

Building Safety News

November 2010

C. L. "Butch" Otter, Governor

Volume 5, Issue 2

The Past Four Years - As I Saw It!

By C. Kelly Pearce, *Administrator*



Who would have thought four years ago that the Division of Building Safety would undergo the changes we've seen and be forced to cope with the fiscal challenges we have encountered? After all, in 2007 there were only slight indications that the building boom our nation had enjoyed for so long was about to bust. There were few signs pointing to what would become the infamous mortgage industry meltdown and no one was predicting the disastrous effect that it would have on the nation's financial institutions and the general availability of capital.

Here we are, nearly four full years later; battered, beaten but still fulfilling our mission. We are not, as an agency, as robust as we were four years ago. No agency of government is. But we have survived, and I for one continue to believe that we will emerge from these challenging economic times stronger, wiser and more efficient for having gone through them.

While it is easy to list the hard knocks we've taken, it is also easy, if one is fair about it, to recall the positive strides we've taken and the accomplishments of the past few years.

We now operate with an entirely new and more efficient customer service system. Our customers, while admittedly experiencing some adjustment issues, have responded well and recognize the benefits of our online services. We continue to "tweak" and improve the system.

We have successfully staved off a number of legislative attempts by other entities and groups to strip us of our lawful responsibilities. Because the motivation behind virtually all of these attempts was an understandable desire to increase the promoters' revenues, such efforts are likely to continue going forward. However, I have high confidence that a majority of Idaho's legislators and elected officials will continue to recognize the proper role of this agency and that our mission will be preserved.

Four years ago, many of the services provided by DBS were redundant – the result of a number of previously autonomous bureaus functioning within the overall agency framework. We are now leaner, more efficient and more productive on a per-person basis than we were back then. And while our revenues have continued to decline, we have become more inventive in our efforts to produce new revenue streams.

We have initiated a number of agreements with the Idaho Office of Energy Resources, some of which we believe will produce grant opportunities of some significance. Our inspection agreements with the Coeur d'Alene Tribe continue to expand in scope and this relationship is expected to lead to similar opportunities elsewhere in Idaho. And we continue to increase the number of our permitting and inspection contracts with local jurisdictions throughout the state.

The realities associated with being a dedicated fund agency have necessarily forced us into a mode of frugality. Simply put, we cannot spend more money than is generated by the fees charged for services. We have prepared a chart and accompanying table providing a more tangible perspective on the agency's current fiscal condition. You will find this information on page 3 of this newsletter.

All things considered, the Division of Building Safety has weathered the economic storm as well or better than could have been expected, without degrading the level of service we provide. I remain confident that the talents, abilities and dedication of the staff and management here at DBS will ensure that we continue to provide our stakeholders the same high level of service going forward.

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DBS Regional Manager is an Experienced Administrator

By Bill Hatch, *Editor*

The Division of Building Safety regional office in Pocatello is headed by Regional Manager Chris Jensen. Chris has accepted responsibility for managing the Pocatello office in addition to his previously-assigned duties with DBS.

Before joining DBS Chris owned and operated the electrical contracting firm Snake River Electrical, Inc. He served as a contractor representative on the Idaho Electrical Board from 1999 to 2007, at which time he was hired by DBS as an outreach advisor. He was promoted to Regional Manager-Pocatello July 25, 2010.

Chris served for nine years as a member of the board of trustees for the Snake River School District. He and his wife Stephanie have five children and 11 grandchildren. They make their home in Blackfoot.

DBS to Begin New Year with a New Look

By Bill Hatch, *Editor*

At or near the beginning of 2011 the Division of Building Safety Meridian office will take on a new look. Walk-in customers, vendors and others will access the agency from the east end of our existing building on E. Watertower Street.

DBS has held discussions with the Idaho Department of Labor (IDOL) which may result in IDOL occupying approximately half of the space in our building under an ongoing lease arrangement. IDOL has plans to vacate its present quarters in Meridian.

There are a number of advantages to this arrangement, not the least of which are financial. DBS will realize savings of approximately 20 percent per year over the course of the first four years of the IDOL lease and nearly 40 percent per year in subsequent years.

