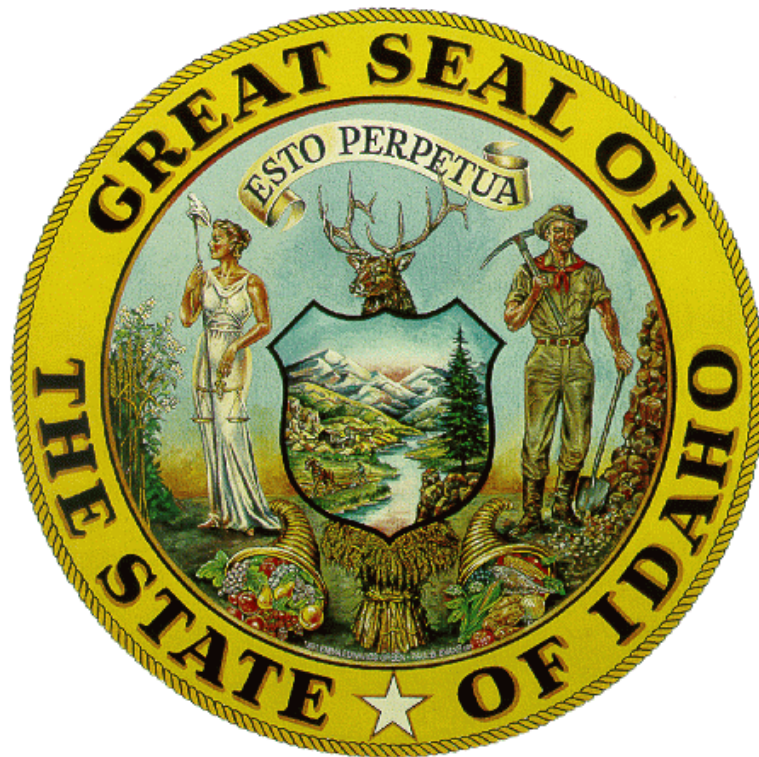


DIVISION OF BUILDING SAFETY

IDAHO HEATING, VENTILATION AND
AIR CONDITIONING BOARD
SPECIAL MEETING

JUNE 18, 2021



TENTATIVE AGENDA

NOTICE OF PUBLIC HEARING / PUBLIC MEETING

IDAHO HVAC 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**

Friday, June 18, 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 – Ted Sermon, Chairman
o Roll Call & Introductions

PUBLIC HEARING/COMMENTS

1. Omnibus Temporary Rule Chapter Proposal--IDAPA 24.39.70 – Michael Hyde, HVAC Program Manager

ACTION AGENDA

2. Vote to Rescind Existing Temporary Rule Chapter--IDAPA 24.39.70 – Michael Hyde, HVAC Program Manager
3. Vote to Adopt Temporary Omnibus Rule Chapter--IDAPA 24.39.70 – Michael Hyde, HVAC Program Manager

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 HEATING, VENTILATION AND AIR CONDITIONING BOARD

Agenda Item No. 01

Temporary Omnibus Rules

PRESENTER: Michael Hyde, HVAC Program Manager

OBJECTIVE: Public comment on temporary omnibus HVAC rules – IDAPA 24.39.70

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.

ATTACHMENTS: Proposed Omnibus HVAC Rules



**24.39.70 – RULES GOVERNING INSTALLATION OF HEATING, VENTILATION,
AND AIR CONDITIONING SYSTEMS**

000. LEGAL AUTHORITY.

The rules are promulgated pursuant to Sections 54-5001 and 54-5005(2), Idaho Code. ()

001. SCOPE.

01. The rules establish the minimum standards for heating, ventilation, and air conditioning (HVAC) installation practice, certification, registration, and educational programs. ()

002. ADOPTION AND INCORPORATION BY REFERENCE OF THE INTERNATIONAL MECHANICAL CODE, THE INTERNATIONAL FUEL GAS CODE, AND PART V (MECHANICAL) AND PART VI (FUEL GAS) OF THE INTERNATIONAL RESIDENTIAL CODE FOR ONE (1)- AND TWO (2)-FAMILY DWELLINGS.

