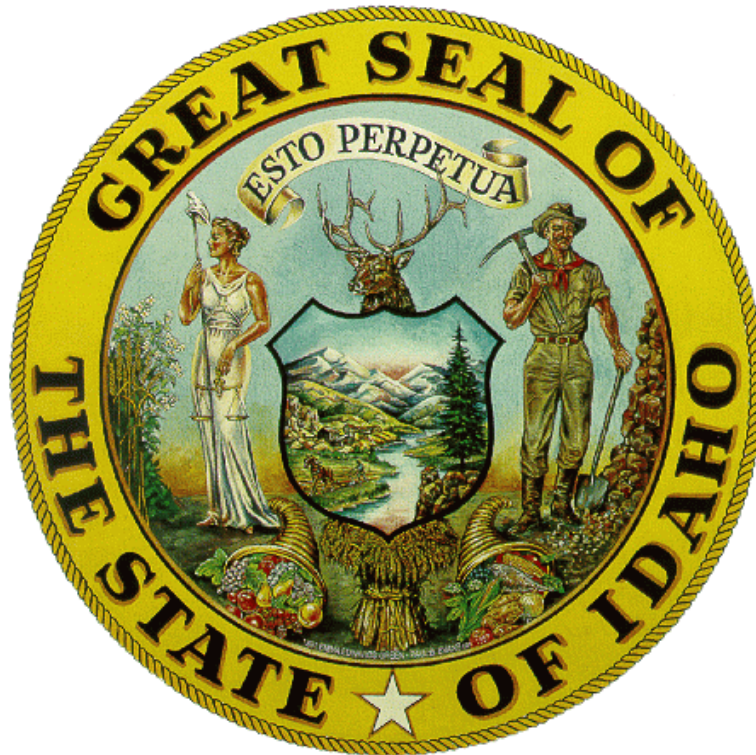


DIVISION OF OCCUPATIONAL AND  
PROFESSIONAL LICENSES

IDAHO BUILDING CODE  
BOARD MEETING

OCTOBER 19, 2021



# IDAHO BUILDING CODE BOARD

## Agenda Item No. 01

## Agenda and Minutes

**PRESENTER:** Andrew Bick, Chairman

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**OBJECTIVE:** Approve the October 19, 2021 Agenda and Minutes from the June 15, 2021 and June 28, 2021 “Special” Meetings.

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**ACTION:** Consent

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**BACKGROUND:**

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**PROCEDURAL  
HISTORY:**

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**ATTACHMENTS:** Tentative Agenda and Draft Minutes

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# **TENTATIVE AGENDA**

## **NOTICE OF PUBLIC MEETING**

### **IDAHO BUILDING CODE BOARD MEETING**

**Division of Occupational and Professional Licenses  
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**

**Tuesday, October 19, 2021**

**9:30 a.m. – 11:30 a.m. (MDT) / 8:30 a.m. – 10:30 a.m. (PDT)**

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**9:30 a.m. CALL TO ORDER** – Andrew Bick, Chairman

- Roll Call & Introductions
- Open Forum

#### **CONSENT AGENDA**

1. Approval of the October 19, 2021 Agenda and Minutes from the June 15, 2021 and June 28, 2021 (Special) Meetings – Andrew Bick

#### **ACTION AGENDA**

2. *Schedule 2022 Meetings – Andrew Bick*

#### **INFORMATIONAL AGENDA**

3. Idaho Adoption of, and Amendments to, the 2021 International Residential Code and International Mechanical Code – Robert Glass, Goodman Manufacturing Company
4. 2018 IECC: Heated or Cooled Vestibules – Michael Hyde, HVAC Program Manager
5. Insulated Flex Duct Update – Michael Hyde
6. Zero Based Regulation (Summary of Comments, Ideas, and Transcripts Available) – Michael Hyde
7. Building Program Report
8. Administration Report – Ron Whitney / MiChell Bird

**11:30 a.m. ADJOURN**

*All times, other than beginning, are approximate and scheduled in accordance to Mountain Daylight Time (MDT), unless otherwise noted. Agenda items may shift depending on the Idaho Building Code Board preference. 10/12/2021r*

**IDAHO BUILDING CODE BOARD  
VIDEOCONFERENCE MEETING**

Tuesday – June 15, 2021 – 9:30 a.m. (MDT)

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

**\*DRAFT MINUTES OF THE JUNE 15, 2021 MEETING**

NOTE: The following report is not intended to be a verbatim transcript of the discussions at the meeting, but to record the significant features of those discussions.

Chairman Andrew Bick called the meeting to order at 9:30 a.m. (MDT)

**Board Members Present:**

Andrew Bick, Chairman  
Jason Blais, Vice-Chairman  
Ron Johnson  
Kent Soelberg  
John Cotner  
Nick Guho  
Rob Brooks  
Jon Laux  
Chuck Bleth-Telecon.  
Jeremy Maxand-Telecon.

