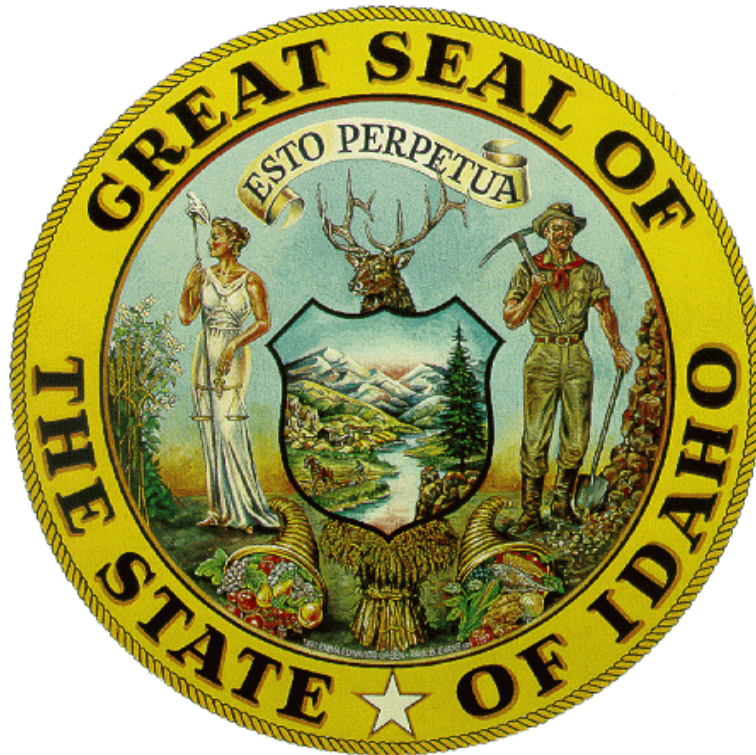


DIVISION OF BUILDING SAFETY

IDAHO ELECTRICAL BOARD
SPECIAL MEETING

JUNE 17, 2021



TENTATIVE AGENDA

NOTICE OF PUBLIC HEARING / PUBLIC MEETING

IDAHO ELECTRICAL BOARD SPECIAL MEETING

**Division of Building Safety
1090 East Watertower Street, Suite 150, Meridian
1250 Ironwood Drive, Suite 220, Coeur d'Alene
155 North Maple Street, Blackfoot**

**Teleconference – 877-820-7831--529619
dbs.idaho.gov – (208) 332-7137**

Thursday, June 17, 2021

9:30 a.m. – 10:30 a.m. (MDT)

8:30 a.m. – 9:30 a.m. (PDT)

9:30 a.m. CALL TO ORDER – Bob Scott, Chairman

- Roll Call & Introductions

PUBLIC HEARING / COMMENTS

1. Omnibus Temporary Rule Chapter Proposal--IDAPA 24.39.10 – Warren Wing, Electrical Program Manager

ACTION AGENDA

2. Vote to Rescind Existing Temporary Rule Chapter--IDAPA 24.39.10 – Warren Wing
3. Vote to Adopt Temporary Omnibus Rule Chapter--IDAPA 24.39.10 – Warren Wing

10:30 a.m. ADJOURN

All times, other than beginning, are approximate and scheduled according to Mountain Daylight Time (MDT), unless otherwise noted. Agenda items may shift depending on Board preference. 06/01/2021rb

IDAHO ELECTRICAL BOARD

Agenda Item No. 01

Temporary Omnibus Rules

PRESENTER: Warren Wing, Electrical Program Manager

OBJECTIVE: Public comment on temporary omnibus electrical rules – IDAPA 24.39.10

ACTION: Informational

BACKGROUND: Administrative rule chapters presented to the 2021 legislature have not taken effect based on the actions of the legislature; the Senate adjourned *sine die* on May 12th and the House recessed subject to the call of the Speaker, no later than December 31st. Therefore, all current temporary rules, including existing fee rules, will expire upon *sine die* which could be as late as December 31st and all existing non-fee rules will expire on June 30th due to legislative inaction. Due to the circumstances, executive administrative action is needed to ensure existing rules remain in effect.

PROCEDURAL HISTORY:

ATTACHMENTS: Proposed Omnibus Electrical Rules



24.39.10 – RULES OF THE IDAHO ELECTRICAL BOARD

000. LEGAL AUTHORITY.

The rules are promulgated pursuant to Title 54, Chapter 10, Idaho Code. ()

001. SCOPE.

The rules include criteria for the use of electrical permits for electrical installations, inspections, fees for licenses, continuing education, adoption of the National Electrical Code, and civil penalties. ()

002. INCORPORATION BY REFERENCE.

The National Electrical Code, 2017 Edition, is incorporated by reference into these rules as further specified in Section 250. ()

003. DEFINITIONS.

01. Associated Buildings. All buildings, structures, and fixtures used for domestic purposes and in connection with the primary or secondary residence, such as garages, sheds, barns, or shops. ()

02. Person. Includes an individual, company, firm, partnership, corporation, association or other organization. ()

03. Recognized License. A license from another jurisdiction that is recognized by the Board as requiring qualifications at least equal to the qualifications for a license contained in Title 54, Chapter 10, Idaho Code, and these rules. ()

004. – 010. (RESERVED)

SUBCHAPTER A – ELECTRICAL PERMITS AND INSPECTIONS

(Rules 011 through 049)

011. PERMITS.

Electrical permits shall be used only for the electrical installations identified in the permit application and for which said permit holder shall assume full responsibility.

01. Completion of Installation. For each installation made by a permit holder and coming under the provisions of Section 54-1001, Idaho Code, said permit holder or his authorized representative shall request a final inspection from the Division. ()

02. Permits and Inspections. All electrical permits shall be purchased before work is commenced. Where the total cost of installation is unknown, the minimum permit fee as listed in the fee schedule of these rules applies. In all cases, payment of the total permit fee shall be made prior to a final inspection. ()

a. Permit holders with outstanding fines, violations or unpaid permit fees recorded with the Division will not be allowed to purchase further electrical permits unless and until all outstanding fees due have been paid in full. ()

b. No wiring or equipment may be concealed in any manner from access or sight until the work has been inspected and approved for cover by the electrical inspector. ()

03. Power Supply Company. Pursuant to Section 54-1005, Idaho Code, a power supply company may connect and energize an electrical installation made by an electrical contractor without delay and before the installation has passed inspection if the contractor submits to the power supply company a copy of an electrical permit purchased by the contractor and the power supply company deems the connection and energization necessary

to preserve life or property. The contractor shall request that the Division conduct an inspection on the next business day. ()