01. International Mechanical Code. The 2018 Edition, including appendix “A,” (herein IMC) is adopted and incorporated by reference with the following amendments: ()

a. Where differences occur between the IMC and Title 54, Chapter 50, Idaho Code and IDAPA 07, Title 07, the provisions in Idaho Code and IDAPA rules apply. ()

b. All references to the International Plumbing Code (IPC) are construed as referring to the Idaho State Plumbing Code (ISPC) as adopted and amended by the Idaho State Plumbing Board. ()

c. All references to the International Code Council Electrical Code (ICC EC) are construed as referring to the National Electrical Code (NEC) as adopted and amended by the Idaho State Electrical Board. ()

d. Section 109. Delete. ()

e. Section 202 Definitions. Delete the definitions provided in the code for the terms identified herein this paragraph and replace with the following: ()

i. Light-Duty Cooking Appliance. Light-duty cooking appliances include gas and electric ovens (including standard, bake, roasting, revolving, retherm, convection, combination convection/steamer, countertop conveyerized baking/finishing, deck, pastry, and electric and gas conveyor pizza ovens), electric and gas steam jacketed kettles, electric and gas pasta cookers, electric and gas compartment steamers (both pressure and atmospheric) and electric and gas cheesemelters. ()

ii. Medium-Duty Cooking Appliance. Medium-duty cooking appliances include electric discrete element ranges (with or without oven), electric and gas hot-top ranges, electric and gas griddles, electric and gas double sided griddles, electric and gas fryers (including open deep fat fryers, donut fryers, kettle fryers and pressure fryers), electric and gas tilting skillets (braising pans) and electric and gas rotisseries. ()

f. Section 401.1 Scope. Add the following: Exception: The principles specified in ASHREA 62-2010 may be used as an alternative to this chapter to demonstrate compliance with required ventilation air for occupants. ()

g. Section 504.8.1 Material and size. Add the following exception: Dryer duct may be constructed of 0.013 (30 gauge) or equivalent if prefabricated 0.016 (28 gauge) ducts and fittings are not available. ()

h. Table 603.4 Duct Construction Minimum Sheet Metal Thickness for Single Dwelling Units. Add the following exception to the Table: Round duct, enclosed rectangular ducts and fittings less than fourteen (14)

inches may be constructed of 0.013 (30 gauge) or equivalent if prefabricated 0.016 (28 gauge) ducts and fittings are not available. ()

02. International Fuel Gas Code. The 2018 Edition, including appendixes “A, B, C, and D,” (herein IFGC) is adopted and incorporated by reference with the following amendments: ()

a. Where differences occur between the IFGC and Title 54, Chapter 50, Idaho Code and IDAPA 07, Title 07, the provisions in Idaho Code and IDAPA rules apply. ()

b. All references to the International Plumbing Code (IPC) are construed as referring to the Idaho State Plumbing Code (ISPC) as adopted and amended by the Idaho State Plumbing Board. ()

c. All references to the International Code Council Electrical Code (ICC EC) are construed as referring to the National Electrical Code (NEC) as adopted and amended by the Idaho State Electrical Board. ()

d. Section 109. Delete. ()

e. Section 406.4. Change the last sentence to: Mechanical gauges used to measure test pressure must have a range such that the highest end of the scale is not greater than two (2) times the test pressure nor lower than one and one-half (1.5) times the test pressure. ()

f. Section 406.4.1. Test Pressure. Not less than twenty (20) psig (140kPa gauge) test pressure is required for systems with a maximum working pressure up to ten (10) inches water column. For systems with a maximum working pressure between ten (10) inches water column and ten (10) psig (70kPa gauge); not less than sixty (60) psig (420kPa gauge) test pressure is required. For systems over ten (10) psig (70kPa gauge) working pressure, minimum test pressure may be no less than six (6) times working pressure. ()

g. Section 406.4.2. The test duration may not be less than twenty (20) minutes. ()

h. Add a new section 503.4.1.2 as follows: Testing. All plastic pipe within a dwelling used for venting flue gases must be tested at five (5) psi for fifteen (15) minutes. ()

i. Section 505.1.1. Addition. An interlock between the cooking appliance and the exhaust hood system is not be required for appliances that are of the manually operated type and are factory equipped with standing pilot burner ignition systems. ()