**DBS Staff Members Present:**

Ron Whitney, Administration  
Spencer Holm, Deputy Attorney General-Telecon.  
Jeff Egan, Building Program Manager  
Lisa Stover, Building Program Supervisor  
Adam Bowcutt, Regional Manager, Region 3  
Chuck Knapp, Regional Supervisor, Region 1  
Renee Bryant, Administrative Assistant 2

◆ **Open Forum**

Conditioned Space and Supplemental Heat in Garages--Update – Rather than address this issue through a building code addendum, and possibly open up the energy code to all types of revisions, it was decided to ask IDABO to generate a policy on how to provide supplemental heat in garage space and furnish to their jurisdictions. Idaho Energy Code Circuit Rider Dave Freelove, and Patrick Sullivan, Director of Building Safety and Facilities Development, City of Nampa, are currently working on the policy.

◆ **Approval of the June 15, 2021 Agenda and April 13, 2021 Meeting Minutes**

**MOTION:** Rob Brooks made a motion to approve the agenda as presented and minutes as written. Jon Laux seconded. All in favor, motion carried.

◆ **Omnibus Temporary Rule Chapter Proposal--IDAPA 24.39.30**

For Idaho administrative rules to become final, the Senate and House of Representatives must pass a concurrent resolution to approve administrative rules that impose a fee or charge, with exceptions, and reject certain agency rule dockets that are not approved. The Senate introduced and passed Senate Concurrent Resolution 108; however, the House of Representatives did not take up or address the Resolution. Similar to the two previous years, the only pathway for agencies to reauthorize administrative rules is through the Governor's temporary rulemaking authority pursuant to Section 67-5226, Idaho Code.

IDAPA 24.39.30.004.01(j) introduces the new mass timber language. Portions of manufactured homes and modular buildings have been deleted from the building rules and moved to the factory built structures rules, and language pertaining to insignias has been removed from the building and factory built structures rules since it is in Idaho Code §39-4304 *Insignia of Approval – Cost – Placement*.

Chairman Andrew Bick asked, and Deputy Attorney General (DAG) Spencer Holm recommended, to adopt/incorporate the new mass timber language by reference in an appendix, similar to the City of Denver, and then incorporate into the rules. This would meet the January 1, 2022 deadline, and accomplish the requirements of House Bill 143, which is to adopt a specific section of the International Building Code (IBC) to allow Idaho to use mass timber in commercial and residential construction. Board Member Jason Blais questioned if the Board should adopt the 2018 IBC, to include the sections of the 2021 IBC. DAG Holm reiterated the intent of the legislature on mass timber, as well as the background for the approval of the Omnibus temporary rule.

Board Member Rob Brooks raised the following questions regarding language in IDAPA 24.39.30.004.01(j): 1) Is an individual to use both the 2018 and 2021 IBC to design a mass timber building that happens to be amended in the 2018 code, 2) Is a designer to use both codes for the same building, and 3) Which code should be referenced, 2018 or 2021 IBC, when constructing a mass timber building with exterior fire resistance rated walls.

Based on the International Code Council's (ICC) formatting of their codes, and the restructuring of the State codes, i.e., removal of the word "Title" from the heading in IDAPA 24.39.30.001, Chairman Bick questioned whether it would be difficult to adopt future ICC codes. In addition, would city/county jurisdictions have to revise their ordinances to match the state's layout. Tim Frost, Operations and Regulatory Bureau Chief with the Division of Occupational and Professional Licenses, stated the changes made were based off the recommendation of the Division of Financial Management, which oversees the Office of the Rules Coordinator, and the written publication *The Idaho's Rule Writers Manual*. The DAG was not aware of any legal requirements to have the "Title" in the heading. The easiest route to edit/modify the language would be to adopt the rules as presented with exceptions. Building Program Supervisor Lisa Stover noted in IDAPA 24.39.30.030, *Right of Entry*, a space is needed between Chapter and 41.

◆ **Vote to Rescind Existing Temporary Rule Chapter--IDAPA 24.39.30**

Hearing no further questions or concerns, Chairman Bick looked for a motion to vote to rescind existing temporary rule chapter IDAPA 24.39.30.

**MOTION:** Jon Laux made a motion to rescind existing temporary rule chapter IDAPA 24.39.30. Ron Johnson seconded. All in favor, motion carried.

◆ **Vote to Adopt Temporary Omnibus Rule Chapter--IDAPA 24.39.30**

Chairman Bick looked for a motion to vote to adopt temporary omnibus rule chapter IDAPA 24.39.30.

**MOTION:** John Cotner made a motion that pursuant to Section 67-5226, Idaho Code, the Governor has found that temporary adoption of this rule is appropriate to protect the public health, safety, and welfare of the citizens of Idaho and confer a benefit on its citizens. These rules

implement the duly enacted laws of the State of Idaho, provide citizens with the detailed rules and standards for complying with those laws, and assist in the orderly execution and enforcement of those laws. The expiration of these rules without due consideration and processes would undermine the public health, safety, and welfare of the citizens of Idaho and deprive them of the benefit intended by these rules. Therefore, we are adopting this temporary rule, with an effective date of July 1, 2021, as presented with the following exceptions: 1) Remove the reference of mass timber from IDAPA 24.39.30.004.01(j), and 2) Insert a space between Chapter and 41, two areas, in IDAPA 24.39.30.030, *Right of Entry*, as well as rescind the existing temporary rule with an effective date of July 1, 2021. Jon Laux seconded. All in favor, motion carried.