012. FACILITY ACCOUNTS.

A facility employer account licensee, as defined by Section 54-1003A, Idaho Code, who uses licensed or registered employees to make installations coming under the provisions of Section 54-1001, Idaho Code, on the licensee’s own premises, shall obtain a facility account license and purchase permits. Employees performing installations under a facility account shall be licensed journeymen, master, or registered apprentice electricians under the constant on-the-job supervision of a licensed journeyman or master as provided in Title 54, Chapter 10, Idaho Code. One (1) properly licensed journeyman or master shall be designated the supervising electrician for the facility account. Individuals employed as maintenance electricians may only perform electrical maintenance in accordance with Section 54-1016, Idaho Code. ()

013. TEMPORARY INSTALLATIONS CONNECTED PRIOR TO INSPECTION.

Only a licensed electrical contractor may have a power supply company connect and energize a temporary service for construction prior to an inspection being performed. Any contractor energizing a temporary service prior to inspection shall assume full responsibility for the installation of the temporary service. A power supply company may only connect and energize a temporary service upon receipt of a copy of an electrical permit. ()

014. -- 049. (RESERVED)

**SUBCHAPTER B – FEES FOR ELECTRICAL PERMITS AND INSPECTIONS
(Rules 050 through 099)**

050. FEES.

The type of permit a person may purchase is limited to the scope of work for which the person is licensed. ()

01. Temporary Construction Service (Temporary Power) Permit. To be installed for construction purposes only, for a period not to exceed one (1) year: ()

a. Two hundred (200) amp or less, one (1) location: sixty-five dollars (\$65). ()

b. All others to be calculated using Subsection 050.06, Other Installation (Including Industrial and Commercial) Permit, of these rules. ()

02. New Residential. Includes associated buildings with wiring being constructed on each property.

New – One-Family Dwellings		
Up to 1,500 square feet of living space	-	\$130
1,501 to 2,500 square feet of living space	-	\$195
2,501 to 3,500 square feet of living space	-	\$260
3,501 to 4,500 square feet of living space	-	\$325
Over 4,500 square feet of living space	-	\$325 plus \$65 for each additional 1,000 square feet or portion thereof
New – Two- and Multi-Family Dwellings		
Two-family dwellings	-	\$260
Multi-family dwellings		\$130 per building plus \$65 per unit

()

a. Existing dwelling unit permit: sixty-five dollars (\$65) plus ten dollars (\$10) for each additional branch circuit up to the maximum of the corresponding square footage of the dwelling unit. ()

b. Residential Dwelling unit spa, hot tub, hydro massage tub, and swimming pool permit: sixty-five dollars (\$65) for each trip to inspect. (For all other installations of spas, hot tubs, hydro massage tubs, and swimming pools, use Subsection 050.06, Other Installation (including Industrial and Commercial) Permit, of these rules.) ()

03. Residential Space Heating and Air Conditioning. When not part of a new residential construction permit, or heat/ventilating/air conditioning permit with no additional wiring: sixty-five dollars (\$65). ()

04. Domestic Water Pump Permit. See Subsection 050.06 - Pump (Water, Domestic Water, Irrigation, Sewage) -- Each Motor Permit, of these rules. ()

05. Mobile/Manufactured Home Permit. Sixty-five dollars (\$65) basic fee plus ten dollars (\$10) for each additional circuit. Mobile home and RV parks for distribution wiring including pedestal, service conductors and lot supply to individual units come under Subsection 050.06, Other Installation (Including Industrial and Commercial) Permit, of these rules. ()

06. Other Installation (Including Industrial and Commercial) Permit. The permit fees listed in this section apply to any and all installations not specifically mentioned elsewhere in this schedule. The electrical cost shall be the cost to the owner of all labor charges and all other costs that are incurred in order to complete the installation of any and all wiring and equipment installed as part of the system, factory assembled industrial machinery to be operated by electrical energy shall not be included in calculating these fees.

a. Wiring cost not exceeding ten thousand dollars (\$10,000): sixty dollars (\$60) plus two percent (2%) of total wiring cost. ()

b. Wiring cost over ten thousand dollars (\$10,000) but not exceeding one hundred thousand dollars (\$100,000): two hundred sixty dollars (\$260) plus one percent (1%) of wiring cost in excess of ten thousand dollars (\$10,000). ()

c. Wiring cost over one hundred thousand dollars (\$100,000): one thousand one hundred sixty dollars (\$1,160) plus one-half of one percent (.5%) of the portion of wiring costs exceeding one hundred thousand dollars (\$100,000). ()

d. All fees calculated under this schedule must be calculated on the total wiring cost of the job, and this figure will be shown on the permit. The permit fees listed in this Subsection apply to any and all installations not specifically mentioned elsewhere in this schedule. The wiring cost shall be the cost to the owner of all labor charges and all wiring materials and equipment installed as part of the wiring system. When labor is performed by the owner, such labor cost shall be based upon the market value of said labor. For all owner-supplied, factory assembled electrical infrastructural equipment to be installed, the inspection will be based on one-half of one percent (.5%) of total cost of the equipment OR an hourly rate of one hundred thirty dollars (\$130) for the first hour of each inspection and sixty-five dollars (\$65) for each subsequent hour. Factory assembled machinery to be operated by electrical energy will not be included when calculating these fees. ()

e. Small work not exceeding two hundred dollars (\$500) in cost and not involving a change in service connections: ten dollars (\$10). ()

07. Pump (Water, Domestic Water, Irrigation, Sewage) -- Each Motor Permit.

To 25 HP	-	\$65
26 to 200 HP	-	\$95

Over 200 HP	-	\$130
For phase inverters and roto phase equipment, use Subsection 050.06, in addition to the pump motor fee.		

