

## IDAPA 07 – DIVISION OF BUILDING SAFETY

DOCKET NO. 07-0000-1900

### NOTICE OF OMNIBUS RULEMAKING - ADOPTION OF PENDING RULE

**EFFECTIVE DATE:** This rule has been adopted by the agency and is now pending review by the 2020 Idaho State Legislature for final approval. The pending rule becomes final and effective upon the conclusion of the legislative session, unless the rule is approved or rejected in part by concurrent resolution in accordance with Section 67-5224 and 67-5291, Idaho Code. If the pending rule is approved or rejected in part by concurrent resolution, the rule becomes final and full force and effect upon adoption of the concurrent resolution.

**AUTHORITY:** In compliance with Section 67-5224, Idaho Code, notice is hereby given that this agency has adopted a pending rule. The action is authorized pursuant to Section(s) of Idaho Code:

I.C. § 39-4107	I.C. § 39-8605	I.C. § 54-1006	I.C. § 54-5004
I.C. § 39-4109	I.C. § 44-2102	I.C. § 54-2601	I.C. § 54-5005
I.C. § 39-4112	I.C. § 44-2104	I.C. § 54-2605	I.C. § 55-2203
I.C. § 39-4302	I.C. § 44-2201	I.C. § 54-2606	I.C. § 55-2211
I.C. § 39-4303	I.C. § 44-2504	I.C. § 54-1907	I.C. § 67-2601A
I.C. § 39-8007	I.C. § 54-1005	I.C. § 54-4510	

**DESCRIPTIVE SUMMARY:** The following is a concise explanatory statement of the reasons for adopting the pending rule and a statement of any change between the text of the proposed rule and the text of the pending rule with an explanation of the reasons for the change.

This pending rule adopts and re-publishes the following existing and previously approved and codified chapter(s) under IDAPA 07, rules of the Division of Building Safety:

- 07.03.09, Rules Governing Manufactured Homes - Consumer Complaints - Dispute Resolution;
- 07.03.13, Rules Governing Mobile Home Rehabilitation;
- 07.06.01, Rules Governing Uniform School Building Safety; and
- 07.08.01, Idaho Minimum Safety Standards and Practices for Logging.

This pending rule allows the following existing and previously approved and codified or proposed chapter(s) under IDAPA 07, rules of the Division of Building Safety to expire:

- 07.01.01, Rules Governing Electrical Permits and Inspections;
- 07.01.04, Rules Governing Limited Electrical Licensing and Registration;
- 07.01.05, Rules Governing Examinations;
- 07.01.06, Rules Governing the Use of National Electrical Code;
- 07.01.07, Rules Governing Continuing Education Requirements;
- 07.01.08, Rules Governing Electrical Inspection Appeals;
- 07.01.10, Rules Governing Certification and Approval of Electrical Products and Materials;
- 07.02.04, Rules Governing Plumbing Safety Inspections;
- 07.02.05, Rules Governing Plumbing Safety Licensing;
- 07.02.06, Rules Concerning the Idaho State Plumbing Code; and
- 07.04.01, Rules Governing Safety Inspections – General.

The text of the pending rule has been amended in accordance with Section 67-5227, Idaho Code. Only those sections that have changes that differ from the proposed text are printed in this bulletin. The complete text of the proposed rule

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was published in the June 19, 2019 Idaho Administrative Bulletin, Vol. 19-6SE, pages (793-922). Amendments to the chapters identified in this notice were made to consistent with executive orders 2019-01 and 2019-02 related to the Licensing Freedom Act and the Red Tape Reduction Act. Amendments made to the rulemakings included revision to eliminate unnecessary, outdated, or duplicative rule provisions, or to simplify or reformat (consolidate) rules.

Specifically, IDAPA chapters 07.01.01 – Rules Governing Electrical Permits and Inspections, 07.01.04 – Rules Governing Limited Electrical Licensing and Registration, 07.01.05 – Rules Governing Examinations, 07.01.06 – Rules Governing the Use of National Electrical Code, 07.01.07 – Rules Governing Continuing Education Requirements, 07.01.08 – Rules Governing Electrical Inspection Appeals, and 07.01.10 – Rules Governing Certification and Approval of Electrical Products and Materials were allowed to expire and consolidated into a new, renamed chapter 07.01.01 – Rules of the Idaho Electrical Board. The proposed rules for that rulemaking are contained in docket number 07-0101-1901, published in the Idaho Administrative Bulletin, September 4, 2019 – Vol. 19-9, pages (132-154). Further, IDAPA chapters 07.02.04 – Rules Governing Plumbing Safety Inspections, 07.02.05 – Rules Governing Plumbing Safety Licensing, and 07.02.06 – Rules Concerning the Idaho State Plumbing Code were allowed to expire and consolidated into a renamed chapter 07.02.02 – Rules Governing Plumbing. The pending rules for that rulemaking are contained in docket number 07-0000-1900F. Additionally, 07.04.01 – Rules Governing Safety Inspections – General were allowed to expire.

The Division of Building Safety rules are necessary to ensure that properly qualified persons continue to practice in the professions over which the Division exercises regulatory authority, and that the installations made in the various trades and professions related thereto, and other applicable construction work, is performed safely and in accordance with laws, codes, standards, and processes that protect the safety and welfare of the public.

**FISCAL IMPACT:** The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year: This rulemaking is not anticipated to have any fiscal impact on the state general fund because the FY2020 budget has already been set by the Legislature, and approved by the Governor, anticipating the existence of the rules and fees being reauthorized by this rulemaking.

**ASSISTANCE ON TECHNICAL QUESTIONS:** For assistance on technical questions concerning this pending rule, contact Patrick Grace, Regional Manager at 208-332-7120.

DATED this \_\_\_\_\_ day of October, 2019

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