

CHAPTER 1301
DEPARTMENT OF ADMINISTRATION
MINNESOTA STATE BUILDING CODE
BUILDING OFFICIAL CERTIFICATION

BUILDING OFFICIAL CERTIFICATION	
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BUILDING OFFICIAL CERTIFICATION

1301.0100 PURPOSE.

The purpose of parts 1301.0100 to 1301.0600 is to establish procedures for certification of building officials and prerequisites for persons applying to be certified.

Statutory Authority: *MS s 16B.61*

History: *15 SR 74*

1301.0200 FORMS OF CERTIFICATION.

Subpart 1. **Grandfathered certification.** A grandfathered certification is identified with the letter "M" on the certification card. This classification is granted to a person who was serving a community as a building inspector on May 27, 1971, and continued to serve in that position through July 1, 1972. A person with this certification may only serve the community the person was serving on July 1, 1972. This certification requires continuing education the same as a Class II certified individual under subpart 4.

Subp. 2. **State certification.** A state certification is identified with the letter "S" on the certification card. This certification is granted to a person who acquired certification by a written test and an oral evaluation. A person with this certification may serve as a building official for any municipality. This certification requires continuing education the same as a Class II certified individual under subpart 4.

Subp. 3. **Class I certification.** A Class I certification is identified as "Class I" on the certification card. This classification is granted to a person who met a prerequisite and passed a written examination. This classification places a restriction to only allow the person to administer the code for one- and two-family dwellings and their accessory structures. Effective July 1, 1990, this class will no longer be issued. A person with this classification may continue to hold this classification by submitting evidence of fulfilling the appropriate continuing education programs established by parts 1301.0700 to 1301.1200. A person with this classification may apply for a Class II certification if the person meets the qualifications and passes the test in part 1301.0300.

Subp. 4. **Class II certification.** A Class II certification is identified as "Class II" on the certification card. This certification is granted to a person who met a prerequisite and passed a written examination. A person certified as Class II may perform code administration for all buildings and structures within the scope of the code for any municipality.

Statutory Authority: *MS s 16B.61*

History: *15 SR 74*

1301.0300 CERTIFICATION PREREQUISITES.

After June 30, 1990, a person desiring certification as a building official shall comply with one of the prerequisites in items A to E and pass a written examination on the appropriate laws and administration requirements for the state. The person must:

A. possess a certificate as a certified building official issued following successful passage of a written examination given by the Council of American Building Officials;

B. be certified as a certified building inspector and a certified plans examiner by the International Conference of Building Officials;

C. have a certificate issued by a nationally recognized testing agency in subject matter that would compare to item A or B;

D. have a certificate offered through a community college system in the discipline of building inspection technology and a minimum of two years of experience with a building inspection department of a municipality; or

E. have an Associate in Applied Science degree in building inspection technology offered through the community college system.

Statutory Authority: *MS s 16B.61*

History: *15 SR 74*

1301.0400 APPLICATION FOR CERTIFICATION.

A person seeking certification as a building official shall submit a completed application to the state building inspector on an application form provided by the commissioner, along with a \$70 fee payable to the state. The state building inspector shall review applications for compliance with prerequisites in part 1301.0300. The state building inspector shall forward the application to the Department of Employee Relations for examination if the prerequisites are satisfied.

Statutory Authority: *MS s 16B.61*

History: *15 SR 74*

1301.0500 EXAMINATION.

A. An examination must be given by the Department of Employee Relations under the rules of that department, consistent with Minnesota Statutes, section 16B.65, subdivision 3.

B. If the applicant fails the examination or fails to appear, the applicant shall be permitted to retake the examination or be scheduled for a second administration of the examination at least 30 calendar days after notification of the test results.

C. If the applicant fails the examination a second time or fails to appear for a second scheduled administration, the applicant shall wait six months and then may resubmit an application under part 1301.0400.

Statutory Authority: *MS s 16B.61*

History: *15 SR 74*

1301.0600 EDUCATION AND TRAINING.

Within limitations of personnel and funds, the state building inspector shall provide training programs for municipal building officials, legislative bodies, administrative staff persons, design professionals, the construction industry, and the general public.

Information concerning available training programs may be obtained from the state building inspector by written or telephone inquiry.

Statutory Authority: *MS s 16B.61*

History: *15 SR 74*

CONTINUING EDUCATION

1301.0700 AUTHORITY; PURPOSE.

Parts 1301.0700 to 1301.1200 establish the guidelines for building official certification maintenance under Minnesota Statutes, section 16B.65, subdivision 7.

Statutory Authority: *MS s 16B.61*

History: *15 SR 74*

1301.0800 DEFINITIONS.

Subpart 1. **Scope.** The definitions in this part apply to parts 1301.0700 to 1301.1200.

Subp. 2. **Commissioner.** "Commissioner" means the commissioner of administration.