03. Part V (Mechanical) and Part VI (Fuel Gas) of the International Residential Code for One (1)- and Two (2)-Family Dwellings. The 2018 Edition, including appendixes “A, B, C, and D,” (herein IRC) is adopted and incorporated by reference with the following amendments: ()

a. Where differences occur between the IRC and Title 54, Chapter 50, Idaho Code, and IDAPA 07, Title 07, Chapter 01, the provisions in Idaho Code and IDAPA rules apply. ()

b. All references to the International Plumbing Code (IPC) are construed as referring to the Idaho State Plumbing Code (ISPC) as adopted and amended by the Idaho State Plumbing Board. ()

c. All references to the International Code Council Electrical Code (ICC EC) are construed as referring to the National Electrical Code (NEC) as adopted and amended by the Idaho State Electrical Board. ()

d. Add the following as section M1201.3 and section G2402.4 (201.4): Alternative materials, design and methods of construction equipment. The provisions of this part of the code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this code, provided that any such alternative has been approved. An alternative material, design or method of construction must be approved where the authority having jurisdiction finds that the proposed design is satisfactory

and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this code. Compliance with the specific performance-based provisions of this part of the code in lieu of specific requirements of this code will also be permitted as an alternate. ()

e. Add the following as section M1201.3.1 and section G2402.4.1 (201.4.1): Tests. Whenever there is insufficient evidence of compliance with the provisions of this part of the code, or evidence that a material or method does not conform to the requirements of this part of the code, or in order to substantiate claims for alternative materials or methods, the authority having jurisdiction has the authority to require tests as evidence of compliance to be made at no expense to the jurisdiction. Test methods are as specified in this code or by other recognized test standards. In the absence of recognized and accepted test methods, the authority having jurisdiction approves the testing procedures. Tests must be performed by an approved agency. Reports of such tests must be retained by the authority having jurisdiction for the period required for retention of public records. ()

f. Add the following as section M1203.1: Carbon monoxide alarms. For new construction, an approved carbon monoxide alarm must be installed outside of each separate sleeping area in the immediate vicinity of the bedrooms in dwelling units within which fuel-fired appliances are installed and in dwelling units that have attached garages. ()

g. Add the following as section M1203.2: Where required in existing dwellings. Where work requiring a permit occurs in existing dwellings that have attached garages or in existing dwellings within which fuel-fired appliances exist, carbon monoxide alarms must be provided in accordance with Subsection 004.03.f. of these rules. ()

h. Add the following as section M1203.3: Alarm requirements. Single station carbon monoxide alarms must be listed as complying with UL 2034 and must be installed in accordance with this code and the manufacturer's installation instructions. ()

i. Section M1502.4.1 Material and size. Add the following exception: Dryer duct may be constructed of 0.013 (30 gauge) or equivalent if prefabricated 0.016 (28 gauge) ducts and fittings are not available. ()

j. Delete Section M1502.4.2 Duct Installation and replace with the following: Exhaust ducts must be supported at four (4) foot (1,219 mm) intervals and secured in place. The insert end of the duct must extend into the adjoining duct or fitting in the direction of airflow. Ducts must not be joined with screws or similar fasteners that protrude into the inside of the duct. ()

k. Table M1601.1.1 (2) Gauges of Metal Ducts and Plenums Used for Heating or Cooling. Add the following exception: Round duct, enclosed rectangular ducts and fittings less than fourteen (14) inches may be constructed of 0.013 (30 gauge) or equivalent if prefabricated 0.016 (28 gauge) ducts and fittings are not available. ()

l. Section G2417.4 (406.4). Change the last sentence to: Mechanical gauges used to measure test pressure must have a range such that the highest end of the scale is not greater than two (2) times the test pressure nor lower than one and one-half (1.5) times the test pressure. ()

m. Section G2417.4.1 (406.4.1). Test Pressure. Not less than twenty (20) psig (one hundred forty (140) kPa gauge) test pressure is required for systems with a maximum working pressure up to ten (10) inches water column. For systems with a maximum working pressure between ten (10) inches water column and ten (10) psig (seventy (70) kPa gauge), not less than sixty (60) psig (four hundred twenty (420) kPa gauge) test pressure is required. For systems over ten (10) psig (seventy (70) kPa gauge) working pressure, minimum test pressure may be no less than six (6) times working pressure. ()

n. Section G2417.4.2 (406.4.2). The test duration may not be less than twenty (20) minutes. ()

o. Add a new section G2427.4.1.2 as follows: Testing. All plastic pipe within a dwelling used for

venting flue gases must be tested at five (5) psi for fifteen (15) minutes. ()