◆ **Program Manager Report**

Construction – Since the April 13, 2021 meeting, the Building Program has received plans for the following State projects: 1) Department of Finance (remodel), Boise, \$2.5 million; 2) Department of Transportation (new Port of Entry), Declo, \$1.2 million; 3) Idaho Parks and Recreation (new Thousand Springs State Park), Hagerman, \$6 million; and 4) DOPL (remodel) Boise, \$4.8 million.

◆ **Administration Report**

Construction (Cont'd) – The Coeur d’Alene office is being remodeled to include the expansion of the board room and additional offices.

New Licensing and Permitting Software – DOPL now has a program office comprised of a project manager, business analysis and program champion, as well as program steering, program advisory, and executive committees. All are working towards developing a Request for Proposal for the new software program.

Financial Report – FY 2021’s projected revenue is at 106%, and expenses are at 91% of budget.

Permit Activity – From 2019 to 2020, permit activity rose 10%, and for the first five months of 2021, year-to-date, it increased an additional 19% over 2020.

◆ **Adjournment**

With no further comments or questions, Chairman Bick asked for a motion to adjourn.

**MOTION:** Jon Laux made a motion to adjourn the meeting. Nick Guho seconded. All in favor, motion carried.

The meeting adjourned at 11:04 a.m. (MDT)

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ANDREW BICK, CHAIRMAN  
IDAHO BUILDING CODE BOARD

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RON WHITNEY, ADMINISTRATION  
DIVISION OF BUILDING SAFETY

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DATE

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DATE

\*These DRAFT minutes are subject to possible correction and final approval by the Idaho Building Code Board. 09/02/2021rb

**IDAHO BUILDING CODE BOARD  
SPECIAL MEETING**

**Monday – June 28, 2021 – 9:30 a.m. (MDT)**

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

**\*DRAFT MINUTES OF THE JUNE 28, 2021 MEETING**

**NOTE:** The following report is not intended to be a verbatim transcript of the discussions at the meeting, but to record the significant features of those discussions.

Chairman Andrew Bick called the meeting to order at 9:32 a.m. (MDT)

**Board Members Present:**

Andrew Bick, Chairman  
Jason Blais, Vice-Chairman  
Ron Johnson  
John Cotner  
Jeremy Maxand-Telecon.  
Jon Laux-Telecon.  
Rob Brooks-Telecon.  
Kent Soelberg-Telecon.

**DBS Staff Members Present:**

Spencer Holm, Deputy Attorney General-Telecon.  
Jeff Egan, Building Program Manager  
Michael Hyde, HVAC Program Manager  
Larry Jeffres, Regional Manager, Region 1  
Adam Bowcutt, Regional Manager, Region 3  
Mike Paschall, Regional Supervisor, Region 1  
Lisa Stover, Building Program Supervisor  
Renee Bryant, Administrative Assistant 2

◆ **Open Forum**

No concerns were brought forth during open forum.

◆ **Public Hearing/Comments**

This special meeting was held to address the shortage of ducting in the HVAC industry, and review proposed rule language on mass timber.

International Building Code (IBC) and Mass Timber – Stating his pleasure with information received based off of how the State of Virginia adopted mass timber, Chairman Bick was open to questions and comments.

Board Member Ron Johnson inquired, and Deputy Attorney General Spencer Holm explained the information from Virginia was incorporated into the State of Idaho’s building code rules; however, fire-related sections were excluded as they are enforced by the State Fire Marshal/Idaho Department of Insurance. The Chairman reiterated that verbiage was revised based on sections affected by mass timber. The 2021 codes will need to be referenced to build or enforce mass timber construction; however, everything else will remain under the current 2018 codes.

Checking cross references on the sections, Vice-Chairman Jason Blais did not see anything amiss, and prefers this proposal over the last one, deeming it very workable. Vice-Chairman Blais questioned, and Deputy Attorney General Holm explained for consistency there are two new subsections created under IDAPA 24.30.30.004.01 “International Building Code”; (a) 2018 IBC, and (b) 2021 IBC edition as it relates to mass timber construction. Hearing no further questions or comments, the Chairman looked for a motion.

**MOTION:** Jon Laux made a motion to approve the mass timber proposal. Jason Blais seconded. All in favor, motion carried.

International Energy Conservation Code (IECC) and Duct Insulation - Due to disruption in the global supply chains, the HVAC industry is experiencing an indefinite shortage of insulated flexible ductwork throughout the State of Idaho, as well as nationwide. In an effort to assist with this supply shortage and address any rules that may inhibit the residential construction process in areas where little to no life safety concerns exist, HVAC Program Manager Michael Hyde presented a proposed temporary rule to the energy code as it pertains to duct installation requirements serving residential heating and cooling systems.

Changes to IDAPA 24.39.30.004.04 (n) and (o) would be as follows: 1) Amend Section R403.3.1 to read, “All supply and return ductwork located within an attic space shall be insulated to a minimum of R8”, 2) Delete Section R403.3.6, which governs ducts buried within ceiling insulation, and 3) Delete Section R403.3.7, as it identifies ducts located in conditioned space. By deleting the two sections, this will provide HVAC contractors the ability to apply their professional opinion and work with building contractors to determine the best practice necessary for the design conditions. In addition, would allow for the continued use of flexible ductwork in areas of the structure that are not located within the attic space, such as crawls, garages, and unfinished basements, as long as the applicable duct loads have been accounted for within the Manual J load calculations.

