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MEMORANDUM

TO: Code-Making Panel 17
FROM: Sarah Caldwell, *Senior Committee Administrator*
DATE: August 30, 2024
SUBJECT: NEC® Proposed TIA No. 1800 **FINAL CMP BALLOT RESULTS**

The public comment circulation has passed, therefore, according to Section 5.7(a) in the NFPA *Regs*, the final results show this TIA **HAS** achieved the $\frac{3}{4}$ majority vote needed on both Ballot Item No. 1 (**Technical Merit**) and Ballot Item No. 2 (**Emergency Nature**).

16 Eligible to Vote
1 Not Returned (*Gatz*)

Technical Merit:

0 Abstentions
15 Agree (*w/comment: Castronovo, Hamilton, III, Jackson, Myers, Weaver*)
0 Disagree

Emergency Nature:

1 Abstentions (*Reichle*)
13 Agree (*w/comment: Weaver*)
1 Disagree (*Myers*)

There are two criteria necessary to pass ballot [(1) simple majority (2) affirmative vote of $\frac{3}{4}$ of ballots received]. Both questions must pass ballot in order to recommend that the Standards Council issue this TIA.

(1) In all cases, an affirmative vote of at least a simple majority of the total membership eligible to vote is required.

$$[16 \text{ eligible} \div 2 = 8 + 1 = \mathbf{(9)}]$$

(2) The number of affirmative votes needed to satisfy the $\frac{3}{4}$ requirement is:

Technical Merit: 16 eligible to vote - 1 not returned - 0 abstentions = $15 \times 0.75 = 11.25 = \mathbf{12}$

Emergency Nature: (16 eligible to vote - 1 not returned - 1 abstentions = $14 \times 0.75 = 10.5 = \mathbf{11}$)

Ballot comments are attached for your review.

The *Regs* at Section 1.6.2.(c) state: An appeal relating to a proposed Tentative Interim Amendment that has been submitted for processing pursuant to Section 5.2 shall be filed no later than 5 days after the notice of the TIA final ballot results are published in accordance with Section 4.2.6.

Appeal Closing Date for this TIA is **August 5, 2024**.

NFPA 70-2023 Edition

National Electrical Code®

TIA Log No.: 1800

Reference: 680.43, Exception No. 3

Comment Closing Date: August 21, 2024

Submitter: Lucas Stewart, Stewart Electric Company, LLC, Rep IAEI Arkansas Chapter
www.nfpa.org/70

1. Delete Exception No. 3 of 680.43 as follows:

680.43 Indoor Installations. A spa or hot tub installed indoors shall comply with the provisions of Parts I and II of this article except as modified by this section and shall be connected by the wiring methods of Chapter 3.

Exception No. 1: Listed spa and hot tub ...

Exception No. 2: The equipotential bonding ...

Exception No. 3: ~~For a dwelling unit(s) only, where a listed spa or hot tub is installed indoors, the wiring method requirements of 680.42(C) shall also apply.~~

Substantiation: The exception references 680.42(C) language from the 2020 edition. See FR-8761 for the change.

Emergency Nature: The Standard contains an error or an omission that was overlooked during the regular revision process,

680.43 Exception 3 points to language of 680.42(C) that no longer exists in that section per FR-8761 in reference to its application. Lighting for permanently installed hot tubs, etc. are addressed in 680.43(B). 680.42(C) in prior editions referred to indoor portions of circuits “used for the connection to motor disconnecting means and the motor, heating, and control loads that are part of a self-contained spa or hot tub or a packaged spa or hot tub equipment assembly” to be permitted to follow Chapter 3 wiring methods. This language was removed in 680.42(C) in the 2023 edition due to the proper understanding and application of 90.3, though 680.43 Exception 3 still makes reference.

Question 1: I AGREE with the TECHNICAL MERITS of the NFPA 70 Proposed TIA Log No. 1800 to Delete Exception No. 3 of 680.43.

Eligible to Vote: 16

Not Returned : 1

Stephen Gatz

Vote Selection

Agree

Votes Comments

15

E. P. Hamilton, III

Agree. This is duplicated language which is no longer necessary and which is covered in other sections of the Code.

Kenneth M. Shell

Agree

Chester L. Sandberg

agree

Michael Weaver

CMP 17 inadvertently overlooked the need to delete the exception during the cycle, this will remedy that mistake.

Marcelo E. Valdes

Agree

Kam Fai Siu

Agree

Brian Myers

The requirement in section 680.42(C) underwent modification in the 2023 edition. However, only a part of the original text was removed. The references to chapter 3 wiring methods were appropriately eliminated, as chapter 3 provides general applications. The panel correctly decided to maintain the mandate that wiring for underwater luminaires in outdoor installations must adhere to either 680.23 or 680.33. Given that 680.43(B) addresses the wiring method requirements for underwater luminaires in indoor spas and hot tubs, the exception citing 680.42(C) is unnecessary.

Greg Woyczynski

Agree

Kenneth Castronovo	I agree with the proposal to remove code section 680.43ex3.
Ryan Jackson	Exception 3 to 680.43 points to a section of the code that was removed. Section 680.7 now contains the language formerly permitted here.
David A. Gray	Agree
Michael Kevin Blum	Agree
Larry Reichle	I agree.
Stephen R. Kuscsik	Agree.
Armando M. Lozano	Agree
Disagree	0
Abstain	0

Question 2: I AGREE that the subject is of an EMERGENCY NATURE for one or more of the reasons noted in the Instructions box.

Eligible to Vote: 16

Not Returned : 1

Stephen Gatz

Vote Selection

Agree

Votes Comments

13

E. P. Hamilton, III

A

Kenneth M. Shell

"A"

Chester L. Sandberg

AGREE B

Michael Weaver

This is needed so this is no misinterpretation or misunderstanding of the code as intended.

Marcelo E. Valdes

A

Kam Fai Siu		A. The standard contains an error or an omission that was overlooked during the regular revision process.
Greg Woyczynski		A
Kenneth Castronovo		A. The standard contains an error or an omission that was overlooked during the regular revision process.
Ryan Jackson		A. The standard contains an error or an omission that was overlooked during the regular revision process.
David A. Gray		A.
Michael Kevin Blum		A
Stephen R. Kuscsik		A. The standard contains an error or an omission that was overlooked during the regular revision process.
Armando M. Lozano		There is an error that was overlooked during the standard process.
Disagree	1	
Brian Myers		There is no evident emergency that would be addressed by eliminating the exception in 680.43. This change can be managed during the regular revision cycle of the code.
Abstain	1	
Larry Reichle		I do not have enough substantiation or information to approve or disapprove as an emergency nature.

TENTATIVE INTERIM AMENDMENT BALLOT
EMERGENCY NATURE SELECTION OF RESPONSES

- A.** The standard contains an error or an omission that was overlooked during the regular revision process.
- B.** The NFPA Standard contains a conflict within the NFPA Standard or with another NFPA Standard.
- C.** The proposed TIA intends to correct a previously unknown existing hazard.
- D.** The proposed TIA intends to offer to the public a benefit that would lessen a recognized (known) hazard or ameliorate a continuing dangerous condition or situation.
- E.** The proposed TIA intends to accomplish a recognition of an advance in the art of safeguarding property or life where an alternative method is not in current use or is unavailable to the public.
- F.** The proposed TIA intends to correct a circumstance in which the revised NFPA Standard has resulted in an adverse impact on a product or method that was inadvertently overlooked in the total revision process or was without adequate technical (safety) justification for the action.