003. CHANGES IN NAME AND ADDRESS

01. Change of Name. Whenever a change of name or mailing address occurs for a certified contractor, journeyman, specialty journeyman, specialty contractor, registered apprentice, or specialty apprentice, the Board must be notified immediately, in writing, of the change. Documentation confirming the change of name must be provided to the Board on request. ()

004. DEFINITIONS.

01. Additional Definitions. Terms defined in Section 54-5003, Idaho Code, will have the same meaning when utilized in these rules. ()

02. Recognized Jurisdiction. A jurisdiction with an HVAC program that is recognized by the Board as being substantially equivalent to Idaho's HVAC program. ()

005. CERTIFICATES OF COMPETENCY -- ISSUANCE, RENEWAL, EXPIRATION -- REVIVAL.

01. Issuance. Certificates of competency will be issued in such a manner as to create a renewal date that coincides with the birth month of the individual to whom the certificate is issued and allows for renewals every three (3) years. Certificates of competency are issued for a period of no less than one (1) year and no more than (3) three years. The fee for issuance of certificates of competency will be prorated based on the number of months for which the certificate is issued. ()

02. Renewal. Certificates of competency will be renewed using the birth month of the individual to whom the certificate is issued as the expiration date. Certificates of competency are renewed for a period of no less than one (1) year and no more than three (3) years. The fee for renewal of certificates of competency will be prorated based on the number of months for which the certificate is issued. ()

03. Expiration-Revival. Revived certificates will be issued in such a manner as to create a renewal date that coincides with the birth month of the applicant so as to create a staggered system of renewal. ()

006. -- 010. (RESERVED)

011. HVAC CONTRACTOR CERTIFICATE OF COMPETENCY - REQUIREMENTS.

01. Bond. Applicants must provide a compliance bond in the amount of two thousand dollars (\$2,000). Any such bond is required to be effective for the duration of the contractor licensing period. ()

02. Qualification. Applicants must provide proof, satisfactory to the Board, of having legally acted as an HVAC journeyman for a period of not less than twenty-four (24) months. ()

03. Examination. Applicants for certification as HVAC contractors must successfully complete the examination designated by the Board. ()

04. Out-of-State Contractor Applications. ()

a. An out-of-state applicant for a contractor certificate of competency shall first obtain an Idaho journeyman certificate of competency in accordance with Section 023 of these rules. The applicant shall pay all applicable application and examination fees to the Division and successfully complete the contractor examination administered by the Division. The applicant shall file the compliance bond required by Section 54-5007, Idaho Code, with the Division upon successful completion of the examination. Applications that are incomplete in any detail will be returned as unacceptable or denied. ()

b. An applicant for a contractor certificate of competency who has previously been licensed as an

HVAC journeyman in a Recognized Jurisdiction shall provide to the Division satisfactory proof of two (2) years of work experience as an HVAC journeyman in such jurisdiction. ()

c. An applicant for a contractor certificate of competency who has never been previously licensed as a journeyman in a Recognized Jurisdiction shall provide proof of four (4) years of experience performing HVAC work of a nature equivalent to that which an HVAC journeyman in Idaho must demonstrate to qualify for a contractor certificate of competency. Proof of such work experience may be provided by the submission of three (3) sworn affidavits from individuals attesting that the applicant has had at least four (4) years' experience performing such work. ()

012. HVAC SPECIALTY CONTRACTOR CERTIFICATE OF COMPETENCY - REQUIREMENTS.

Applicants for certification as HVAC specialty contractors must: ()

01. Bond. Provide a compliance bond in the amount of two thousand dollars (\$2,000). Any such bond is required to be effective for the duration of the contractor licensing period. ()

02. Qualification. Provide proof, satisfactory to the board, of having legally acted as an HVAC specialty journeyman for a period of not less than twenty four (24) months. ()

03. Examination. Successfully complete the examination designated by the board. ()

013. HVAC JOURNEYMAN CERTIFICATES OF COMPETENCY AND EXAMINATION REQUIREMENTS.

01. Certificate of Competency Requirements. To obtain a journeyman certificate of competency, an applicant shall submit to the Division sufficient evidence demonstrating the applicant has successfully completed the journeyman examination and four (4) years, defined as a minimum of eight thousand (8,000) hours of work experience as a registered apprentice making installations on the job under the supervision of a qualified journeyman. Notwithstanding the requirement that an apprentice demonstrate four (4) years of on-the-job work experience under the supervision of a qualified journeyman, any apprentice who successfully completes a Board-approved, full-time, one (1)-academic-year training course may receive credit for up to one (1) year of on-the-job work experience. ()