An alternative method would be to install fabricated sheet metal with insulated duct wrap. This would adversely affect the cost of construction and significantly diminish the production rate, providing there are enough trained individuals capable of making such installations.

Chairman Bick opened the topic up for discussion. Jason Shipp, Ultimate Heating and Air, would like flexible ductwork taken out of the rough-in inspection in crawl spaces until further notice. This would allow construction to continue to move forward. An alternative would be to complete the inspection at the final or somewhere in between. It is up to the local jurisdictions and/or inspectors, not in code, whether to accept Mr. Shipp’s suggestion.

Jerry Peterson, Home Energy Services, answered questions by Vice-Chairman Blais on whether there are other options that should be listed. The simplest and best approach would be to drop to R6 on the insulation in the attic, which would be the equivalent of R8, and do a partial burial. R8 is the current requirement in the code, and the starting point for the partially buried duct. Initially in code, R8 was only required on supplies in the attic, with everything else R6.



Board Member John Cotner asked for clarification on what exactly is being changed in the code regarding the attic, and how it pertains to a conditioned crawl space. HVAC Program Manager Hyde stated essentially it is up to the building and HVAC contractors. If the duct work is not insulated, and within the confounds of the insulated crawl walls, etc., there is a condition problem. Ventilation falls under a different section of the building code; therefore if an individual indirectly conditions it to uninsulated ducts it is a conditioned space.

Chad Schwendiman, City of Boise, explained the City's timeline for inspecting flex ducts in attics, and addressed his concern where there would be no regulation of any insulation in a naturally ventilated crawl space or garage because they are unconditioned spaces. Mr. Schwendiman would prefer to allow R4, which opens up the spectrum a little more, than get rid of the minimum requirements for unconditioned space. With regard to partially buried ducts, Mr. Schwendiman agreed R6 would achieve the same as R8.

The HVAC Program Manager restated; the intent of the amendment is to remove any regulations that are non-life threatening and allow contractors the option that best suits their need. Board Member Cotner stated education with inspectors is going to be crucial and would like to see the Idaho Association of Building Officials request jurisdictions work with their subcontractors on rough-in inspections.

Board Member Rob Brooks proposed reviewing, in the 2021 International Energy Conservation Code, a provision on duct work and floor cavities located over unconditioned space, suggesting the prescriptive requirements might be beneficial. Although air barriers were not a bad idea, the HVAC Program Manager did not believe that would be the solution the Board is trying to achieve at today's meeting.

HVAC Board Member Mark Ferm would like to see an end date to the temporary rule, i.e., sunset clause, etc. Chairman Bick asked Tim Frost, Operations and Regulatory Bureau Chief for the Division of Occupational and Professional Licenses, to explain the temporary rulemaking process, and how to expire a temporary rule should it no longer be required. The proposed amendments, which the Board reviewed today, will be incorporated into omnibus temporary rulemaking, to the extent it becomes a permanent rule. It is still a temporary rule and the Board will have the ability to review it at any time. There is a process by which to amend a temporary rule; however, it is not generally used because the State is not normally in perpetual temporary rulemaking. The Board still has the ability to evaluate this issue from a life safety standpoint or industry shortage standpoint and make a decision later on in the year, whether or not it should revert to the original language of code or revert to a different language based off of whatever the results may be.

◆ **Vote to Adopt Temporary Omnibus Rule Chapter with Mass Timber and Duct Insulation Provisions--IDAPA 24.39.30**

Chairman Bick asked for a motion to adopt temporary omnibus rule chapter with mass timber and duct insulation provisions--IDAPA 24.39.30.

**MOTION:** John Cotner made a motion to adopt temporary omnibus rule chapter with mass timber and duct insulation provisions, IDAPA 24.39.30. Jeremy Maxand seconded.

Board Member Johnson voiced concern by combining the two topics into one motion, the one vote would be for both topics; making it difficult should a board member choose to vote two different ways. It was determined an amended motion should be made with each topic voted on separately.

**AMENDED MOTION:** John Cotner amended his motion to adopt temporary omnibus rule chapter with mass timber, IDAPA 24.39.30. Jason Blais seconded. Roll Call Vote: Jeremy Maxand-Aye, Rob Brooks-Aye, Kent Soelberg-Aye, Ron Johnson-Aye, Jason Blais-Aye, and John Cotner-Aye. All in favor, motion carried.

◆ **Vote to Adopt Temporary Omnibus Rule Chapter with Mass Timber and Duct Insulation Provisions--IDAPA 24.39.30**

The Chairman asked for a motion on action item three as it relates to duct insulation provisions, IDAPA 24.39.30.

**MOTION:** John Cotner made a motion to adopt temporary omnibus rule chapter with duct insulation provisions, IDAPA 24.39.30. Jeremy Maxand seconded. Roll Call Vote: Jason Blais-Nay, Jeremy Maxand-Aye, Rob Brooks-Nay, Kent Soelberg-Aye, John Cotner-Aye, Ron Johnson-Nay, and Andrew Bick-Aye. Four ayes and three nays, motion carried.

