

**RHODE ISLAND GOVERNMENT REGISTER
PUBLIC NOTICE OF PROPOSED RULEMAKING**

BUILDING CODE COMMISSION

Title of Rule: RISBC-5 Rhode Island Electrical Code

Rule Identifier: 510-RICR-00-00-5

Rulemaking Action: Proposed Amendment

Important Dates:

Date of Public Notice: June 26, 2025

End of Public Comment: July 26, 2025

Rulemaking Authority:

R.I. Gen. Laws § Chapter 23-27.3

Summary of Rulemaking Action:

The Building Code Standards Committee (BCSC) is proposing amendments to the Rhode Island Electrical Code. While most of the other building codes in Title 510 adopt International Code Council model codes, R.I. Gen. Laws § 23-27.3-100.1.5 provides: “All electrical work done in the state shall be in accordance with the latest edition of the National Electrical Code (NEC). The state building commission shall adopt the latest edition of the NEC, including any amendments to the NEC by the commission.”

The current version of the Electrical Code adopted the National Fire Protection Association’s (NFPA) National Electrical Code (NEC) 2020 edition. Currently, these amendments reflect the BCSC’s proposed adoption of the 2023 edition of the NEC. The state specific amendments to the NEC 2023 model code are for consistency with the other building code regulations in RICR Title 510 and the Fire Safety Codes in RICR Title 450, compliance with RI statutes, and ensure that the model codes align with the needs of this state.

Additionally, all building code regulations being amended in this cycle have been edited for clarity and internal consistency of formatting and style, and to be easily read with the other building code regulations and the model codes that these regulations adopt. Formatting changes include: listing every model code chapter and stating whether each chapter is adopted, adopted with changes or deleted; leading the all changes with the model code section number for quick reference; and focusing on model code numbering to simplify citation and avoid confusion.

Summary of substantive changes:

§§ 5.1 and 5.2 – Updated and simplified the provisions in these sections.

Some of the sections in this regulation contained “Substantiation” explanations of why certain state specific amendments were made. This is not regulatory content and so we have deleted it. Moving forward, this is the type of content that goes into ORR and SOS forms. These substantiations are preserved in historic versions of the code, accessible on the RICR website.

Article 90 of NEC 2023 is adopted with amendments. These are the administrative provisions for NEC 2023, which are amended for consistency with R.I. Gen. Laws Chapter 23-27.3 and other RI building codes within Title 510 and the Rhode Island Fire Safety Codes in RICR Title 450.

Chapter 1 of NEC 2023 is adopted with no amendments. One prior state specific amendment to the Informational Note to Section 110.2 is unnecessary because it is informational, and the content is covered in R.I. Gen. Laws Chapter 23-27.3. The prior deletion of Section 110.14(D) in NEC 2020 was deemed unnecessary because it is just a requirement to comply with manufacturer’s installation instructions. The content regarding Informative Annexes was relocated to the end of the regulation. No change to status quo.

Chapter 2 of NEC 2023 is adopted with amendments. The state specific amendments to NEC 2020 sections were retained as amendments to NEC 2023. The substantiation paragraphs were deleted. The remaining content was edited for formatting and clarity. No change to status quo.

Chapters 3, 4, 5, 6, 7, 8, and 9 of NEC 2023 are adopted with no changes. No change to status quo.

The NEC 2023 Informative Annexes adopted in RI, for informational purposes only, are now listed at the end of the regulation to match the order of the model code. No change to status quo.

Additional Information and Public Comments:

All interested parties are invited to request additional information or submit written or oral comments concerning the proposed amendment until July 26, 2025 by contacting the appropriate party at the address listed below:

James Cambio, Commissioner
Building Code Commission
State Building Office
560 Jefferson Blvd, Suite 100
Warwick, RI 02886

In accordance with R.I. Gen. Laws § 42-35-2.8, an oral hearing will be granted if requested by twenty-five (25) persons, by a governmental agency or by an association having at least twenty-five (25) members. A request for an oral hearing must be made within ten (10) days of the publication of this notice.

Regulatory Analysis Summary and Supporting Documentation:

These amendments move the Electrical Code from NEC 2020 to NEC 2023 as required by R.I. Gen. Laws § 23-27.3-100.1.5. As part of the adoption of NEC 2023 the BCSC has:

Deleted some of the prior RI specific amendments that are no longer necessary

Deleted unnecessary "substantiation" explanations;

Simplified and standardized the formatting for a more user-friendly document that is easily read alongside NEC 2021.

These amendments are good for RI because they clarify, update, and simplify the RI electrical code. Furthermore, the amendments are statutorily required by R.I. Gen. Laws § 23-27.3-100.1.5 mandate to adopt the current version of the NEC as the state electrical code, with any necessary state amendments. Most of the amendments are for administrative consistency with state laws regarding permitting procedures and code enforcement, and for accurate cross-references to other RI building and fire codes. Notably, the BCSC has deleted outdated state-specific amendments and has not added any new state-specific substantive requirements to the electrical code. Only two RI specific amendments to the substantive requirements of NEC 2020 remain in the adoption of NEC 2023.

There are no costs associated with these amendments.

It should be noted that a somewhat unique feature exists within the State Building Codes that provides an immediate right to an administrative appeal to the Building Code Standards Committee of any regulation/code provision seeking clarification, modification, or outright relief from compliance. R.I. Gen. Laws § 23-27.3-127.1.2. This process negates the needs for litigation and provides a simpler means of ensuring that these model codes can be tailored to the needs of Rhode Island consumers.

This same statutory section also provides for the issuance of a Blanket Variance to address scenarios where a provision(s) of the code has been rendered obsolete or imposes an unanticipated hardship. Any Blanket Variances granted by the BCSC are effective only until the next code adoption cycle where they are either incorporated into the new edition or abandoned.

These procedures also exist for the Fire Codes.

In the development of the proposed amendment consideration was given to: (1) alternative approaches; (2) overlap or duplication with other statutory and regulatory provisions; and (3) significant economic impact on small business. No alternative approach, duplication, or overlap was identified based upon available information.

For full regulatory analysis or supporting documentation contact the agency staffperson listed above.