02. Examination Requirement. To take the journeyman examination, an applicant must submit to the Division sufficient evidence demonstrating the applicant has successfully completed a Board-approved training course. ()

03. Out of State Journeyman Applications. ()

a. An out-of-state applicant for a journeyman certificate of competency shall pay all applicable application and examination fees to the Division, and successfully complete the journeyman examination administered by the Division. ()

b. Exhibition of a license issued by another Recognized Jurisdiction may be accepted as proof of meeting the experience and schooling requirements listed in Subsections 023.01 and 023.02 of these rules. An applicant for a journeyman certificate of competency who has previously been licensed as a journeyman in a Recognized Jurisdiction must provide satisfactory proof of licensure in such jurisdiction. ()

c. An applicant for a journeyman certificate of competency who has never been previously licensed as a journeyman in a Recognized Jurisdiction must provide one (1) of the following: ()

i. Proof of four (4) years, defined as eight thousand (8,000) hours, of HVAC work experience of a nature equivalent to that which an HVAC apprentice must perform in Idaho and four (4) years of training equivalent to that which an HVAC apprentice must complete in Idaho. ()

ii. Proof of eight (8) years, defined as a minimum of sixteen thousand (16,000) hours, of HVAC work experience of a nature at least equivalent to that which an HVAC apprentice must perform in Idaho. ()

014. HVAC HEARTH SPECIALTY JOURNEYMAN CERTIFICATES OF COMPETENCY LIMITATIONS: REQUIREMENTS.

Certification as a hearth specialty journeyman entitles the holder to install hearth appliances and the associated gas lines. Hearth Specialty Journeymen are required to meet the experience requirement and either the education or examination requirement to receive a certificate of competency. ()

01. Experience. Demonstrate, to the satisfaction of the board, a minimum of one (1) year experience working in the trade, in compliance with the requirements of the state in which the applicant received his supervision, or as a registered HVAC apprentice or registered HVAC specialty apprentice making HVAC installations on the job under the supervision of a qualified HVAC journeyman or qualified HVAC specialty journeyman. ()

02. Education. Successfully complete a board approved training course(s), such as the National Fireplace Institute program and a minimum of sixty (60) hours of education in fuel gas code and piping installation methods. ()

03. Examination. Successfully complete an examination designated by the board. ()

015. HVAC APPRENTICE REQUIREMENTS FOR REGISTRATION.

01. Registration. To become an apprentice, a person shall comply with Section 54-5012, Idaho Code, and be a minimum of eighteen (18) years of age or sixteen (16) years of age if registered by the Bureau of Apprenticeship and Training of the United States Department of Labor. To renew a registration, an apprentice shall show proof of enrollment in a Board-approved training course or completion of eight (8) hours of Board-approved continuing education for each year of the prior registration period. ()

02. Supervision. Each apprentice must work under the supervision of a certified journeyman. ()

016. HVAC SPECIALTY APPRENTICE REQUIREMENTS FOR REGISTRATION.

Requirements for HVAC Specialty Apprentice. ()

01. Age. Minimum of eighteen (18) years of age unless registered in a Bureau of Apprenticeship Training (BAT) certified HVAC training program. ()

02. Training. Maintain enrollment in or successfully complete a training program approved by the board. ()

03. Supervision. Work under the supervision of a certificated HVAC journeyman or certificated HVAC specialty journeyman. ()

017. HVAC WASTE OIL HEATING SPECIALTY JOURNEYMAN CERTIFICATES OF COMPETENCY LIMITATIONS: REQUIREMENTS.

Certification as a waste oil heating specialty journeyman entitles the holder to install non-duct connected waste oil heaters. Waste oil heating specialty journeymen are limited to the maintenance, installation, and repair of the equipment, controls, and piping directly associated with the waste oil heater, tank, and burner only. Any plumbing, electrical, ducting, venting, or associated equipment beyond the waste oil heater, tank, and burner must be installed by others. Applicants for the waste oil heating specialty journeyman certificate of competency must: ()