Another benefit is the expectation of increased efficiency through better interaction amongst our various work groups. At present, DBS employees are quite dispersed within our building. The new office configuration will move our work groups into closer and more efficient proximity without reducing the amount of workspace allocated to individual employees.

A new entryway design is being developed for the east end of the building and new signage will be installed. DBS stakeholders in the Treasure Valley area will also be notified of the change by mail and/or e-mail when the move takes place.



Governor C.L. "Butch" Otter (L), Pocatello Regional Manager Chris Jensen and DBS Administrator C. Kelly Pearce cut the ribbon to mark the official re-establishment of the agency's Pocatello office presence August 7, 2010.

Pocatello Office Welcomed by Eastern Idaho Customers

By Chris Jensen, *Regional Manager, Pocatello*

The re-opening of the Division of Building Safety Pocatello office has so far been received very well. While the initial number of walk-in customers has been somewhat sparse, there is an increased awareness as knowledge spreads that the office is here.

Employees in Meridian have been referring people to us when receiving calls from this area; however, word of mouth is proving to be our most effective publicity tool. People who have been happy to discover that their questions and concerns can be addressed locally without delays are spreading the word. There seems to be a certain level of comfort associated with being able to engage in face-to-face communication as opposed to dealing with a disembodied voice at the other end of a telephone line.

In addition to helping customers in person, Pocatello office staff has been processing permits faxed to the Meridian office then forwarded to us, assisting numerous persons in the use of the online "e-TRAKiT" permitting system, scanning records from prior years, helping people with licensing questions, and answering between 75 and 100 phone calls each day.

An installed video system allows us to conference with employees in both Meridian and Coeur d'Alene, providing close communication and cohesiveness between all members of the Customer Resource Team. The office also provides access to two conference rooms that are available for public meetings as well as inspector and contractor training.

Our purpose is to accommodate customers, responding to their needs with immediate face-to-face assistance and to provide additional phone support. So far, the interaction has been very positive and we are looking forward to even more improvement in our service to eastern Idaho as time goes by.

Expenditures to Appropriations
Fiscal Year 2010

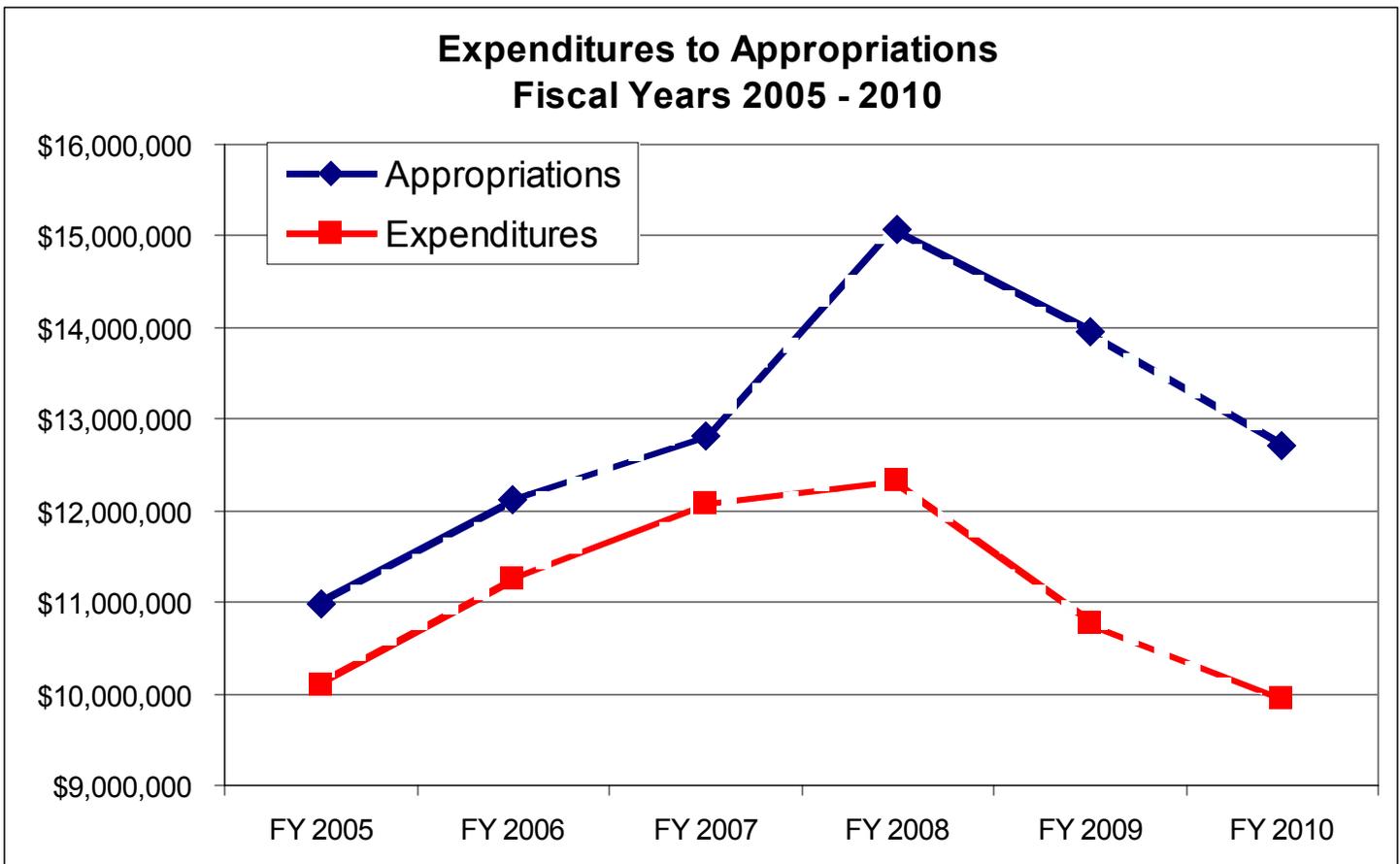
Class Expenditures	Appropriation	Fiscal Year End Expenditure Totals	% of Appropriation Expended	Unexpended Appropriation	% of Appropriation Unexpended
Personnel:	\$ 9,595,000	\$ 8,008,600	83.5%	\$ 1,586,400	16.5%
Operating:	\$ 2,907,500	\$ 1,898,300	65.3%	\$ 1,009,200	34.7%
Capital:	\$ 210,500	\$ 48,100	22.9%	\$ 162,400	77.1%
Total Expenditures	\$ 12,713,000	\$ 9,955,000	78.3%	\$ 2,758,000	21.7%