()

08. Electrically-Driven Irrigation Machine Permit. Center Pivot: sixty-five dollars (\$65) plus ten dollars (\$10) per tower or drive motor. Other types: sixty-five dollars (\$65) plus ten dollars (\$10) per motor. (Note: No additional fee required for underground feeder). ()

09. Electric Sign and Outline Lighting Permit. Electric signs: sixty-five dollars (\$65) per sign; Outline lighting: sixty-five dollars (\$65) per each occupancy. ()

10. Requested Inspection Permit. A base fee of sixty-five dollars (\$65) plus an additional sixty-five dollars (\$65) for each hour, or portion thereof, in excess of one (1) hour including travel time. Out-of-state travel expenses shall be paid by the requesting party. ()

11. Additional Fees and Reinspection Fees. A base fee of sixty-five dollars (\$65) plus an additional sixty-five dollars (\$65) for each additional hour, or portion thereof, in excess of one (1) hour including travel time, shall also be paid before approval of the installation if the following services and trips to inspect are necessary: ()

a. Permit holder had given notice to the inspector that the work is ready for inspection when it was not. ()

b. Permit holder has not clearly or correctly given the location of the installation either by directions, maps, coordinates, or correct address and posting a copy of the permit at the service or other conspicuous location on the property or the inspector cannot gain access to make the inspection. ()

c. Corrections required by the inspector as a result of the submitter improperly responding to a corrective notice. ()

d. Removing a red tag from the jobsite. ()

e. Reinspection because corrections have not been made in the prescribed time, unless an extension has been requested and granted. ()

12. No Permit. Failure to purchase a permit before work is commenced, may result in the imposition of a double permit fee. ()

13. Plan Check Fee. Sixty-five dollars (\$65) minimum for one (1) hour or less. Over one (1) hour: sixty-five dollars (\$65) plus sixty-five dollars (\$65) for each hour, or portion thereof, in excess of one (1) hour. ()

14. Fees for Temporary Amusement/Industry Electrical Inspections. Each time a ride, concession, or generator is set up: sixty-five dollars (\$65) base fee plus ten dollars (\$10) for each ride, concession, or generator. ()

15. Expiration of Permits. Every permit issued shall expire by limitation and become null and void after 365 days from the purchase date. A permit may be renewed for an additional year upon receipt of Division approval and sixty-five dollars (\$65) renewal fee. ()

16. Transferring a Permit. A permit may be transferred to another eligible party if such party provides to the Division written authorization signed and notarized by the original permit holder consenting to the transfer itself and assignment of all the responsibilities and conditions incorporated into the original permit issuance. A permit may be transferred to the owner of the property on which the electrical work is to be performed and for

which the permit was issued, or such owner's designated legal agent, in cases where such owner has terminated his legal relationship with the electrical contractor who originally obtained the permit. An administrative fee in the amount of forty-five dollars (\$45) for the transfer of the permit shall be assessed by the Division. ()

17. Refunds of Permits. The administrator of the Division may authorize a refund for any permit fee paid on the following bases: ()

a. The administrator may authorize a refund of the entire permit fee paid when no work has been performed related to the installations or electrical work covered by a permit issued by the Division. A lesser amount up to fifty percent (50%) of the permit fee amount may be refunded if work has commenced and the project is less than fifty percent (50%) complete as determined by the Division; and ()

b. The administrator cannot authorize a refund of any permit fee paid except upon written application for such filed by the original permit holder or the property owner's representative not less than one hundred eighty (180) days after the date the permit was issued. ()

051. -- 099. (RESERVED)

**SUBCHAPTER C – ELECTRICAL LICENSING AND REGISTRATION
(Rules 100 through 149)**

100. LICENSURE HISTORY.

An applicant for any registration or license who has previously obtained a Recognized License as a journeyman, master, or limited installer shall upon application to the Division disclose such license and provide sufficient proof thereof. ()

101. APPLICATIONS.

()

01. Application Form. Each applicant shall properly complete and submit the applicable form, giving all pertinent information and obtaining notarization of all signatures. ()

02. Examination and Licensure Approval. The Division must approve each application before examination and licensure. An applicant who does not take the applicable examination within ninety (90) days of the date of approval must reapply. ()

03. License. An applicant who does not purchase a license within ninety (90) days of successful completion of the applicable examination must reapply and obtain approval again. Applicants who have taken and passed the applicable exam within 365 days of purchasing a license will not be required to be re-examined. ()

04. License or Registration Period. The license or registration period set forth in Section 54-1008, Idaho Code, for each license or registration shall begin upon satisfaction of the applicable fee provided in Section 54-1013, Idaho Code. ()

102. REGISTRATION.

01. Registration Requirements. To become an apprentice or limited electrical trainee, a person shall comply with Section 54-1010(3) or 54-1010(4), Idaho Code. Each apprentice limited electrical trainee shall carry a current Registration Certificate while performing electrical work and present the Registration Certificate upon request for examination. ()

02. Renewal Requirements. To renew a registration, the registrant shall submit evidence demonstrating the registrant has successfully completed one (1) of the following during the prior registration period:()

a. At least twenty-four (24) hours of a Board-approved sequence of instruction. ()

b. Continuation training, defined as eight (8) hours of NFPA 70E training and sixteen (16) hours of code-update training, code-related training, or industry-related training. ()

c. There are no renewal requirements for limited electrical trainees.

103. EXAMINATION AND LICENSE.

01. Examination Requirements. To take the journeyman examination, an applicant will submit evidence demonstrating the completion of one (1) of the following: ()

a. Four (4) years of a sequence of instruction approved by the Board and the Idaho Division of Career-Technical Education and three (3) years, defined as a minimum of six thousand (6,000) hours, of work experience under the constant on-the-job supervision and training of a journeyman electrician. ()

b. Eight (8) years, defined as a minimum of sixteen thousand (16,000) hours, of work experience in accordance with the requirements of the jurisdiction in which the applicant obtained the experience. Verification of work experience shall consist of a notarized letter from each employer with which the applicant obtained the experience. ()

02. License Requirements. ()

a. To obtain a provisional journeyman license, an applicant shall submit to the Division evidence demonstrating the applicant has successfully completed eight (8) years, defined as a minimum of sixteen thousand (16,000) hours, of work experience in accordance with the requirements of the jurisdiction in which the applicant obtained the experience. Verification of work experience shall consist of a notarized letter from each employer or the employers Master or Journeyman electrician with which the applicant obtained the experience. If signed by a Master or Journeyman electrician, proof of concurrent employment will be required. ()

b. To obtain a journeyman license, an applicant shall submit evidence demonstrating they passed the journeyman examination; and ()

i. Four (4) years, defined as a minimum of eight thousand (8,000) hours, of work experience under the constant on-the-job supervision and training of a journeyman electrician; or ()

ii. Eight (8) years, defined as a minimum of sixteen thousand (16,000) hours, of work experience in accordance with the requirements of the jurisdiction in which the applicant obtained the experience. ()

c. To obtain a journeyman license, an applicant with a Recognized License shall comply with Section 54-1007(5), Idaho Code, and submit evidence demonstrating: ()

i. The applicant's Recognized License is current, active, and in good standing; and ()

ii. The applicant obtained the Recognized License by testing from the issuing jurisdiction. ()

03. Unacceptable Work Experience.

The Division will not accept work experience in appliance repair, motor winding, or communications to meet the requirements to take the journeyman examination or obtain a provisional journeyman or journeyman license.