01. Experience. Demonstrate to the satisfaction of the board, a minimum of one (1) year experience making waste oil heating installations under the supervision of a qualified HVAC journeyman or HVAC Waste Oil Heating specialty journeyman. ()

02. Examination. Successfully complete a waste oil burner manufacturers certification or examination as approved by the board. ()

018. HVAC FUEL GAS PIPING SPECIALTY JOURNEYMAN CERTIFICATES OF COMPETENCY LIMITATIONS: REQUIREMENTS.

Certification as fuel gas piping specialty journeyman entitles the holder to install fuel gas piping only and does not make the final termination. Appliances and the associated gas piping, chimney, and vents must be installed by others. Fuel gas specialty journeymen are required to meet the experience requirement and either the education or examination requirement to receive a certificate of competency. ()

01. Experience. Demonstrate, to the satisfaction of the board, a minimum of one (1) year experience working in the trade, in compliance with the requirements of the state in which the applicant received his supervision, or as a registered HVAC apprentice or registered HVAC specialty apprentice making HVAC installations on the job under the supervision of a qualified HVAC journeyman or qualified HVAC specialty journeyman. ()

02. Education. Successfully complete a board approved training course(s), of a minimum of sixty (60) hours of education in fuel gas code and piping installation methods. ()

03. Examination. Successfully complete an examination designated by the board. ()

019. -- 049. (RESERVED)

050. HVAC PERMITS.

01. HVAC Contractors and HVAC Specialty Contractors. The Division will furnish permits to certified HVAC contractors and HVAC specialty contractors upon request. ()

02. Home Owners. Home owners or a contract purchaser of residential property, making HVAC installations on their own residences, coming under the provisions of Section 54-5002, Idaho Code, must secure an HVAC permit by making application to the Division as provided in Section 54-5016, Idaho Code. ()

03. Transferring a Permit. A HVAC 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 as well as 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 HVAC work is to be performed and for which the permit was issued for such owners' designated legal agent, in cases where the property owner has terminated their legal relationship with the HVAC contractor who originally obtained the permit. An administrative fee in the amount of forty-five dollars (\$45) for the transfer of a permit will be assessed by the Division. ()

051. HVAC PERMIT FEE SCHEDULE.

Permit fees are to cover the cost of inspections as provided by Section 54-5017, Idaho Code. Any person, partnership, company, firm, association, or corporation making an installation must pay to the Division a permit fee as provided in the following schedule: ()

01. Residential. Includes all buildings with HVAC systems being installed on each property. The following permit fees apply to all residential installations:

Type	Fee
Base permit	\$100

Furnace, furnace-air conditioner combination, heat pump, air conditioner, evaporative cooler, unit heater, space heater, decorative gas-fired appliance, incinerator, boiler, pool heater, mini-split system, free-standing solid-fuel stove, factory-built gas fireplace, or similar fixture or appliance, including ducts, vents, and flues attached thereto	Plus \$30 per first fixture or appliance Plus \$15 per additional fixture or appliance
Exhaust duct or ventilation duct, including dryer vents, range hood vents, cook stove vents, bath fan vents, and similar exhaust ducts or ventilation ducts	Plus \$15 per first duct Plus \$5 per additional duct
Fuel gas piping system	Plus \$5 per appliance outlet
Hydronic systems	Plus \$5 per zone

()

02. Miscellaneous. The following permit fees apply for the types of permits listed:

Type	Fee
Requested inspection	\$65 per hour or portion thereof plus costs of out-of-state travel
Mobile or manufactured home	\$65 per inspection
Modular building	
Plan check or technical service	\$65 per hour or portion thereof

()

03. Other Installations Including Industrial and Commercial. The permit fees listed in this Subsection apply to installations not specifically mentioned elsewhere in this schedule. The HVAC system cost is the cost to the owner of labor charges and other costs incurred to complete the installation of equipment and materials installed as part of the HVAC system. All permit fees calculated under this Subsection are based on the total HVAC system cost, which must be listed on the permit.