The negative effects of the current economic downturn on Idaho’s construction-related businesses are widely known and much discussed. Setbacks suffered by the Division of Building Safety are proportionately similar.

Over the past two years DBS has left vacant positions unfilled, reduced vehicle purchases, cut operating costs and gone through layoffs - all in a continuing effort to reduce expenditures.

The above table summarizes the Division of Building Safety’s financial performance in the most recently-completed fiscal year. In FY 2010, the Idaho Legislature granted spending authority (appropriation) totaling \$12,713,000. Through implementation of cost-cutting measures, DBS held total expenditures to \$9,955,000. This represents a reduction from the appropriation of 21.7%.

The accompanying chart compares the agency’s appropriation (spending authority) to expenditures for the five-year period covering Fiscal Years 2005 through 2010.



Electrical Safety Rules Affect Idaho Employers and Workers

By Al Caine, *Industrial Safety Program Manager*

What is NFPA 70E?

NFPA 70E Standard for Electrical Safety in the Workplace was developed with the intent of providing a standard for electrical installations that is compatible with the OSHA requirements for employee safety in locations covered by the National Electrical Code. First published in 1979, it is considered the “how to” manual for accomplishing workplace electrical safety.

Is NFPA 70E adopted as a safety standard in Idaho?

Not directly. IDAPA 07.04.01.011.d lists many standards that are used to conduct safety inspections. Standards of the National Fire Protection Association (NFPA) are among those listed.

Does OSHA regulate workplace safety in Idaho?

Yes, (in part). Private and federal employers are regulated by OSHA.

Who regulates workplace safety for non-federal public employees in Idaho?

Idaho Code § 67-2312 designates the Industrial Commission and the Division of Building Safety as the agencies with the responsibility of inspecting all public buildings owned or maintained by the state or any official, department, board, commission or agency thereof, for the purpose of ascertaining unsafe or hazardous conditions therein. (Also see IC §§ 72-720 through 72-723.)