104. LIMITED ELECTRICAL INSTALLER.

To qualify for testing as a limited electrical installer an applicant shall be required to work not less than two (2) years, defined as a minimum of four thousand (4,000) hours of work experience, under the constant on-the-job supervision of a limited electrical installer of the same limited category, or show equivalent requirements have been met in compliance with the requirements of the state in which the experience was received. Experience gained while engaged in the practice of a limited electrical installer or trainee not be considered towards the satisfaction of the

minimum experience requirements for licensing as a journeyman electrician. ()

105. MASTER ELECTRICIAN.

An applicant for a master license must have at least four (4) years' experience as a licensed journeyman as provided in Section 54-1007, Idaho Code. Upon approval, the applicant may apply to take the examination. Upon passing the examination, the applicant must remit the required fee for the issuance of a master license. A person holding a current master license is not be required to hold a journeyman license. ()

106. ELECTRICAL CONTRACTOR AND LIMITED ELECTRICAL CONTRACTORS.

01. Qualifications for Contractors. ()

a. On and after July 1, 2008, except as hereinafter provided, any person, shall be eligible to apply for an contractor license upon the following requirements: ()

i. Applicant shall have at least one (1) full-time employee who holds a valid master license, or limited electrical installer license for limited electrical contractors issued by the Division Licensed contractors who are current and active prior to July 1, 2008, shall not be required to have a master or limited electrical installer as the supervising electrician until a new supervising electrician is designated. A master license or limited electrical installer license will be required for a new supervising electrician designated after July 1, 2008.

ii. The master or limited electrical installer shall be designated the supervising electrician and shall be available during working hours to carry out the duties of supervising, as set forth herein, and who will be responsible for supervision of electrical installations made by said contractor as provided by Section 54-1010, Idaho Code. ()

iii. An individual contractor may act as his own supervising master electrician or limited electrical installer upon the condition that he holds a valid master electrician license or limited electrical installer license.()

iv. Applicant or its designee must pass a contractor examination administered by the Division. Any applicant which purports to be a non-individual (such as, corporation, partnership, company, firm, or association), must designate in writing an individual to represent it for examination purposes. Any such designee shall be a full-time supervisory employee and may not represent any other applicant for a contractor's license. ()

b. Any person designated under Paragraph 106.01.a. of these rules, and the contractor he represents, shall each notify the Division in writing if the supervising electrician or the designee's working relationship with the contractor has been terminated within ten (10) days of the date of termination. If the supervising electrician or the designee's relationship with the contractor is terminated, the contractor's license is void within ninety (90) days unless another supervising electrician is qualified by the Division, or unless another duly qualified designee passes the contractor's examination on behalf of the contractor, as applicable. ()

02. Required Signatures on Application. An application for a contractor license shall be signed by the applicant or by the official representative of the partnership, company, firm, association, or corporation making the application countersigned by the supervising electrician. ()

03. Electrical Contracting Work Defined. A contractor license issued by the Division must be obtained prior to acting or attempting to act as a contractor in Idaho. ()

a. Contracting work includes electrical maintenance or repair work, in addition to new electrical installations, unless such work is expressly exempted by Section 54-1016, Idaho Code. ()

b. Any person or entity performing or offering to perform contracting services, including, but not limited to, advertising or submitting a bid shall be considered as acting or attempting to act as a contractor and shall be required to be licensed. Advertising includes, but is not limited to: newspaper, telephone directory, community flier ads or notices, telephone, television, radio, internet, business card, or door-to-door solicitations. ()

c. Any person or entity, not otherwise exempt, who performs or offers to perform contracting work, is acting as an contractor, whether or not any compensation is received. ()

d. Registered general contractors who submit a bid on a multi-trade construction project that includes a licensed electrical contractor's pricing shall not be considered to be acting or attempting to act as an electrical contractor. ()

04. Previous Revocation. Any applicant for a contractor license who has previously had his contractor license revoked for cause, as provided by Section 54-1009, Idaho Code, shall be considered as unfit and unqualified to receive a new contractor license so long as such cause for revocation is continuing and of such nature that correction can be made by the applicant. ()

05. Reviving an Expired License. Any applicant for a contractor license who has allowed his license to expire and seeks to revive it under the provisions of Section 54-1013, Idaho Code, may be denied a license as unfit and unqualified if, while operating under the license prior to expiration, he violates any of the laws or rules applicable to contractors. ()

06. Qualification and Duties for Supervising Electrician ()

a. A master electrician, journeyman or limited electrical installer shall not be considered as qualified to countersign a contractor license application as the supervising electrician, nor shall said application be approved if he does countersign said application as the supervising electrician, if said individual has had his Idaho contractor license revoked for cause under Section 54-1009, Idaho Code. ()

b. A supervising electrician shall not countersign for more than one (1) contractor. ()

c. A journeyman who is a full-time employee of a company, corporation, firm or association with a facility account may sign as supervising journeyman for that facility account in addition to signing as supervising journeyman for his own contractor's license so long as the journeyman is listed as the owner and complies with the provisions of Paragraphs 106.01.a. and 01.b. of these rules. ()

d. Duties include: assuring that all electrical work substantially complies with the National Electrical Code and other electrical installation laws and rules of the state, and that proper electrical safety procedures are followed; assuring that all electrical labels, permits, and licenses required to perform electrical work are used; assuring compliance with correction notices issued by the Division. ()

07. Failure to Correct Defects in Electrical Installations. If a supervising electrician countersigns a contractor license application pursuant to Subsection 106.02 of these rules and thereafter willfully fails to correct defects in electrical installations he made or supervised, and such defects are within his power to correct and are not the fault of the contractor, then the Division shall have the power to suspend or revoke said supervising electricians license pursuant to Section 54-1009, Idaho Code. ()

08. Overcharging of Fees. It shall be grounds for suspension or revocation of a contractor license if he charges and collects from the property owner a permit or inspection fee which is higher than the fee actually in effect at the time of such charging and collection, pursuant to the current Laws and Rules of the Division, and the fee remitted by the contractor to the Division is less than the fee actually charged and collected by him. ()

