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**No: OESC 08-06
Tamper Resistant Receptacles**

Code Section: Article 406.11

Code Edition: 2008 Oregon Electrical Specialty Code

Date: Issued October 10th, 2008

Subject: Implementation of the Requirement for Installation of Tamper Resistant Receptacles in Dwellings

Question: **What event triggers the requirement for tamper resistant receptacles in dwellings under OESC Article 406.11? Is the requirement based on the date of the permit application or are tamper resistant receptacles required October 1, 2008, regardless of when the project was permitted?**

Background: Confusion has arisen regarding when the requirement for installing tamper resistant receptacles becomes enforceable. OESC Article 406.11 provides that non-tamper resistant receptacles are permitted until October 1, 2008. Some jurisdictions are requiring tamper resistant receptacles for installations permitted prior to October 1, 2008, while others are requiring tamper resistant receptacles only for installations with permit applications dated after October 1, 2008. The provision was added due to concerns that there would be an inadequate supply of tamper resistant receptacles available upon the April 1, 2008 effective date of the OESC.

Answer: **The triggering event for requiring tamper resistant receptacles is the application for the permit. In accordance with OAR 918-305-0020(1), projects that were permitted prior to October 1, 2008, are exempt from the requirement for the installation of Tamper Resistant receptacles.**

Analysis: Electrical contractors in Oregon have bid jobs and signed contracts to build dwellings with the understanding that projects allowed prior to October 1, 2008, would be exempt from the requirements of article 406.11, based on language in Oregon Administrative Rule. OAR 918-305-0020(1) provides that the applicable version of the OESC is determined by the date of plan review or application for a permit. Using that principle, a deferred implementation date contained in code, such as the October 1 implementation date for tamper resistant receptacles, means that the provision should be applied to installations where plan review was requested or a permit was applied for on or after October 1, 2008.

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