What references, standards and codes are used to perform safety inspections for non-federal public workplaces in Idaho?

Many references are used, but the primary source for inspections is the Idaho General Safety & Health Standards (IGSHS). These standards were developed and adopted in 1997 with the intent of being at least as effective as OSHA with regard to workplace safety.

Are the public employers in Idaho required to follow the guidelines for electrical safety found in NFPA 70E?

Yes. Though not independently adopted by Idaho, NFPA 70E is the industry standard for electrical safety recognized by OSHA and was used to develop Section 150 Electrical Safety in the IGSHS.

When will the provisions of the 2009 edition of NFPA 70E be implemented and required?

The IGSHS has not been updated recently and does not incorporate the recent requirements of NFPA 70E. However, once a hazard is recognized, under the general requirements of the IGSHS, it is the responsibility of the employer to provide the employee with training, procedures, and personal protective equipment to mitigate that hazard. It is our intent over the next several months, with

involvement of the stakeholders, to update the IGSHS a section at a time. Our goal is for the electrical safety section to be updated by the end of 2010.

What changed? Why are employees required to have flame resistant (FR) clothing and other personal protective equipment (PPE) when working on energized equipment now?

In the early 1980's a paper “The Other Electrical Hazard: Electric Arc Blast Burns” by Ralph Lee was published in the IEEE Transactions on Industrial Applications. The effect of this paper was to realize the need to protect people from the hazards of arc flash. The requirements were incorporated into OSHA (CFR 1910 Subpart S), NFPA 70 (NEC) and NFPA 70E.

In general, what are the employer's requirements associated with the arc flash hazard?

Employers must meet five basic requirements:

1. Employees must be trained on electrical hazards including arc flash.
2. Employers must develop and implement an Electrical Safety Program with clearly defined responsibilities.
3. Employers must provide the appropriate levels of PPE including FR clothing where applicable.
4. An arc flash hazard analysis shall be conducted (there are exceptions).
5. Arc Flash Hazard warning labels shall be installed on all electrical panels or equipment. (See NEC-2008 Article 110.16)

What is an Arc Flash Hazard Analysis?

NFPA 70E defines Arc Flash Hazard Analysis as “A study investigating a worker's potential exposure to arc flash energy, conducted for the purpose of injury prevention and the determination of safe work practices, arc flash protection boundary,

continued next page



An electrical arc flash (top) is extremely dangerous. The personal protective equipment (PPE) shown below is a safety enhancement required by NFPA 70E

and the appropriate levels of PPE.”

These studies are usually performed by engineering firms and require detailed information of the entire electrical system including utility input.

What are the exceptions to performing an Arc Flash Hazard Analysis?

Exception No 1: An arc flash hazard analysis shall not be required where all of the following conditions exist:

- (1) The circuit is rated at 240 volts or less.
- (2) The circuit is supplied by one transformer.
- (3) The transformer supplying the circuit is rated less than 125 kVA.

Exception No 2: The requirements of 130.7(C)(9), 130.7(C)(10), and 130(C)(11) shall be permitted to be used in lieu of a detailed incident energy analysis.

The sections listed above consist of tables and standard PPE level requirements for various voltage levels and tasks.

For more information regarding Arc Flash see “What is Arc Flash” by Mike Holt at www.mikeholt.com.

For more information on an electrical safety program see “Establishing an Electrical Safety Program” by Dennis K. Neitzel at www.avotraining.com.

DBS offices in Meridian, Coeur d’Alene and Pocatello and at the BBB offices in Boise and Idaho Falls.

Unqualified and unlicensed contractors threaten the health and safety of Idahoans by performing work that may not meet applicable safety codes. They also circumvent state laws designed to protect our citizens from the results of shoddy and/or dangerous installations. Homeowners and others who come in contact with these individuals are encouraged to report them to the Division of Building Safety and the Better Business Bureau.



Fuses replaced by deep well sockets. A serious fire and/or shock hazard could result.

A Good Example of Why We Inspect

By Bill Hatch, *Editor*

People sometimes ask: “Why bother with inspections?” The answer is simple: To ensure the safety of the citizens of Idaho.

The list of unsafe situations observed by DBS inspectors is virtually endless. While some violations may be considered relatively benign, many pose a clear and present danger. An example is shown in the photograph accompanying this article.