◆ **Adjournment**

With no further comments, Chairman Bick looked for a motion to adjourn.

**MOTION:** Ron Johnson made a motion to adjourn the meeting. John Cotner seconded. All in favor, motion carried.

The meeting adjourned at 10:22 a.m. (MDT)

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ANDREW BICK, CHAIRMAN  
IDAHO BUILDING CODE BOARD

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LISA STOVER, BUILDING PROGRAM  
SUPERVISOR, DIVISION OF OCCUPATIONAL  
AND PROFESSIONAL LICENSES

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DATE

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DATE

\*These DRAFT minutes are subject to possible correction and final approval by the Idaho Building Code Board. 09/10/2021rb

# IDAHO BUILDING CODE BOARD

**Agenda Item No. 02**

**Schedule 2022 Board Meetings**

**PRESENTER:** Andrew Bick, Chairman

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**OBJECTIVE:** Schedule board meetings for 2022.

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**ACTION:** Vote to accept, reject or modify the 2022 meeting dates as addressed under *Background*.

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**BACKGROUND:** The following dates were selected for the Board's consideration:  
**February 22nd, April 12th, June 14th, August 16th (Tentative) and October 18th**

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**PROCEDURAL HISTORY:**

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**ATTACHMENTS:** 2022 Board Meeting Calendar

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# DOPL BOARD MEETINGS - 2022

DAMAGE PREVENTION BOARD	JAN 27, MAR 10, MAY 26, JUL 14, SEP 22, NOV 17
FACTORY BUILT STRUCTURES ADVISORY BOARD	FEB 8, MAY 10, JUL 12
IDAHO BUILDING CODE BOARD	FEB 22, APR 12, JUN 14, AUG 16 (TEN), OCT 18
IDAHO ELECTRICAL BOARD	JAN 26, APR 27, JUL 20, OCT 26
IDAHO HEATING VENTILATION & AIR COND. BOARD	JAN 12, MAR 9, MAY 11, NOV 9
IDAHO PLUMBING BOARD	JAN 20, MAR 17, MAY 19, SEP 15
PUBLIC WORKS CONTRACTORS LICENSE BOARD	JAN 10, APR 18, JUL 18, OCT 17

Board meetings will be held at each of the Division of Occupational and Professional Licenses regional offices

1090 EAST WATERTOWER STREET, SUITE 150  
MERIDIAN, ID 83642

1250 IRONWOOD DRIVE. SUITE 220  
COEUR D'ALENE, ID 83814

155 NORTH MAPLE STREET  
BLACKFOOT, ID 83221

JANUARY							FEBRUARY							MARCH							APRIL							MAY							JUNE							
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JULY							AUGUST							SEPTEMBER							OCTOBER							NOVEMBER							DECEMBER												
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31																					30	31																									

Holidays outlined in GRAY-- Industrial Safety mtgs outlined in RED--Reg. Supervisor mtgs outlined in GREEN

# IDAHO BUILDING CODE BOARD

## Agenda Item No. 03 Idaho Adoption of, and Amendments to, the 2021 International Residential Code and International Mechanical Code

**PRESENTER:** Robert Glass, Goodman Manufacturing Company

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**OBJECTIVE:** Allow the use of new Low Global Warming Potential (Low GWP) Group A2L refrigerants.

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**ACTION:** Informational

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**BACKGROUND:** Proposed amendments would relate to the allowance for the use of new Low Global Warming Potential (Low GWP) Group A2L refrigerants. The question is whether proposals would be based on Idaho's current 2018 codes or the new 2021 codes.

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**PROCEDURAL HISTORY:**

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**ATTACHMENTS:** No Documentation

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# IDAHO BUILDING CODE BOARD

## Agenda Item No. 04

## 2018 IECC: Heated or Cooled Vestibules

**PRESENTER:** Michael Hyde, HVAC Program Manager / Bill Carter, HVAC Board Member

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**OBJECTIVE:** Review & Discuss 2018 IECC C403.4.1.4 – Heated or Cooled Vestibules

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**ACTION:** Informational

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**BACKGROUND:** Currently, the 2018 Idaho Energy Code requires heated or cooled vestibules be controlled by measures that will prohibit the operation of the vestibule space conditioning systems when the outdoor conditions are at the specified temperatures indicated by the referenced code section. This requirement creates added costs for those basic heating or cooling systems for thermostats with the capabilities of measuring the outdoor air temperatures set forth by the IECC.

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### **PROCEDURAL HISTORY:**

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**ATTACHMENTS:** 2018 IECC C403.4.1.4 code language

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2018 International Energy Conservation Code (IECC)

**C403.4.1.4 Heated or Cooled Vestibules (Mandatory).**

The heating system for heated vestibules and air curtains with integral heating shall be provided with controls configured to shut off the source of heating when the outdoor air temperature is greater than 45°F (7°C). Vestibule heating and cooling systems shall be controlled by a thermostat located in the vestibule configured to limit heating to a temperature not greater than 60°F (16°C) and cooling to a temperature not less than 85°F (29°C).

**Exception:** Control of heating or cooling provided by site-recovered energy or transfer air that would otherwise be exhausted.

