for control panels, and similar equipment, to be certified by third party testing. The following information has been assembled to address the questions and clarify the policy on the use of listed equipment.

The National Electrical Code (NFPA 70-2014) (NEC) is the current code for electrical installations in the State of New Hampshire. It is adopted by the New Hampshire Legislative Body, and those licensed by or registered must install accordingly. It is also adopted by the Department of Safety pursuant to RSA 155-A: State Building Code and the State Fire Code (SAF 6000). Here it applies to all installations whether a licensed individual is involved or not. In both cases it is adopted with one amendment approved by the Building Code review Board.

<http://www.nh.gov/safety/boardsandcommissions/bldgcode/nhstatebldgcode.html>

The requirement for third party certification of equipment, or "listed" equipment as it is typically described, is not new in the State of New Hampshire. Where involved, the Board's Inspectors have always looked for equipment that has been evaluated by a recognized third party testing agency. Section 110.3(A) of the 2011 NEC identifies some of the considerations evaluated when judging equipment's suitability for approval. Section 110.2 of the NEC states that "The conductors and equipment required or permitted by this code shall be acceptable only if approved." Article 100 defines "approved" as "being acceptable to the authority having jurisdiction" (AHJ).

The Board's inspectors have no statutory requirement to evaluate an assembly of components installed in an enclosure, and therefore the office is not provided with the staff or equipment to perform this task. It is the opinion of the Electricians' Board, that where more than one listed component is installed in an enclosure, the equipment must be certified by a third party testing agency. For the purpose of electrical equipment, the office accepts any testing agency that is recognized by OSHA and on a case by case basis those who have a current NH Electrical Engineering license. This requirement applies to all electrical equipment regardless of voltage or power limitations.

As noted in the Informational Note to the definition of "Authority Having Jurisdiction" (AHJ) in Article 100 of the NEC, the term is used in a broad manner and there may be more than one individual that influences the installation. The influence may come from a designer, insurance representative or property owner, etc. In the case of public safety, it may be a federal, state or municipal authority, or a combination thereof, and each authority may have a different responsibility.

If the installation is being performed by an individual that is licensed, there can be an obligation to meet the requirements of the local jurisdiction and the requirements of licensure. These requirements may not always be the same. Typically, the local jurisdiction relates to occupancy and locally adopted codes or ordinances. Due to varying jurisdictions, it is possible that the local AHJ may accept an electrical installation and approve the building or structure for occupancy; however, this does not mean the obligations to licensure or compliance with the State Fire Code have been met. Where the installation is under the scope of RSA 319-C, the requirements of the NEC, as interpreted by the Electricians' Board, must be met.