In the course of his routine inspection of installations at a county fair recently, a DBS electrical inspector found a fuse box in which two of three 60-amp fuses had been replaced with a pair of 9/16” deep well sockets. The resistance of these sockets is essentially zero, allowing unrestricted current flow, whereas the fuses are designed to fail - thereby protecting the circuit - whenever the current exceeds 60 amperes.

Using the sockets to complete a circuit in place of the fuses – and the prospect of abnormally high current flow through the fuse box - created the potential for any number of bad things to happen. Perhaps the most dangerous occurrence would be that the wiring overheats, causing a fire or shock hazard.

So, the next time a DBS or local jurisdiction inspector arrives to check your project or installation, remember that he or she is there to protect your safety and the safety of all who live, work and learn in Idaho buildings.

DBS Joins Better Business Bureau in Public Awareness Campaign

By Bill Hatch, *Editor*



DBS Administrator Kelly Pearce in the recording studio for production of the joint DBS/BBB radio public service announcement.

Among the more common complaints received by the Division of Building Safety from licensed professionals and members of the public is the matter of unqualified/unlicensed individuals soliciting for and performing work in the various building trades. Such complaints are also among the most frequent received by the Snake River

Better Business Bureau. The number of unqualified/unlicensed contractor complaints continues to increase as the economy struggles to recover.

In a cooperative effort, the BBB and DBS have produced a 60-second public service announcement that will soon be heard on radio stations throughout the state. We have also produced three brochures to serve as “How To” guides for consumers in selecting contractors to perform plumbing, electrical and HVAC work. These guides and the radio spot can be seen and heard on the DBS Web site at dbs.idaho.gov. The guides will also be available at the



HVAC Program Manager

Jerry Peterson



Plumbing Program Manager

John Nielsen



Electrical Program Manager

Al Caine

New Program Managers and Milestones

By Bill Hatch, *Editor*

Administrator Kelly Pearce recently announced appointments to the new positions of Program Manager within the Division of Building Safety. The program managers replace the positions of Bureau Chiefs, which have been eliminated.

Jerry Peterson of Eagle has been named Program Manager of the DBS Heating, Ventilation and Air Conditioning Program. Jerry has worked in the industry for some 25 years and holds an HVAC contractor license. He is the former owner of Quality Home Services.

Prior to joining DBS, Jerry served as Executive Secretary of the Southwest Idaho Building Trades and as such was a regular attendee at DBS board meetings. He also has extensive experience working with the Idaho Legislature as an advocate for the building industry.

The HVAC Program Manager position encompasses the duties of support to the Idaho HVAC Board, mechanical building plan reviews and legislative liaison for matters relating to HVAC.

Al Caine has accepted the position of Electrical Program Manager within DBS.

Al will continue to manage the elevator and school safety program. While the elevator program will remain under Al's supervision on a permanent basis, the school safety and public building inspection program will transfer to another manager in the near future.

Al has been an employee of DBS since August of 1994, primarily as an Electrical inspector and program manager. He brings a wealth of knowledge and expertise to his new position.

John Nielsen has accepted a promotion to the position of Program Manager of the DBS Plumbing Program.

John has worked for the Division of Building Safety as a plumbing inspector since November of 2004. His knowledge and skills will be an asset to the agency in his new position.

Other Milestones

Effective September 10, 2010, DBS Building Bureau Chief Jack Rayne has retired. He says much of his time will now be spent at his cabin in Valley County and pursuing his love of hunting and fishing in Idaho and Alaska.

Jack started with DBS in November of 1979 as a plans examiner. Over the past 30 years he has held numerous positions in the agency, including Acting Building Division Administrator and Building Program Manager prior to becoming Chief of the Building Bureau. He had a well-earned reputation as the unofficial historian/archivist for the Building Program.

We appreciate the contributions he has made to the agency over the years and wish him well in his future endeavors.

Responsibility for the DBS Building Program has been permanently reassigned to Steve Keys, Deputy Administrator for Operations.

Jeff Harris has accepted reassignment from his position of Inspector/Advisor in the plumbing and HVAC programs to Inspector/Advisor in the Industrial Safety Program.