09. Direct Supervision and Training. It shall be the responsibility of the employing contractor to ensure that each apprentice, trainee, and provisional journeyman perform electrical work only under the constant on-the-job supervision and training of a journeyman or installer. ()

a. Journeyman-to-Apprentice Ratio. One (1) journeyman shall not supervise more than four (4) apprentices performing electrical work on one and two-family dwelling units. One (1) journeyman shall not supervise and train more than two (2) apprentices performing electrical work on all other types of electrical installations. ()

b. Any electrical contractor violating the journeyman-to-apprentice ratio established in Paragraph 106.09.a of these rules is presumed to be in violation of the direct supervision requirement of Section 54-1010(1), Idaho Code, and the constant on-the-job supervision requirement of Section 54-1003A(3), Idaho Code. The journeyman-to-apprentice ratio established herein these rules may be adjusted on a case-by-case basis by a showing by an electrical contractor of special circumstances that are peculiar to the work done by that electrical contractor and that allow for effective supervision and training by each journeyman electrician. An electrical contractor must obtain permission from the Division to adjust the journeyman-to-apprentice ratio. Failure to comply with this requirement will be grounds for suspension or revocation of the electrical contractor's license. ()

107. JOURNEYMAN ELECTRICIAN PERFORMING LIMITED ELECTRICAL INSTALLATIONS.

A journeyman electrician, as defined in Section 54-1003A(2), Idaho Code, is permitted to make any limited electrical installation if designated as the supervising electrician for a limited electrical contractor or performing limited electrical installations for an electrical contractor. ()

108. -- 149. (RESERVED)

SUBCHAPTER D – LIMITED ELECTRICAL INSTALLATIONS

(Rules 150 through 199)

153. LICENSE REQUIREMENTS.

The following categories of electrical installations shall be considered limited electrical installations, the practice of which shall require an electrical contractor license or limited electrical contractor license and supervision by a journeyman electrician, master electrician, or limited electrical installer: ()

01. Elevator, Dumbwaiter, Escalator, or Moving-Walk Electrical. Any person qualifying for and having in his possession a current elevator electrical license may install, maintain, repair, and replace equipment, controls, and wiring beyond the disconnect switch in the machine room of the elevator and pertaining directly to the operation and control thereof when located in the elevator shaft and machine room. He shall be employed by a licensed elevator electrical contractor or electrical contractor, and his installations shall be limited to this category. The holder of such limited license may only countersign a limited electrical contractor's license application as a supervising limited electrical installer for work within this category. ()

02. Sign Electrical. Any person qualifying for and having in his possession a current sign electrical license may install, maintain, repair, and replace equipment, controls, and wiring on the secondary side of sign disconnecting means; providing the disconnecting means is located on the sign or within sight therefrom. He shall be employed by a licensed sign electrical contractor or electrical contractor, and his installations shall be limited to this category. The holder of such limited license may only countersign a limited electrical contractor's license application as supervising limited electrical installer for work within this category. ()

03. Manufacturing or Assembling Equipment. ()

a. A licensed limited electrical manufacturing or assembling equipment installer must be employed by a licensed limited electrical manufacturing or assembling equipment contractor or electrical contractor, and his installation shall be limited to this category. The holder of such limited license may only countersign a limited electrical contractor's license application as a supervising limited electrical installer for work within this category. ()

b. Any person licensed pursuant to Paragraph 153.03.a. of these rules may install, maintain, repair, and replace equipment, controls, and accessory wiring, integral to the specific equipment, on the load side of the equipment disconnecting means. Electrical service and feeder are to be installed by others. The licensee may also install circuitry in modules or fabricated enclosures for the purpose of connecting the necessary components which individually bear a label from a nationally recognized testing laboratory when such equipment is designed and manufactured for a specific job installation. All wiring completed shall meet all requirements of Title 54, Chapter

10, Idaho Code, all rules promulgated pursuant thereto, and the most current edition of the National Electrical Code. ()

c. Subsection 153.03 of these rules does not apply to a limited electrical manufacturing or assembling equipment installer installing electrical wiring, equipment, and apparatus in modular buildings as that term is defined in Section 39-4105, Idaho Code. Only journeyman electricians and electrical apprentices, employed by an electrical contractor, may perform such installations. ()

04. Limited Energy Electrical. ()

a. Limited energy systems are defined as fire and security alarm systems, class 2 and class 3 signaling circuits, key card operators, nurse call systems, motor and electrical apparatus controls and other limited energy applications covered by the NEC. ()

b. Limited energy systems do not include, and no license of any type is required for, the installation of landscape sprinkler controls or communication circuits, wires and apparatus that include telephone systems, telegraph facilities, outside wiring for fire and security alarm systems which are used for communication purposes, and central station systems of a similar nature, PBX systems, audio-visual and sound systems, public address and intercom systems, data communication systems, radio and television systems, antenna systems and other similar systems. ()

c. Unless exempted by Section 54-1016, Idaho Code, any person who installs, maintains, replaces or repairs electrical wiring and equipment for limited energy systems in facilities other than one (1) or two (2) family dwellings shall be required to have a valid limited energy limited electrical license and must be employed by a licensed limited energy limited electrical contractor or electrical contractor. The holder of such limited license may only countersign a limited electrical contractor's application as a supervising limited electrical installer for work within this category. ()

05. Irrigation Sprinkler Electrical. Any person qualifying for and having in his possession, an irrigation system electrical license may install, maintain, repair and replace equipment, controls and wiring beyond the disconnect switch supplying power to the electric irrigation machine. The irrigation machine is considered to include the hardware, motors and controls of the irrigation machine and underground conductors connecting the control centers on the irrigation machine to the load side of the disconnecting device. Disconnect device to be installed by others. All such installations performed by individuals under this Subsection shall be done in accordance with the applicable provisions of the National Electrical Code. He shall be employed by a licensed limited electrical contractor whose license is contingent upon the granting of a limited electrical license to an employee, and his installations shall be limited to this category. The holder of such limited license may not countersign a limited electrical contractor's license application as supervising limited electrical installer except for work within this category. ()

06. Well Driller and Water Pump Installer. All installations performed by individuals under this Subsection shall be done in accordance with the applicable provisions of the approved National Electrical Code. A license holder in this category shall be employed by a licensed well driller and water pump installer limited electrical contractor or electrical contractor, and his installations shall be limited to this category. The holder of such limited license may only countersign a limited electrical contractor's license application as supervising limited electrical installer for work within this category. Any person currently licensed in this category may perform the following types of installations: ()

a. Single or three (3) phase water pumps: install, maintain, repair and replace all electrical equipment, wires, and accessories from the pump motor up to the load side, including fuses, of the disconnecting device. Disconnecting device to be installed by others. ()

b. Domestic water pumps, one hundred twenty/two hundred forty (120/240) volt, single phase, sixty (60) amps or less: Install, maintain, repair and replace all electrical equipment, wires, and accessories from the pump motor up to and including the disconnecting device. ()

c. Temporarily connect into a power source to test the installations, provided that all test wiring is removed before the installer leaves the site. ()

d. Individual residential wastewater pumping units. Install, maintain, repair and replace all electrical equipment, wires, and accessories from the pump motor up to and including the disconnecting device for systems that serve one-family, two-family, or three-family residential installations. ()

