



September 19, 2022:

Hello Air Conditioning Contractors, Electrical Contractors, and Building Inspectors:

It has come to the attention of the Department that a requirement of the 2020 National Electrical Code (NEC) is causing issues when installed between the new home's electrical system and the air conditioning condenser unit. An exception has been approved for the 2023 Edition of the NEC.

Article 210.8(F) in the 2021 Edition requires GFCI protection on HVAC equipment. The NFPA has issued a Tentative Interim Amendment to the 2023 Edition providing for an exception to this requirement. The exception states: 'GFCI protection shall not be required for listed HVAC equipment. This exception shall expire September 1, 2026' (see attached).

The Montana Building Codes Program will allow installers of HVAC equipment to utilize this exception due to the incompatibility of HVAC units and the GFCI breakers and the problems being experienced. The requirement will be reevaluated when the department begins its work to adopt the 2023 edition of the National Electrical Code.



Tentative Interim Amendment

## NFPA® 70®

### *National Electrical Code®*

#### 2023 Edition

**Reference:** 210.8(F) and Exception No. 2(new)

**TIA 23-3**

(SC 22-8-17 / TIA Log #1654)

**Note:** Text of the TIA was issued and approved for incorporation into the document prior to printing.

1. *Revise paragraph 210.8(F) to read as follows:*

**210.8(F) Outdoor Outlets.**

For dwellings, all outdoor outlets, other than those covered in 210.8(A), Exception No. 1, including outlets installed in the following locations, and supplied by single-phase branch circuits rated 150 volts or less to ground, 50 amperes or less, shall be provided with GFCI protection:

- (1) Garages that have floors located at or below grade level
- (2) Accessory buildings
- (3) Boathouses

If equipment supplied by an outlet covered under the requirements of this section is replaced, the outlet shall be supplied with GFCI protection.

*Exception No. 1: GFCI protection shall not be required on lighting outlets other than those covered in 210.8(C).*

*Exception No. 2: GFCI protection shall not be required for listed HVAC equipment. This exception shall expire September 1, 2026.*

**Issue Date:** August 12, 2022

**Effective Date:** September 1, 2022

(Note: For further information on NFPA Codes and Standards, please see [www.nfpa.org/docinfo](http://www.nfpa.org/docinfo))

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