Subp. 3. **Continuing education unit.** "Continuing education unit" means ten hours of educational instruction.

Subp. 4. **State building inspector.** "State building inspector" means the director of the Building Codes and Standards Division of the Department of Administration.

Subp. 5. **Unit of instruction.** "Unit of instruction" means three hours of structured educational participation in a program listed in part 1301.1000.

Statutory Authority: *MS s 16B.61*

History: *15 SR 74*

1301.0900 UNITS OF INSTRUCTION REQUIRED.

This part establishes the number of units of instruction required within a three-year period to maintain certification.

A. A Class I certified building official must receive credit for 18 units of instruction through any of the programs described in part 1301.1000, subpart 1 or 2.

B. A Class II certified building official must receive credit for 24 units of instruction through any of the programs described in part 1301.1000, subpart 1 or 2.

Statutory Authority: *MS s 16B.61*

History: *15 SR 74*

1301.1000 CREDIT FOR INSTRUCTION.

Subpart 1. **Approved programs.** The following programs are approved for the indicated number of units of instruction:

A. annual Building Official Institute of Minnesota, two units per day of attendance;

B. Minnesota State Building Codes and Standards Division seminars, 2.5 units per day of attendance;

C. International Conference of Building Officials seminars, three units per continuing education unit earned;

D. International Conference of Building Officials annual education and code development conference, two units per day of attendance;

E. State International Conference of Building Officials chapter meetings, one unit per meeting with a minimum three-hour educational program;

F. regional building official meetings, one unit per meeting with a minimum three-hour educational program;

G. area building official luncheon meetings, 0.25 unit per meeting;

H. community college building inspection technology and related courses, three units per credit earned;

I. area vocational technical training institute courses in construction, management, or supervision, one unit per three hours of instruction or related shop work;

J. certification in an International Conference of Building Officials certification program taken after January 1, 1985, four units per certificate;

K. certification as a certified building official by the Council of American Building Officials after January 1, 1985, six units; and

L. teaching a course at the community college level in the building inspection technology program or a course at a technical college, one unit per three hours of instruction.

Subp. 2. **Other courses.** Courses offered by other states, correspondence schools, universities, or other institutes of learning that offer building code administration and enforcement-related courses must be considered on an individual basis. Each building official must prearrange for unit approval with the state building inspector to receive credit. Units must be approved on the basis of comparison with the items in subpart 1.

Subp. 3. **Mandatory courses.** The state building inspector shall require that specific courses be taken, if necessary, to insure continuing education in relevant code application, administration, or enforcement practices. The requirements may include training courses when new codes or legislative mandates are adopted.

Subp. 4. **Credit for repeat of courses.** Credit for an educational offering will be allowed only once during a three-year cycle.

Subp. 5. **Review of courses.** All continuing education courses are subject to periodic review and evaluation by the commissioner or the commissioner's agent.

Statutory Authority: *MS s 16B.61*

History: *15 SR 74; L 1989 c 246 s 2*

1301.1100 REQUIREMENTS FOR RECERTIFICATION.

Subpart 1. **Submission of information.** Each certified building official must provide evidence to the state building inspector on forms approved by the state building inspector and provided by the Building Codes and Standards Division of attendance or participation in an educational offering and indicate the number of units of instruction earned. The information must be submitted to the state building inspector 60 days before the last day of the third calendar year following the date of the last certification issued. For example, for a person certified before January 1, 1985, the last day of the third calendar year is December 31, 1987.

Subp. 2. **Certificate of renewal.** The commissioner shall issue a certificate of renewal, valid for three years, to each applicant who has provided the evidence of units of instruction earned within the time indicated in subpart 1 and has submitted the \$20 renewal fee.

Subp. 3. **Extension of time for compliance.** The state building inspector may grant an extension of time for compliance with parts 1301.0700 to 1301.1200 if the person requesting the extension of time shows cause for the extension. The extension does not relieve the building official from complying with the continuing education requirements for the immediate subsequent three-year period.

Subp. 4. **Reinstatement of certificate.** A building official who has let certification lapse must be reinstated based on proof of earning continuing educational units, as required, if no more than three years has passed since the certification has lapsed or since taking the test provided for certification as a building official. In either case, the appropriate fee must be submitted with the application.

Statutory Authority: *MS s 16B.61*

History: *15 SR 74*

1301.1200 REMOVAL FROM OFFICE AND REVOCATION OF CERTIFICATION.

Under Minnesota Statutes, section 16B.65, subdivision 5, upon notice and hearing, a building official may be removed from office and have his or her certification revoked if competent evidence is submitted to the commissioner indicating that a building official has consistently failed to act in the public interest in performance of duties. A hearing must be held pursuant to the provisions of Minnesota Statutes, chapter 14, governing contested case proceedings.

Statutory Authority: *MS s 16B.61*

History: *15 SR 74*