

SC#19-8-3-v-1 thru v-10
and v-12
D#19-7



Dawn Michele Bellis
Secretary, Standards Council

21 August 2019*

To: Interested Parties

Subject:

Standards Council Decision (Final):	D#19-7
Standards Council Agenda Item:	SC#19-8-3-v-1 thru v-10 and v-12
Date of Decision:	6 August 2019
NFPA 70 [®] , <i>National Electrical Code</i> [®] , 2020 Edition	

Dear Interested Parties:

At its meeting of August 5-7, 2019, the Standards Council considered an appeal on the above referenced matter. The Council's Final decision is now available and is attached herewith.

Sincerely,

A handwritten signature in black ink, reading "Dawn Michele Bellis", is positioned below the word "Sincerely,".

Dawn Michele Bellis
Secretary, NFPA Standards Council

cc: S. Everett, S. Gallagher, L. Fuller, M. Earley, J. Sargent, G. Frost
Members, Code-Making Panel 7 (NEC-P07)
Members, NEC Correlating Committee (NEC-AAC)
Members, NFPA Standards Council (AAD-AAA)
Individuals Providing Appeal Commentary

*NOTE: Participants in NFPA's standards development process should know that limited review of this decision may be sought from the NFPA Board of Directors. For the rules describing the available review and the method for petitioning the Board for review, please consult section 1-7 of the Regulations Governing the Development of NFPA Standards and the NFPA Regulations Governing Petitions to the Board of Directors from Decisions of the Standards Council. Notice of the intent to file such a petition must be submitted to the Clerk of the Board of Directors within 15 calendar days of the publication date of this Decision.



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SUMMARY OF ACTION (for convenience only; not part of official decision): The Standards Council voted to deny the appeals to overturn the Association Action and Accept Second Correlating Revision No. 30.

DECISION:

At its meeting of August 5-7, 2019, the Standards Council considered appeals from Wade Elliott of Utility Supply Group, Inc., Paul Bambei of National Association of RV Parks and Campgrounds (ARVC), Cynthia Zbierski of Northeast Campground Association, Steven Cross of Cross Creek Resort, Bruce Hopkins of RV Industry Association, Kristy Smith of Ohio Campground Owners Association, Michael Beckelhymer of Highway West Vacations, Doug Mulvaney of Kampgrounds of America, Roger Gingras of Sutton Falls Camping Area, Robert Miller of Small Country Campgrounds, and Joanne Mickelson of J&H RV Park. The appeals request that the Standards Council overturn the Association Action and Accept Second Correlating Revision No. 30 for the 2020 Edition of NFPA 70®, *National Electrical Code*®. Specifically, the appeal requests that the language in Section 551.71(F) regarding GFCI protection requirements of receptacles used in the recreational vehicle site equipment and informational note of clarification be restored as recommended by the Correlating Committee in the Second Draft Report.

As background, the NEC Correlating Committee (CC) supported Second Correlating Revision No. 30 through ballot. Notices of Intent to File a Motion (NITMAM) to Reject an Identifiable Part of Second Correlating Revision No. 30 was filed by Keith Waters and Randy Dollar, and were certified by the Motions Committee as a single motion, then presented on the floor at the NFPA Technical Meeting as CAM 70-36. CAM 70-36 passed the floor of the NFPA Technical Meeting. The amendment ballot failed to achieve the necessary 2/3 affirmative vote of Code-Making Panel 7 (CMP 7) necessary to recommend approval of the Association Action. The amendment ballot did, however, achieve the necessary 2/3 affirmative vote of the CC. Multiple appeals were filed with the Standards Council following the results of the amendment balloting.

On appeal, the Council accords great respect and deference to the NFPA standards development process. In conducting its review, the Council will overturn the results of that process only where a clear and substantial basis for doing so is demonstrated. The Council has reviewed the entire record concerning this matter and has considered all the arguments put forth in these appeals. In the view of the Council, these appeals do not present any clear and substantial basis upon which to overturn the results yielded by the NFPA standards development process. Accordingly, the Council has voted to deny the appeals. The effect of this action is that the 2020 Edition of NFPA 70, *National Electrical Code*, will not include the text of Second Correlating Revision No. 30 and the language of Section 551.71(F) will return to previous edition text.

The Council notes that during the appeal hearing on this matter, the CC expressed technical agreement with CMP 7's First Revision to Section 551.71(F) and did not intend for Second Correlating Revision No. 30 to change the technical effect of that First Revision text. For that reason, the Council strongly encourages interested stakeholders to develop language for submission as a Tentative Interim Amendment or Public Input (for the next revision cycle).

Council Member Michael Johnston recused himself from the deliberations and vote on the appeal.