

**IDAPA 07
TITLE 11
CHAPTER 01**

07.11.01 – RULES OF THE DIVISION OF BUILDING SAFETY

000. LEGAL AUTHORITY. The Division of Building Safety is authorized under Title 67, Chapter 94, Idaho Code, and Section 67-2601A, Idaho Code, to promulgate rules for the issuance of licenses in the professions devolved for administration upon the Division.

001. TITLE AND SCOPE.

01. Title. These rules shall be cited as IDAPA 07.10.01, “Rules of the Division of Building Safety.”

02. Scope. These rules shall be applicable to licenses administered by the Division pursuant to Title 54, Chapters 10, 19, 26, 45, 50, and Title 44, Chapter 21.

002. WRITTEN INTERPRETATIONS. In accordance with Section 67-5201(19)(b)(iv), Idaho Code, this agency may have written statements that pertain to the interpretation of these rules. Any such statements are available for public inspection and copying pursuant to the Public Records Act, Title 74, Chapter 1, Idaho Code.

003. ADMINISTRATIVE APPEALS.

All agency actions may be appealed in accordance with the Administrative Procedures Act at Title 67, Chapter 52, Idaho Code, and IDAPA 04.11.01, “Idaho Rules of Administrative Procedure of the Attorney General.”

004. INCORPORATION BY REFERENCE. There are no documents incorporated by reference into these rules.

005. OFFICE – MAILING ADDRESS - STREET ADDRESS – OFFICE HOURS _ WEB ADDRESS. The principal place of business of the Division of Building Safety office located at 1090 E. Watertower Street, Suite 150, Meridian, Idaho 83642. The Division may also be contacted at 1250 Ironwood Drive, Suite 220, Coeur d’Alene, Idaho 83814, and at 2055 Garrett Way, Building 1, Suite 4, Pocatello, Idaho 83201. All locations are open from 8:00 a.m. to 5:00 p.m., except Saturday, Sunday and legal holidays. The telephone number of the office is (208) 334-3950. The facsimile number of the office is 1-877-810- 2840. The Department website is <http://dbs.idaho.gov>.

006. PUBLIC RECORDS ACT COMPLIANCE. These rules are subject to and in compliance with the Public Records Act, Title 74, Chapter 1, Idaho Code.

007. DEFINITIONS.

01. Division. The Idaho Division of Building Safety.

02. Licensing Program. The electrical program, plumbing program, HVAC program, manufactured home program, or public works contractor license program within the Division.

03. Military Applicant. A member of the military, former member of the military discharged under honorable conditions, veteran, or spouse of any such person applying for any initial or renewal license or registration issued by any Licensing Program.

008. MILITARY, VETERAN AND SPOUSES LICENSE APPLICATIONS

01. Applications. Applications submitted to the Division by a military applicant for any license or registration administered by the Division on an initial or renewal basis shall be expedited in accordance with section 67-9305, Idaho Code. Applications shall be made on forms provided by Division, and accompanied by such verification of the applicant's status as a military member, veteran or spouse as may be required by the Division. The Division shall identify acceptable forms of verification and post it on its website.

02. Expedited Processing. The Division shall expedite the handling and adjudication of a completed application. A completed application shall include applicable fees and required documentation, including insurance records, education or continuing education records, examination records, training and employment verification records, and prior licensing or certification records.

03. Qualifications for Licensure. Each licensing program within the Division shall determine which and to what extent any military education, training, or service that has been completed is relevant or applicable toward the requirements to receive a license for an occupation administered by those respective licensing programs. The Division shall accept and identify on its website military education, training, or service determined by the Division to be relevant and applicable

a. Criteria. Each licensing program shall at a minimum consider the following criteria when determining whether to accept any type of training, education, or work experience, whether military applicants received such from the armed forces or other sources:

i. The nature of the training, education or work experience, including whether it involved the installation of equipment, materials, fixtures, apparatuses, controls, wires, piping, systems, or other related or like components the installation of which the statutes and rules of Idaho require a person to be licensed.

ii. Whether the scope of the training, education, or work experience received addressed the installation of equipment, materials, fixtures, apparatuses, controls, wires, piping, systems, or other related or like components the installation of which is prescribed by a nationally recognized code adopted in the State of Idaho.

04. Licensure by Endorsement. Upon review, each licensing program may grant a license by endorsement to any military applicant who at the time of application to the Division possesses a current, valid, and unrestricted license from another state, district, territory of the United States, or from any branch of the armed forces or national guard which is equivalent in nature to the license for which the military applicant has applied.

a. Criteria. Each licensing program shall at a minimum consider the following criteria when determining whether to grant a license by endorsement:

i. The nature of the license held by the military applicant, including the scope of actual occupational work the license allows the military applicant to perform in the other jurisdiction, and the scope of work the applicant has actually performed under authority of the license;

ii. The length of time the applicant has held the license from another jurisdiction;

iii. The requirements of the other jurisdiction to obtain the license including, but not limited to schooling or education, work experience and on-the-job training and hours of such that are required, examination and passing score requirements, or licensure disciplinary history.

05. Records Verification and Affidavits. The Division may require a military applicant to provide records or other documentation verifying the completion of military education, training, or service, or the issuance of a previous license. The Division may also require a military applicant to provide a sworn affidavit attesting to the veracity of the information provided in an application for licensure or registration.

009. -- 999. (RESERVED)

For Internal/Website Use Only – Not to be included in the Rule:

Valid forms of Verification of Eligibility Status

- Valid discharge from the armed forces of the U.S. in the name of the applicant, with character of discharge as anything other than dishonorable. (DD 214 or similar)
- Current, valid military identification card (Common Access Card (CAC)) indicating active duty, reserve or national guard service.
- Uniform Services ID Card (USID) indicating eligibility for retired pay, or DD Form 2
- Current, valid military dependent ID card indicating dependent status of an active or reserve service member (DD Form 1173)
- Valid marriage license from an appropriate jurisdiction
- Department of Veterans Affairs Identification Card (VIC) or Veterans Health Identification Card (VHIC)
- Any other evidence satisfactory to the Administrator