Jeff will be working in the School Safety Program, being assigned school safety inspections in the Magic Valley area. He will also continue to conduct inspections for the Plumbing and HVAC programs on a limited basis as DBS continues to develop more multi-disciplined inspectors.



Former Plumbing Bureau Chief Passes

By Bill Hatch, *Editor*

Joseph G. (Joe) Meyer, former Division of Building Safety Plumbing Bureau Chief, passed away quietly at his home in Mohave Valley, Arizona May 24, 2010.

Joe began working for the Division of Building Safety in 1976, serving initially as a plumbing inspector and later as chief of the Plumbing Bureau. He retired from that position in 2001. Those who knew him remember him as a competent inspector and manager and above all a friend.

Joe Meyer served in the Division of Building Safety for nearly 25 years. He is missed by all who knew him. Our thoughts and sympathy are with his family.

North Idaho Report

By Jeri Groth, *Office Specialist II, Coeur d'Alene*

Northern Idaho continues to feel many of the same effects of the economic slowdown as are being felt in other areas of the state. There is some construction activity but it does not come close to approaching the levels seen during the "boom" years prior to the onset of the recession. Several area contractors have reported they witnessed a slow summer but many are saying that the approach of hunting season has also brought an upturn in business, wouldn't you know!

The new Wal-Mart superstores in Post Falls and Hayden have held their grand openings and other facilities in the area will be up and running shortly.

In the Bonner/Boundary County area, there is a new car dealership under construction, along with numerous commercial tenant improvements. Crews are nearly finished with the installation of service infrastructure and roads in a 300-home subdivision. One good sign is the construction of a number of "spec" and custom homes throughout the area.

Commercial works in progress include two breweries and a major grocery store remodel. In the public works arena, construction is moving forward on a juvenile detention center and a courthouse remodel.

Local weathermen are predicting an above average snowfall this winter but I don't think there will be as much as during the record-breaking winter of 2008-09.

Plumbing/HVAC Inspector Will Hoygaard has reported several close encounters with moose while on foot at several remote home sites. This is a rather common occurrence in northern Idaho and among the reasons many of us have chosen to live here.

Summer Work Experience Program Benefits DBS and Young People

By Bill Hatch, *Editor*

For six weeks this past summer, the Division of Building Safety enjoyed the company and benefitted from the talents of three participants in the Summer Work Experience Program (SWEP) conducted by the Idaho Commission for the Blind and Visually Impaired (ICBVI).

SWEP participants range in age from 16 to 21 years. They come to the Treasure Valley from throughout the state of Idaho to experience paid employment in real-life situations, developing skills and confidence that will enable them to work and live on their own as adults. The program also offers participants the opportunity to make new friends and take part in fun recreational activities.

SWEP workers assigned to the Division's Meridian office were Kelsey Blazicevich of Meridian, Ronnie Strohmeyer of Nampa and Morgan Price from Rexburg. All of them worked in positions within the DBS Customer Resource Team (CRT).

Kelsey and Ronnie performed a number of technical and customer service functions, answering phones, processing credit card payments and assisting walk-in customers. They also helped with the DBS document scanning project, helping to reduce the vast number of paper documents on file. Morgan was assigned to verify licensing and apprentice information in the DBS database and to update and verify the data as needed. This helped a great deal in cleaning up old files and making the information in the database more current and accurate.

CRT Program Manager Ron Crouch said his entire team was impressed with the enthusiasm and dedication of the SWEP participants. "It was a joy to have these young people in our building. We thank them for their help and wish them well in all their future endeavors," Crouch said.



2010 SWEP participants Morgan Price, Kelsey Blazicevich and Ronnie Strohmeyer prepare to "cake down" at a farewell gathering hosted by DBS' Customer Resource Team.

Board Meetings Accessible to More Idahoans via Videoconferencing

By Bill Hatch, *Editor*



DBS Deputy Administrator Janice Foster makes a presentation to the State Plumbing Board at the first board meeting to employ videoconferencing between Meridian, Pocatello and Coeur d'Alene.

In July of 2010, the Division of Building Safety implemented a videoconferencing system that brings more Idahoans into the decision making processes of the seven DBS-hosted regulatory boards and allows much broader participation by members of the public.