HVAC System Cost	Fee
Up to \$10,000	\$60 plus 2% of HVAC system cost
\$10,000 to \$100,000	\$260 plus 1% of HVAC system cost exceeding \$10,000
Over \$100,000	\$1,160 plus 5% of HVAC system cost exceeding \$100,000

052. REQUIRED INSPECTIONS.

01. Inspection Tags. Inspectors certify to the permit holder that an inspection has been done by securely attaching the inspection tag in a prominent location. ()

a. Final Inspection Tags. An inspection tag indicating that a final inspection has been performed is attached when the HVAC installation as specified on the permit is complete and conforms to the requirements of the code and rules. ()

b. Inspection Tags for Unacceptable HVAC Installations. “Notice of Correction” inspection tags are

attached to indicate that the HVAC installation is not acceptable and that corrections are required. ()

c. **Work-in-Progress Tag.** An inspection tag indicating that a work-in-progress inspection has been performed is attached following inspection of ground work, rough-in work, or any portion of the installation that is to be covered or otherwise concealed before completion of the entire HVAC installation as specified on the permit. ()

053. INSPECTOR QUALIFICATIONS.

In accordance with Section 54-5021, Idaho Code, all mechanical inspectors in Idaho employed by the state or a local government must hold an inspector certification as a commercial or residential mechanical inspector, as appropriate depending on the type of mechanical work being inspected. Mechanical inspectors must obtain the requisite certification from either the International Association of Plumbing and Mechanical Officials (IAPMO), the International Code Council (ICC), or other professional certifying body as approved by the board. ()

054. CIVIL PENALTIES.

Except for the acts described in Subsections 070.01 and 07.08 of these rules, the acts described in this section 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. Heating, Ventilation, and Air Conditioning Contractor or Specialty Contractor. Except as provided by Section 54-5001, Idaho Code, any person who acts, or purports to act, as an HVAC contractor or specialty contractor as defined by Section 54-5003(3) and 54-5003(6), Idaho Code, without a valid Idaho state HVAC contractor or specialty contractor certification is subject to a civil penalty of not more than five hundred dollars (\$500) 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. ()

02. Knowingly Employing. Knowingly employing a person who does not hold a valid Idaho HVAC certification or apprentice registration, as required by Section 54-5008, Idaho Code, to perform HVAC installations. ()

03. Certification or Registration. Except as provided by Section 54-5001, Idaho Code, performing HVAC work as an HVAC journeyman as defined by Section 54-5003(4), Idaho Code; specialty journeyman as defined by Section 54-5003(7), Idaho Code; apprentice as defined by Section 54-5003(2), Idaho Code; or specialty apprentice as defined by Section 54-5003(5), Idaho Code, without a valid certification or registration. ()

04. Supervision. Working as an HVAC apprentice or specialty apprentice without the required journeyman supervision or employing an apprentice without providing the required journeyman supervision. ()

05. Performance Outside Scope of Specialty License. Performance of any HVAC installation, alteration, or maintenance by an HVAC specialty contractor or specialty journeyman outside the scope of the specialty certification. ()

06. Fees and Permits. Failing to pay applicable fees or properly post an HVAC permit for, or to request an inspection of, any installation, alteration, improvement, or extension of any piping, venting, ductwork, appliances and appurtenances in connection with any HVAC system or subsystems of such. ()

07. Corrections. Failure to make corrections in the time allotted in the notice on any HVAC installation as set forth in Section 54-5019, Idaho Code. ()

08. Gross Violation. In the case of continued, repeated, or gross violation of Title 54, Chapter 50, Idaho Code, or these rules, a certification revocation will be initiated for certificated individuals under this chapter and non-certificated individuals is subject to prosecution by the appropriate jurisdiction under Idaho law. ()

054. -- 999. (RESERVED)

IDAHO HEATING, VENTILATION AND AIR CONDITIONING BOARD

Agenda Item No. 02

Current Temporary Rules

PRESENTER: Michael Hyde, HVAC Program Manager

OBJECTIVE: Rescind all current temporary HVAC rules – IDAPA 24.39.70

ACTION: Vote to rescind current temporary HVAC 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.

ATTACHMENTS: No Documentation



IDAHO HEATING, VENTILATION AND AIR CONDITIONING BOARD

Agenda Item No. 03

Adopt Temporary Omnibus Rules

PRESENTER: Michael Hyde, HVAC Program Manager

OBJECTIVE: Approve temporary omnibus HVAC rules – IDAPA 24.39.70

ACTION: Vote to approve the adoption of temporary omnibus HVAC 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.

ATTACHMENTS: No Documentation

