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**IDAPA 18
TITLE 01
CHAPTER 43**

18.01.43 - CERTIFICATION OF FIRE CODE OFFICIALS

000. LEGAL AUTHORITY.

These rules are promulgated pursuant to authority granted by 41-254(4), Idaho Code, 41-255(6), Idaho Code, and Title 67, Chapter 52, Idaho Code. (5-8-09)

001. TITLE AND SCOPE.

01. Title. The title of this chapter is IDAPA 18.01.43, "Certification of Fire Code Officials." (5-8-09)

02. Scope. The purpose of this rule is to ensure the people of Idaho that the fire code, as adopted by the State Fire Marshal, is being applied by a qualified fire code official who has met the minimum standards of certification prescribed in this rule. (5-8-09)

002. WRITTEN INTERPRETATIONS.

In accordance with section 67-5201(19)(b)(iv), Idaho Code, this agency may have written statements which pertain to the interpretation of the rules of the chapter, or to the documentation of compliance with the rules of this chapter. These documents will be available for public inspection and copying at cost in the main office and each regional or district office of this agency. (5-8-09)

003. ADMINISTRATIVE APPEALS.

All administrative appeals shall be governed by Chapter 2, Title 41, Idaho Code, the Idaho Administrative Procedure Act, Title 67, Chapter 52, Idaho Code, and IDAPA 04.11.01, "Idaho Rules of Administrative Procedure of the Attorney General," Sections 000 through 099. (5-8-09)

004. INCORPORATION BY REFERENCE.

No documents are incorporated by reference. (5-8-09)

005. OFFICE -- OFFICE HOURS -- MAILING ADDRESS, STREET ADDRESS AND WEBSITE.

01. Office Hours. The Department of Insurance is open from 8 a.m. to 5 p.m. except Saturday, Sunday and legal holidays. (5-8-09)

02. Mailing Address. The department's mailing address is: Idaho Department of Insurance, P.O. Box 83720, Boise, ID 83720-0043. (5-8-09)

03. Street Address. The principal place of business is 700 West State Street, 3rd Floor, Boise, Idaho 83702-0043. (5-8-09)

04. Web Site Address. The department's website is <http://www.doi.idaho.gov>. (5-8-09)

006. PUBLIC RECORDS ACT COMPLIANCE.

Any records associated with these rules are subject to the provision of the Idaho Public Records Act, Title 9, Chapter 3, Idaho Code. (5-8-09)

007. -- 010. (RESERVED)

011. GENERAL REQUIREMENTS FOR FIRE CODE OFFICIAL CERTIFICATION.

01. Member of Organized Fire Department or Inspector. Applicants for certification must be a regular member of a fire department organized under state law, either paid or volunteer; or be a regular inspector of a city or county building department; and in areas where no fire department exists, the county sheriff or his deputy may be an applicant. (5-8-09)

02. Application Form and Fees. Applicants must file an application form approved by the State Fire

Marshal along with ten dollars (\$10) for the examination fee and five dollars (\$5) for the certificate fee, to the State Fire Marshal. Forms are available from the Idaho State Fire Marshal upon request. (5-8-09)

- 03. Denial of Application.** Applications may be denied by the State Fire Marshal if: (7-1-93)
- a.** The application is filled out erroneously; (5-8-09)
 - b.** The applicant's immediate supervising authority will not endorse the applicant; (5-8-09)
 - c.** Applicant has not adhered to the provisions of this rule; or (7-1-93)
 - d.** Applications are not accompanied by prescribed fees. (7-1-93)
- 04. Examination.** An individual desiring certification as a fire code official must: (5-8-09)
- a.** Attend a training program based on the stated adopted International Fire Code; (5-8-09)
 - b.** Take an examination developed and offered by the State Fire Marshal that is based on the state adopted International Fire Code; and (5-8-09)
 - c.** A score of seventy percent (70%) must be made to qualify as a certified fire code official. (5-8-09)
 - d.** If the individual desiring certification completes the training, passes the examination, and submits an acceptable application the State Fire Marshal will issue a certificate to the applicant that is valid for a period not to exceed twelve (12) months. (5-8-09)

012. RE-CERTIFICATION OF FIRE CODE OFFICIALS AFTER ONE YEAR.

- 01. Initial Certification Period.** In order to re-certify after the initial certification period the fire code official must: (5-8-09)
- a.** Take a re-certification examination offered by the State Fire Marshal. A score of seventy percent (70%) is considered a passing score; (5-8-09)
 - b.** Complete a re-certification application form approved by the State Fire Marshal; and (5-8-09)
 - c.** Remit a re-certification application fee of five dollars (\$5) with the application form to the State Fire Marshal. (5-8-09)
 - d.** Upon completion of the above listed steps the State Fire Marshal will issue a certificate valid for a period of time not to exceed twelve (12) months. (5-8-09)
- 02. Reactivation of Lapsed Certification.** Reactivation of a lapsed fire code official certification. (5-8-09)
- a.** If a fire code official has not renewed his certificate for a period of up to twelve (12) months, he must take and pass the examination required for a new applicant before submitting a re-certification application. (5-8-09)
 - b.** If a fire code official has not renewed his certificate for a period of greater than twelve (12) months, the State Fire Marshal may require him to complete the certification process as if he were a new applicant. (5-8-09)

013. FIRE INSPECTIONS - UNCERTIFIED PERSONNEL.

Fire inspections may only be performed by a regular member of a fire department organized under state law, either paid or volunteer, or representatives of any city or county government for that purpose. Notice of violations may only be issued by a fire code official duly certified under this rule. (5-8-09)

014. -- 999. (RESERVED)

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