The videoconferencing system is patterned on similar systems used by the Idaho State Board of Education and other agencies. It connects the DBS offices in Meridian, Coeur d'Alene and Pocatello with instant two-way audio and video communication. Attendees in any of the three locations are able to see and hear proceedings at the other venues as they take place. Citizens now have the ability to present testimony and pose questions at board meetings regardless of where the meeting is held geographically.

The driving forces behind adoption of the videoconferencing system were two-fold; the primary impetus being a desire to reduce the administrative costs incurred when boards conduct meetings away from the DBS main office in Meridian, the other being the expressed desire of stakeholders in regions outside the Treasure Valley to participate more actively in board activities without incurring the cost and lost time associated with attending meetings in Meridian and elsewhere around the state.

Regardless of where board meetings are conducted, individuals wishing to participate may now do so simply by visiting the DBS office most convenient to them. Persons wishing to make a presentation to any given board should contact the Meridian office in advance to secure a place on the meeting agenda.

DBS Expands Scope of Coeur d'Alene Tribal Agreement

By Terry Blessing, *Public Works Contractor Licensing Outreach Advisor*

The Division of Building Safety has engaged in more work with the Coeur d'Alene Tribe in northern Idaho. The agreement with the Tribe initially covered only plumbing and electrical inspections for Tribal housing projects in Worley. It has since expanded to encompass inspection work on an expansion of the Coeur d'Alene Casino, a new casino gas station/convenience store and a number of apartment buildings on the Old Indian Agency property.

Work is nearly complete on the gas station/convenience store, located on property immediately adjacent to the casino. Crews have also completed the footing and foundation work and begun

putting up walls for the apartment buildings. In addition to plumbing and electrical inspections, DBS will be performing building code inspections for the apartment project.

The Coeur d'Alene Tribe has plans for a number of other building projects going forward, including a new market, a bus shop and some medical buildings. It is our hope to be invited to perform inspection work on these projects as well.



The nearly-completed gas station/convenience store (top) and foundation prep for apartment buildings being built by the Coeur d'Alene Tribe near Worley.

Ground Broken for New Plummer-Worley Elementary School

By Bill Hatch, *Editor*



DBS Administrator Kelly Pearce (Center) joins members of the Plummer-Worley School Board and others in the ceremonial groundbreaking for Lakeside Elementary School

On Monday, November 1st, ground was broken in Plummer for the new Lakeside Elementary School. The building is a replacement for the elementary school in Worley, which in 2009 was found to present an imminent hazard to occupants due to weakening of roof support structures over the gymnasium/cafeteria portion of the building.

The original Lakeside Elementary was built in 1937. In 2009, roof support trusses were found to have cracked and weakened following two successive winters of above-average snow loads. An engineering analysis found that the roof could experience a catastrophic failure if again subjected to snow loads in excess of the design capacity. The building was abandoned and students and staff were transferred to an existing facility in Plummer.

The new elementary school is being built with money provided by the State of Idaho through the Public School Facilities Cooperative Fund established by the Legislature in 2004. Budgeted cost was \$11.3 million; however, it is expected the new facility will be built for approximately \$1 million less than the original estimate.

2011 DBS Legislation and Administrative Rule Proposals

Legislation

Electrical Board	Changes in electrical apprentice registration
Electrical Board	Compensation of board members
Electrical Board	Inspectors hired after July 1, 2013 required to be master electricians
Plumbing Board	Adoption the of Idaho State Plumbing Code
HVAC Board	Compensation of board members
Elevators	60 Day Temporary Certificate to operate an elevator

DBS Administrative Rules

Electrical

07-0103-1001	Changes in apprentice registration requirements to coincide with last session's statutory changes
07-0104-1001	New Outside Wireman specialty license
07-0107-1001	CEU requirements for journeyman/master electrician

Plumbing

07-0205-1001	Practical examination requirements for journeyman license
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Building

07-0301-1001	Adjustment of plan review and permit fees
07-0301-1002	Amendments to the 2009 building and energy codes including log home provisions

Manufactured Housing

07-0311-1001	Re-establish continuing education requirements
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HVAC

07-0701-1001	Adoption of 2009 codes
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Elevator

07-0401-1001	Elevator inspection requirements
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The above descriptions are necessarily brief. For further detail, please visit the DBS Web site at dbs.idaho.gov.

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Idaho Division of Building Safety

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