# IDAHO BUILDING CODE BOARD

## Agenda Item No. 05

## Insulated Flex Duct Update

**PRESENTER:** Michael Hyde, HVAC Program Manager

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**OBJECTIVE:** Update the Board on Insulated Flex Duct Supply Shortage

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**ACTION:** Informational

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**BACKGROUND:** During omnibus rulemaking at the June 28, 2021 special Building Board meeting, held at the request of industry to address the indefinite global supply shortage of insulated flexible ductwork, the decision was made to amend duct insulation requirements of the Idaho Energy Code to prevent any unnecessary delays and without significantly increasing the cost of construction caused by the supply shortage.

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### **PROCEDURAL HISTORY:**

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**ATTACHMENTS:** Copy of Notice to Industry on Energy Code Amendment

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# IDAHO DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES

BRAD LITTLE - GOVERNOR  
RUSSELL S. BARRON - ADMINISTRATOR

**June 29, 2021**

TO: Residential Building Industry & Associated Stakeholders

FROM: Idaho Building Code Board  
Division of Occupational & Professional Licensing (DOPL), formerly the *Division of Building Safety*

**RE: Adoption of Temporary Omnibus Rules: 2018 IECC – R403.3.1, R403.3.6 & R403.3.7 Duct Insulation Requirements**

The HVAC construction industry is experiencing an indefinite shortage of insulated flexible ductwork throughout the state due to the disruptions in the global supply chain. The industry requested that the Division of Occupational and Professional Licenses and Building Code Board consider amendments to the 2018 International Energy Conservation Code to alleviate the shortage and prevent a potential shutdown of residential construction in Idaho.

On June 28, 2021, the Board held a special board meeting to address the industry's request. The Board and stakeholders of the industry publicly discussed relaxing certain energy code requirements, without creating life safety concerns, to alleviate the constraints of the shortage on installation of duct insulation in residential heating and cooling systems. The Board voted to adopt the following temporary rule amendments to the 2018 International Energy Conservation Code:

#### **IDAPA 24.39.30.004.04**

04. International Energy Conservation Code. 2018 Edition with the following amendments:

[n. Delete Section R403.3.1 and replace with the following: R403.3.1 Duct insulation requirements. Supply and return ducts located in an attic space shall have an R-value of not less than R-8.](#)

[o. Delete Sections R403.3.6 and R403.3.7.](#)

The Board action allows the residential building industry flexibility in addressing the supply shortage and innovation to sustain production without significantly increasing the cost of construction or causing unnecessary delays.

In order to protect the public health, safety, and welfare of the citizens of Idaho and confer a benefit on its citizens, IDAPA 24.39.30, the administrative rules of the Board will be reauthorized pursuant the Governor's authority in Section 67-5226, Idaho Code. The *omnibus temporary rule chapter*, including the amendments to the 2018 International Energy Conservation Code **goes into effect July 1, 2021.**

# IDAHO BUILDING CODE BOARD

## Agenda Item No. 06

## Zero Based Regulation

**PRESENTER:** Michael Hyde, HVAC Program Manager

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**OBJECTIVE:** Update on Zero Based Regulation (ZBR) Townhall Listening Sessions.

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**ACTION:** Informational

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**BACKGROUND:** During the month of August 2021, DOPL staff conducted nine townhall listening sessions with various stakeholders of Idaho's Building and Energy industries to discuss Idaho rule amendments on the International Building Code, International Existing Building Code, Idaho Energy Conservation Code, and Idaho Residential Code. The intent of the listening sessions was to gather feedback on industry's opinion on the reduction of barriers governing the construction trades and practices in Idaho.

(Summary of comments, ideas, and transcripts available)

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### **PROCEDURAL HISTORY:**

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**ATTACHMENTS:** DOPL Townhall Notice

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# IDAHO

## DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES

BRAD LITTLE - GOVERNOR  
RUSSELL S. BARRON - ADMINISTRATOR

### Public Hearings

#### **Electrical, Building/Energy, HVAC & Plumbing Construction Trades**

The Idaho Division of Occupational & Professional Licensing (DOPL), *formerly Division of Building Safety*, would like to hear industry's opinion on the reduction of barriers governing the construction trades. Our boards will be going through a full rule chapter review in 2022 in compliance with Executive Order 2020-01: Zero-Based Regulation. We are holding public hearings throughout the state of Idaho to gather feedback regarding the current electrical, building, energy, HVAC and plumbing laws and rules. Public meetings are scheduled at the locations and times listed below:

