

2021

**Division of Occupational &
Professional Licenses**

**Rules of the Division of
Building Safety**

24.39.01

IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES
PROFESSIONAL LICENSES

24.39.01 – Rules of the Division of Building Safety

Who does this rule apply to?

This rule applies to members of the military, former members of the military, veterans, or the spouse of any such person applying for licensure or registration with the Division of Building Safety.

What is the purpose of this rule?

The rule implements the provisions of title 67, chapter 94, Idaho Code, and provides processes, criteria, or both to expedite the handling of license applications to the Division of Building Safety from military members, former military members discharged under honorable conditions, veterans, or their spouses (“Military Applicants”); provides guidance regarding the acceptance of military education, training, or service from Military Applicants toward the requirements for a professional license with the Division; and the issuance of licenses by endorsement to Military Applicants.

What is the legal authority for the agency to promulgate this rule?

This rule implements the following statutes passed by the Idaho Legislature:

State Government and State Affairs:

- [Title 67, Chapter 94, et seq., Idaho Code](#) – Occupational Licensing Reform Act

Who do I contact for more information on this rule?

Idaho Division of Building Safety
1090 E. Watertower Street, Suite 150
Meridian, ID 83642
Phone: (208) 334-3950
Fax: (877) 810-2840
Office Hours: 8 a.m. until 5 p.m. (MST)
Email: customer.service@dbs.idaho.gov
Website: <https://dbs.idaho.gov/>

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000. LEGAL AUTHORITY.

The Division of Building Safety is authorized under Title 67, Chapter 94, Idaho Code, and Section 67-2601A, Idaho Code, to promulgate rules for the issuance of licenses in the professions devolved for administration upon the Division. (3-20-20)

001. TITLE AND SCOPE.

01. Title. These rules are titled IDAPA 24.39.01, “Rules of the Division of Building Safety.” (3-20-20)

02. Scope. These rules are applicable to licenses administered by the Division pursuant to Title 54, Chapters 10, 19, 26, 45, and 50, and Title 44, Chapter 21. (3-20-20)

002. WRITTEN INTERPRETATIONS.

In accordance with Section 67-5201(19)(b)(iv), Idaho Code, this agency may have written statements that pertain to the interpretation of these rules. Any such statements are available for public inspection and copying pursuant to the Public Records Act, Title 74, Chapter 1, Idaho Code. (3-20-20)

003. ADMINISTRATIVE APPEALS.

All agency actions may be appealed in accordance with the Administrative Procedures Act at Title 67, Chapter 52, Idaho Code, and IDAPA 04.11.01, “Idaho Rules of Administrative Procedure of the Attorney General.” (3-20-20)

004. INCORPORATION BY REFERENCE.

There are no documents incorporated by reference into these rules. (3-20-20)

005. OFFICE – MAILING ADDRESS – STREET ADDRESS – OFFICE HOURS – WEB ADDRESS.

The Division of Building Safety’s central office is located at 1090 E. Watertower Street, Suite 150, Meridian, Idaho 83642. The Division’s satellite offices are located at 1250 Ironwood Drive, Suite 220, Coeur d’Alene, Idaho 83814, and at 2055 Garrett Way, Building 1, Suite 4, Pocatello, Idaho 83201. All Division offices are open from 8:00 a.m. to 5:00 p.m., except Saturday, Sunday, and legal holidays. The Division’s telephone number is (208) 334-3950 and facsimile number is (877) 810- 2840. The Division's web address is <http://dbs.idaho.gov>. (3-20-20)

006. PUBLIC RECORDS ACT COMPLIANCE.

These rules are subject to and in compliance with the Public Records Act, Title 74, Chapter 1, Idaho Code. (3-20-20)

007. DEFINITIONS.

01. Division. The Idaho Division of Building Safety. (3-20-20)

02. Licensing Program. The electrical program, plumbing program, HVAC program, manufactured home program, or public works contractor license program within the Division. (3-20-20)

03. Military Applicant. A member of the military, former member of the military discharged under honorable conditions, veteran, or spouse of any such person applying for any initial or renewal license or registration issued by any Licensing Program. (3-20-20)

008. -- 010. (RESERVED)

011. MILITARY, VETERAN, AND SPOUSE LICENSE APPLICATIONS

01. Qualifications for Licensure. Each Licensing Program within the Division will determine which and to what extent any military education, training, or service that has been completed is relevant or applicable toward the requirements to receive a license for an occupation administered by such respective Licensing Program. The Division will accept and identify on its website military education, training, or service determined by the Division to be relevant and applicable. Each Licensing Program will at a minimum consider the following criteria when determining whether to accept any type of training, education, or work experience, whether Military Applicants received such from the armed forces or other sources: (3-20-20)

a. The nature of the training, education, or work experience, including whether it involved the installation of equipment, materials, fixtures, apparatuses, controls, wires, piping, systems, or other related or like components the installation of which the statutes and rules of Idaho require a person to be licensed. (3-20-20)

b. Whether the scope of the training, education, or work experience addressed the installation of equipment, materials, fixtures, apparatuses, controls, wires, piping, systems, or other related or like components the installation of which is prescribed by a nationally recognized code adopted in the state of Idaho. (3-20-20)

02. Licensure by Endorsement. Upon review, each Licensing Program may grant a license by endorsement to any Military Applicant who at the time of application to the Division possesses a current, valid, and unrestricted license from another state, district, territory of the United States, or from any branch of the armed forces or national guard that is equivalent in nature to the license for which the applicant has applied. Each Licensing Program will at a minimum consider the following criteria when determining whether to grant a license by endorsement: (3-20-20)

a. The nature of the license held by the Military Applicant, including the scope of actual occupational work the license allows the applicant to perform in the other jurisdiction, and the scope of work the applicant has actually performed under authority of the license; (3-20-20)

b. The length of time the Military Applicant has held the license from another jurisdiction; (3-20-20)

c. The requirements of the other jurisdiction to obtain the license, including schooling or education, work experience, and on-the-job training and hours of such; examination and passing score requirements; or licensure disciplinary history. (3-20-20)

03. Records Verification and Affidavits. The Division may require a Military Applicant to provide records or other documentation verifying the completion of military education, training, or service or the issuance of a previous license. The Division may also require a Military Applicant to provide a sworn affidavit attesting to the veracity of the information provided in an application for licensure or registration. (3-20-20)

012. -- 999. (RESERVED)

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