07. Refrigeration, Heating, and Air-Conditioning Electrical Installer. All installation, maintenance, and repair performed by individuals under this Subsection shall be done in accordance with applicable provisions of the National Electrical Code. A license holder in this category shall be employed by a licensed limited electrical contractor whose license shall be covered by this category or electrical contractor, and his installations shall be limited to this category. The holder of such limited license may only countersign a limited electrical contractor's license application as a supervising limited electrical installer for work in this category. Any person currently licensed in this category may perform the following types of installations, which installations shall be limited to factory-assembled, packaged units: ()

a. Heating Units (single phase): install, repair, and maintain all electrical equipment, wires, and accessories from the unit up to the load side, including fuses, of the disconnecting device. Disconnecting device to be installed by others. ()

b. Refrigeration, Air-Conditioning Equipment and Heat Pumps (single phase): install, repair, and maintain all electrical equipment, wires, and accessories from the unit up to the load side, including fuses, of the disconnecting device. Disconnecting device to be installed by others. ()

c. Refrigeration, Air-Conditioning and Heating Systems (three (3) phase): install, maintain, and repair all electrical equipment and accessories up to the load side, including fuses, of the disconnecting device. Disconnecting device to be installed by others. ()

08. Outside Wireman. All installation, maintenance, and repair not exempt under the provisions of Section 54-1016, Idaho Code, performed by individuals under this Subsection shall be done in accordance with the applicable provisions of the National Electrical Code. A license holder in this category shall be employed by a licensed limited electrical contractor whose license shall be covered by this category or electrical contractor, and his installations shall be limited to this category. The holder of such limited electrical license may only countersign a limited electrical contractor's license application as a supervising limited electrical installer for work in this category. Applicants for this license category shall provide documentation of having completed an electrical lineman apprenticeship program or similar program approved by the U.S. Department of Labor, Office of Apprenticeship. Any person currently licensed in this category may perform the following types of installations: ()

a. Overhead distribution and transmission lines in excess of six hundred (600) volts. ()

b. Underground distribution and transmission lines in excess of six hundred (600) volts. ()

c. Substation and switchyard construction in excess of six hundred (600) volts. ()

09. Solar Photovoltaic. All installation, maintenance, and repair not exempt under the provisions of Section 54-1016, Idaho Code, performed by individuals under this Subsection shall be done in accordance with the applicable provisions of the National Electrical Code. A license holder in this category shall be employed by a licensed limited electrical contractor whose license shall be covered by this category or electrical contractor, and his installations shall be limited to this category. The holder of such limited electrical license may only countersign a limited electrical contractor's application as a supervising limited electrical installer for work in this category. Applicants for this license category shall provide proof of photovoltaic installer certification by the North American Board of Certified Energy Practitioners (NABCEP) or equivalent. Any person licensed in this category may perform the following types of installations: ()

a. Solar Photovoltaic DC Systems: Install, maintain, repair, and replace all electrical equipment, wires, and accessories up to and including the inverter. ()

b. Solar Photovoltaic micro-inverter/AC Systems: Install, maintain, repair, and replace all electrical equipment, wires, and accessories up to and including the AC combiner box. ()

154. -- 199. (RESERVED)

SUBCHAPTER E – EXAMINATIONS

(Rules 200 through 249)

200. EXAMINATIONS.

01. **Required Scores.** Applicants are required to achieve a minimum of 75% exam scores prior to issuance of the appropriate license or certification.

02. **Failed Examinations.** ()

a. An applicant receiving less than a passing score on a first or second examination attempt may be reexamined after providing proof satisfactory to the Board, of completion of a minimum of twenty-four (24) hours of Board-approved related electrical training or continuing education since the date of the last failed examination. ()

201. -- 249. (RESERVED)

SUBCHAPTER F – USE OF THE NATIONAL ELECTRICAL CODE

(Rules 200 through 299)

250. ADOPTION AND INCORPORATION BY REFERENCE OF THE NATIONAL ELECTRICAL CODE.

01. **Documents.** Under the provisions of Section 54-1001, Idaho Code, the National Electrical Code, 2017 Edition, (herein NEC) is hereby adopted and incorporated by reference for the state of Idaho and are in full force and effect on and after July 1, 2017, with the following amendments: ()

a. Article 110.3(A) and 110.3(B) shall not apply to submersible well pumps installed in swimming and marine areas; provided however, such articles shall apply to all other equipment required in the installation of a submersible well pump in such areas except for the actual submersible well pump itself. ()

b. Article 210.8(A)(7) Sinks. Delete article 210.8(A)(7) and replace with the following: Sinks - located in areas other than kitchens where receptacles are installed within one and eight tenths (1.8) meters (six (6) feet) of the outside edge of the sink. ()

c. Article 210.8(A)(10). Delete article 210.8(A)(10). ()

d. Article 210.8(D). Delete article 210.8(D). ()

e. Article 210.52(E)(3). Delete article 210.52(E)(3) and replace with the following: Balconies, Decks, and Porches. Balconies, decks, and porches having an overall area of twenty (20) square feet or more that are accessible from inside the dwelling unit shall have at least one (1) receptacle outlet installed within the perimeter of the balcony, deck, or porch. The receptacle shall not be located more than two (2.0) meters (six and one half (6½) feet) above the balcony, deck, or porch surface. ()

f. Add a new Article 225.30(F) – One (1)- or Two (2)-Family Dwelling Unit(s). For a one (1)- or two (2)-family dwelling unit(s) with multiple feeders with conductors one aught (1/0) or larger, it shall be permissible to install not more than six (6) disconnects grouped at one (1) location where the feeders enter the building, provided that the feeder conductors originate at the same switchboard, panelboard, or overcurrent

protective device location. ()

g. Where the height of a crawl space does not exceed one and four tenths (1.4) meters or four and one half (4.5) feet it shall be permissible to secure NM cables, that run at angles with joist, to the bottom edge of joist. NM cables that run within two and one tenth (2.1) meters or seven (7) feet of crawl space access shall comply with Article 320.23. ()

h. Article 334.10(3). Delete Article 334.10(3) and replace with the following: Other structures permitted to be of Types III, IV, and V construction. Cables shall be concealed within walls, floors, or ceilings that provide a thermal barrier of material that has at least a fifteen (15)-minute finish rating as identified in listings of fire-rated assemblies. For the purpose of this section, cables located in attics and underfloor areas that are not designed to be occupied shall be considered concealed. ()