Date	Location	Time
Thursday Aug 5 <sup>th</sup>	ID Dept of Labor – Idaho Falls 1515 E Lincoln Rd Idaho Falls ID 83401	<i>Electrical: 9:00am Building/Energy: 10:30am HVAC: Noon Plumbing: 1:30pm</i>
Friday Aug 6 <sup>th</sup>	Pocatello City Hall 911 N 7 <sup>th</sup> Ave Pocatello ID 83201	<i>Electrical: 9:00am Building/Energy: 10:30am HVAC: Noon Plumbing: 1:30pm</i>
Tuesday Aug 10 <sup>th</sup>	Hailey City Office 115 S Main St – 2 <sup>nd</sup> Floor Meeting Area Hailey ID 83333	<i>Electrical: 10:00am Building/Energy: 11:30am HVAC: 1:00pm Plumbing: 2:30pm</i>
Thursday Aug 12 <sup>th</sup>	Division of Building Safety – Board Room 1090 E Watertower St Ste 150 Meridian ID 83642 <b>Teleconference: 1-877-820-7831 Code: 529619</b>	<i>Electrical: 9:00am Building/Energy: 10:30am HVAC: Noon Plumbing: 1:30pm</i>
Monday Aug 16 <sup>th</sup>	ID Dept of Labor – Sandpoint 613 Ridley Village Rd Ste C Sandpoint ID 83864	<i>Electrical: 10:00am Building/Energy: 11:30am HVAC: 1:00pm Plumbing: 2:30pm</i>
Tuesday Aug 17 <sup>th</sup>	ID Dept of Labor – Post Falls 600 N Thornton St Post Falls ID 83854	<i>Electrical: 10:00am Building/Energy: 11:30am HVAC: 1:00pm Plumbing: 2:30pm</i>
Wednesday Aug 18 <sup>th</sup>	Lewiston City Hall – 2 <sup>nd</sup> floor 215 D St Lewiston ID 83501	<i>Electrical: 9:00am Building/Energy: 10:30am HVAC: Noon Plumbing: 1:30pm</i>
Monday Aug 23 <sup>rd</sup>	College of Southern Idaho Taylor Building: Rm 276-277 315 Falls Ave Twin Falls ID 83303	<i>Electrical: 10:00am Building/Energy: 11:30am HVAC: 1:00pm Plumbing: 2:30pm</i>
Tuesday Aug 24 <sup>th</sup>	McCall City Hall - Legion Hall 216 E Park St McCall ID 83638	<i>Electrical: 10:00am Building/Energy: 11:30am HVAC: 1:00pm Plumbing: 2:30pm</i>

OFFICE LOCATED AT:  
1 1351 W CHINDEN BLVD  
BOISE, ID 83714

# IDAHO BUILDING CODE BOARD

**Agenda Item No. 07**

**Building Program Report**

**PRESENTER:**

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**OBJECTIVE:** Provide the Board with an overview of the Program's current activities.

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**ACTION:** Informational

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**BACKGROUND:** This topic is addressed at all regularly scheduled Idaho Building Code Board meetings.

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**PROCEDURAL HISTORY:**

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**ATTACHMENTS:** No Documentation

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# IDAHO BUILDING CODE BOARD

**Agenda Item No. 08**

**Administration Report**

**PRESENTER:** Ron Whitney / MiChell Bird

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**OBJECTIVE:** Provide the Board with an overview of the Division's current activities.

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**ACTION:** Informational

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**BACKGROUND:** This topic is addressed at all regularly scheduled Idaho Building Code Board meetings.

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**PROCEDURAL HISTORY:**

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**ATTACHMENTS:** Financial Report

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**Division of Building Safety**  
 IDAHO BUILDING CODE FUND 0229-02  
 Fiscal Year 2021 Financial Statements  
 As of 06/30/21

Statement of Revenues and Expenditures

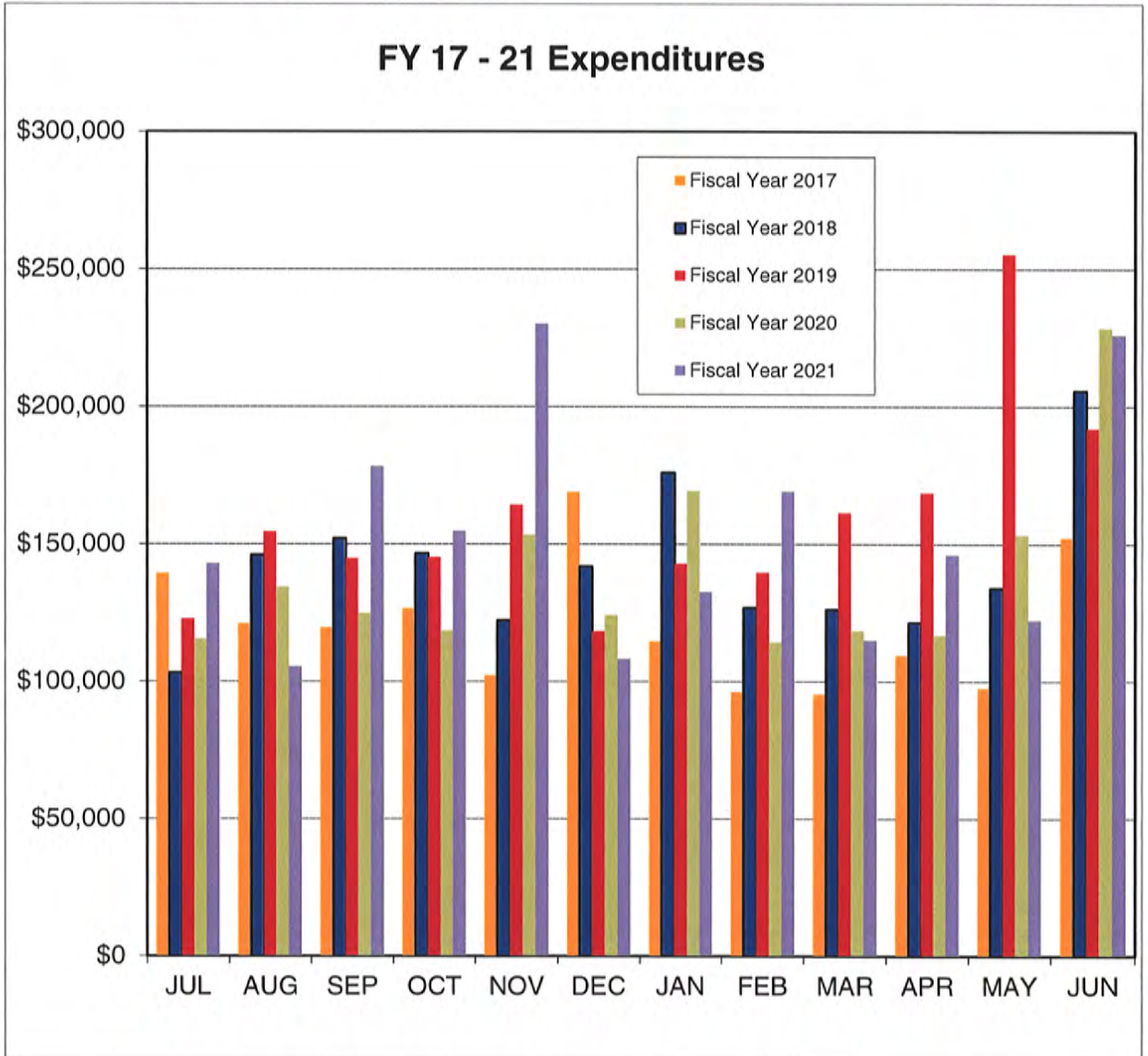
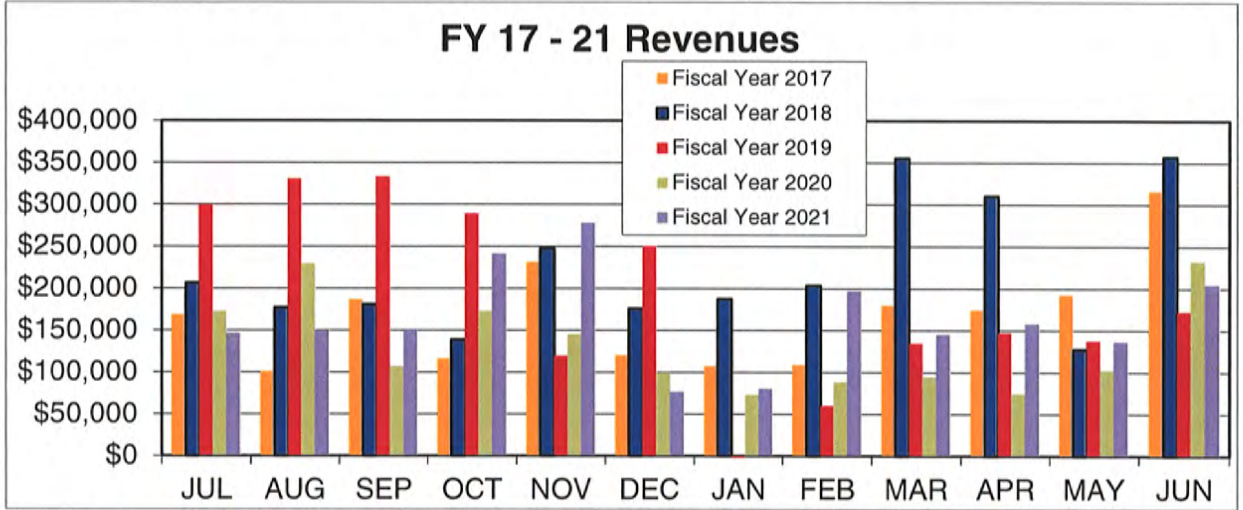
Class	Budget	Fiscal Year To Date	YTD as a % of Budget	Remaining Budget	Projected for Remainder of Year	Projected Year End Totals	Projected Total as a % of Budget
Revenues:	1,908,500	1,962,785	102.8%	(54,285)	0	1,962,785	102.8%
Expenditures							
Personnel:	1,396,400	1,321,820	94.7%	74,580	0	1,321,820	94.7%
Operating:	380,200	318,506	83.8%	61,694	0	318,506	83.8%
Capital:	131,900	190,079	144.1%	(58,179)	0	190,079	144.1%
Total Expenditures	1,908,500	1,830,405	95.9%	78,095	0	1,830,405	95.9%
Net for FY 2021	0	132,380			0	132,380	

Statement of Cash Balance

July 1, 2020 Beginning Cash Available	Fiscal Year to Date Revenues	Fiscal Year to Date Expenditures and Encumbrances	Other Changes in Cash	Available Cash as of June 30, 2021	Projected Change in Cash for Remainder of Year	Projected Year End Available Cash
3,239,308	1,962,785	(1,830,405)	34,871	3,406,559	0	3,406,559



# IDAHO BUILDING CODE FUND 0229-02



## IDAHO BUILDING CODE FUND 0229-02