i. Article 675.8(B). Compliance with Article 675.8(B) will include the additional requirement that a disconnecting means always be provided at the point of service from the utility no matter where the disconnecting means for the machine is located. ()

j. Article 682.10 shall not apply to submersible well pumps installed in swimming and marine areas; provided however, such articles shall apply to all other equipment required in the installation of a submersible well pump in such areas except for the actual submersible well pump itself. ()

k. Article 682.11. Add the following exception to Article 682.11: This article shall not apply to service equipment that is located on or at the dwelling unit and which is not susceptible to flooding. ()

l. Article 682.13. Add the following exceptions to Article 682.13: ()

i. Exception No 1. Wiring methods such as HDPE schedule eighty (80) electrical conduit or its equivalent or greater, and clearly marked at a minimum "Caution Electrical" to indicate that it contains electrical conductors shall be approved. It shall be buried whenever practical, and in accordance with the requirements of the authority having jurisdiction. The use of gray HDPE water pipe rated at two hundred (200) PSI (e.g. SIDR-7 or DR-9) is suitable for use as a chase only when the following conditions are met: ()

(1) When internal conductors are jacketed submersible pump cable. ()

(2) When used in continuous lengths, directly buried, or secured on a shoreline above and below the water line. ()

(3) When submersible pump wiring terminations in the body of water according to 682.13 Exception No. 2 are met. ()

ii. Exception No 2. Any listed and approved splices required to be made at the submersible well pump itself, outside of a recognized submersed pump sleeve or housing, when wires are too large to be housed inside such sleeve, shall be covered with a non-metallic, impact resistant material, no less than one quarter (.25) inches thick, such as heavy duty heat shrink or other equivalent method approved by the authority having jurisdiction. (Eg. install a heat shrink over the sleeve or housing that the submersible well pump is installed in, and then recover (apply heat) the heat shrink over both the HDPE and the water line). At least six (6) inches shall be over the sleeve and at least twelve (12) inches over the HDPE and water line. ()

iii. Exception No. 3. Pipe, conduit, PVC well casing, or other electrically unlisted tubing may be used as a chase, but not as a raceway, to protect conductors or cables from physical damage. Conductors or cables within a chase shall be rated for the location. ()

m. Article 682.14. Add the following additional exception to Article 682.14: For installations of submersible well pumps installed in public swimming and marine areas, submersible well pumps shall be considered directly connected and shall be anchored in place. Ballast is an acceptable form of anchoring. ()

n. Article 682.14(A). Add the following exception to Article 682.14(A): For installations of submersible well pumps installed in public swimming and marine areas, motor controller circuits such as remotely located stop pushbutton/s, disconnect/s, relay/s or switches shall be permitted as a required disconnecting means. Such circuits shall be identified at a minimum as “Emergency Pump Stop”, or “Emergency Stop” with other obvious indications on the visible side of the enclosure, that it controls a submersible pump in the body of water. ()

o. Article 682.15. Add the following exceptions to Article 682.15: ()

i. Exception No. 1. Submersible pumps, and their motor leads, located in bodies of water, and that are rated sixty (60) amperes maximum, two hundred fifty (250) volts maximum of any phase, shall have GFCI or Ground Fault Equipment Protection designed to trip at a maximum of thirty (30) milliamps or less, protected by means selected by a licensed installer, meeting listing or labeling requirements, and inspected by the AHJ prior to submersion in bodies of water. ()

ii. Exception No. 2. Installations or repair and replacement of submersible pumps located in bodies of water, that are rated over sixty (60) amperes, and rated at any voltage, shall be evaluated by a qualified designer or experienced licensed contractor, or involve engineering or be engineered, for each specific application, with the goal of public safety. Whenever possible, GFCI or Ground Fault Equipment Protection designed to trip at a maximum of thirty (30) milliamps or less, meeting listing or labeling requirements, shall be installed, and inspected by the AHJ prior to submersion in bodies of water. ()

p. Article 550.32(B). Compliance with Article 550.32(B) shall limit installation of a service on a manufactured home to those homes manufactured after January 1, 1992. ()

q. Poles used as lighting standards that are forty (40) feet or less in nominal height and that support no more than four (4) luminaires operating at a nominal voltage of three hundred (300) volts or less, shall not be considered to constitute a structure as that term is defined by the National Electrical Code (NEC). The disconnecting means shall not be mounted to the pole. The disconnecting means may be permitted elsewhere in accordance with NEC, Article 225.32, exception 3. SEC special purpose fuseable connectors (model SEC 1791-DF or model SEC 1791-SF) or equivalent shall be installed in a listed handhole (underground) enclosure. The enclosure shall be appropriately grounded and bonded per the requirements of the NEC applicable to Article 230-Services. Overcurrent protection shall be provided by a (fast-acting – minimum - 100K RMS Amps 600 VAC) rated fuse. Wiring within the pole for the luminaires shall be protected by supplementary overcurrent device (time-delay – minimum - 10K RMS Amps 600 VAC) in break-a-away fuse holder accessible from the hand hole. Any poles supporting or incorporating utilization equipment or exceeding the prescribed number of luminaires, or in excess of forty (40) feet, shall be considered structures, and an appropriate service disconnecting means shall be required per the NEC. All luminaire-supporting poles shall be appropriately grounded and bonded per the NEC. ()

r. Compliance with Article 210.12 Arc-Fault Circuit-Interrupter Protection. Article 210.12 shall apply in full. Exception: In dwelling units Arc-Fault Circuit-Interrupter Protection shall only apply to all branch circuits and outlets supplying bedrooms. All other locations in dwelling units are exempt from the requirements of Article 210.12. ()

02. **Availability.** A copy of the National Electrical Code is available at the offices of the Division. ()

251. --299. **(RESERVED)**

SUBCHAPTER G – CONTINUING EDUCATION REQUIREMENTS

(Rules 300 through 349)

300. CONTINUING EDUCATION REQUIREMENTS.

Journeyman and master electricians must complete at least twenty-four (24) hours of continuing education instruction in every three (3) year period between renewals of such licenses. The twenty-four (24) hours of instruction shall consist of eight (8) hours of code update covering changes included in the latest edition of the

National Electrical Code. The remaining sixteen (16) hours may consist of any combination of code-update training, code-related training, or industry-related training. Proof of completion of these continuing education requirements must be submitted to the Division prior to or with the application for license renewal by any such licensee in order to renew a journeyman or master electrician license for the code change year.

01. Completion of continuing education requirements will be verified by the Division prior to, or with the application for licensure renewal by any licensee in order to renew a license.
()

301. -- 399. (RESERVED)

SUBCHAPTER I – CERTIFICATION AND APPROVAL OF ELECTRICAL PRODUCTS AND MATERIALS

(Rules 400 through 449)

400. CERTIFICATION AND APPROVAL OF ELECTRICAL PRODUCTS AND MATERIALS.

In the state of Idaho, all materials, devices, fittings, equipment, apparatus, luminaires, and appliances installed or to be used in installations that are supplied with electric energy shall be approved as provided in one (1) of the following methods: ()

01. **Testing Laboratory.** Be tested, examined, and certified (Listed) by a Nationally Recognized Testing Laboratory (NRTL). ()

02. **Field Evaluation.** Non-listed electrical equipment may be approved for use through a field evaluation process performed in accordance with recognized practices and procedures such as those contained in the 2012 edition of NFPA 791 - Recommended Practice and Procedures for Unlabeled Electrical Equipment Evaluation published by the National Fire Protection Association (NFPA). Such evaluations shall be conducted by: ()

a. The authority having jurisdiction; ()

b. A field evaluation body approved by the authority having jurisdiction. The field evaluation body shall meet minimum recognized standards for competency, such as NFPA 790 - Standard for Competency of Third-Party Field Evaluation Bodies, 2012 edition, published by the National Fire Protection Association (NFPA); or

c. In the case of industrial machinery only, as defined by NFPA 79 - Electrical Standard for Industrial Machinery, 2012 edition, a field evaluation may be performed by a professional engineer currently licensed to practice electrical engineering by the state of Idaho and who is not involved in the design of the equipment being evaluated or the facility in which the equipment is to be installed. ()

03. **Availability of NFPA Standards.** The most recent edition of NFPA 790 - Standard for Competency of Third-Party Field Evaluation Bodies, and NFPA 791 - Recommended Practice and Procedures for Unlabeled Electrical Equipment Evaluation published by the National Fire Protection Association (NFPA) are available at the Division. ()

401. -- 449. (RESERVED)

SUBCHAPTER J – CIVIL PENALTIES

(Rules 450 through 499)

450. CIVIL PENALTIES.

Except for the acts described in Subsections 450.01 and 450.11 of this rule, the acts described in this section shall subject the violator to a civil penalty of not more than two hundred dollars (\$200) for the first offense and not more than one thousand dollars (\$1,000) for each offense that occurs thereafter within one (1) year of an earlier violation. ()

01. Electrical Contractor. Except as provided by Section 54-1016, Idaho Code, any person who acts, or purports to act as an electrical contractor, as defined by Section 54-1003A, Idaho Code, without a valid Idaho state electrical contractor's license shall be subject to a civil penalty of not more than five hundred dollars (\$500) for the first offense and a civil penalty of not more than one thousand dollars (\$1,000) for each offense thereafter. ()

02. Employees. Any person, who knowingly employs a person who does not hold a valid Idaho state electrical license or registration as required by Section 54-1010, Idaho Code, to perform electrical installations. ()

03. License or Registration. Except as provided by Section 54-1016, Idaho Code, any person performing electrical work as a journeyman electrician as defined by Section 54-1003A(2), Idaho Code, limited electrical installer as defined by Section 54-1003A(6), Idaho Code, apprentice electrician as defined by Section 54-1003A(3), Idaho Code, or a limited electrical installer trainee as defined by Section 54-1003A(8), Idaho Code, without a valid license or registration. ()

04. Journeyman to Apprentice Ratio. Any electrical contractor or facility account employing electricians in violation of the journeyman to apprentice ratio established by the Board. ()

05. Supervision. Any contractor failing to provide constant on-the-job supervision to apprentice electricians or trainees by a qualified journeyman electrician or limited electrical installer. ()

06. Performance Outside Scope of License. Any limited electrical contractor or limited electrical installer performing electrical installations, alterations or maintenance outside the scope of the contractor's or installer's limited electrical license. ()

07. Fees and Permits. Any person failing to pay applicable fees or properly post an electrical permit. ()

08. Failure to Request an Inspection. Any person who fails to request an inspection prior to covering an electrical installation or at the completion of an electrical inspection. ()

09. Corrections. Any person who fails to make corrections in the time allotted in the notice on any electrical installation as set forth in Section 54-1004, Idaho Code. ()

10. Failure to Disclose. Any applicant for an electrical registration, license, or certificate of competency who upon request fails to disclose any required information including, but not limited to, their complete licensure history or the fact that they have been previously granted a recognized licensed. ()

11. Gross Violation. In the case of continued, repeated or gross violation of Title 54, Chapter 10, Idaho Code, or these rules, a license revocation shall be initiated for licensees under this chapter and non-licensees shall be subject to prosecution by the appropriate jurisdiction under Idaho law. ()

451. -- 999. (RESERVED)

IDAHO ELECTRICAL BOARD

Agenda Item No. 02

Current Temporary Rules

PRESENTER: Warren Wing, Electrical Program Manager

OBJECTIVE: Rescind all current temporary electrical rules – IDAPA 24.39.10

ACTION: Vote to rescind current temporary electrical rules.

BACKGROUND: Administrative rule chapters presented to the 2021 legislature have not taken effect based on the actions of the legislature; the Senate adjourned *sine die* on May 12th and the House recessed subject to the call of the Speaker, no later than December 31st. Therefore, all current temporary rules, including existing fee rules, will expire upon *sine die* which could be as late as December 31st and all existing non-fee rules will expire on June 30th due to legislative inaction. Due to the circumstances, executive administrative action is needed to ensure existing rules remain in effect.

PROCEDURAL HISTORY:

ATTACHMENTS: No Documentation



IDAHO ELECTRICAL BOARD

Agenda Item No. 03

Adopt Temporary Omnibus Rules

PRESENTER: Warren Wing, Electrical Program Manager

OBJECTIVE: Approve temporary omnibus electrical rules – IDAPA 24.39.10

ACTION: Vote to approve the adoption of temporary omnibus electrical rules.

BACKGROUND: Administrative rule chapters presented to the 2021 legislature have not taken effect based on the actions of the legislature; the Senate adjourned *sine die* on May 12th and the House recessed subject to the call of the Speaker, no later than December 31st. Therefore, all current temporary rules, including existing fee rules, will expire upon *sine die* which could be as late as December 31st and all existing non-fee rules will expire on June 30th due to legislative inaction. Due to the circumstances, executive administrative action is needed to ensure existing rules remain in effect.

PROCEDURAL HISTORY:

ATTACHMENTS: No Documentation

