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Legislative Services Office

Idaho State Legislature

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MEMORANDUM

TO: Rules Review Subcommittee of the Senate Commerce & Human Resources Committee and the House Business Committee

FROM: Principal Legislative Research Analyst - Ryan Bush

DATE: October 12, 2016

SUBJECT: Division of Building Safety

IDAPA 07.08.01 - Idaho Minimum Safety Standards and Practices for Logging--General Provisions - Proposed Rule (Docket No. 07-0801-1601)

IDAPA 07.08.02 - Idaho Minimum Safety Standards and Practices for Logging--Health, Safety, and Sanitation - Proposed Rule (Docket No. 07-0802-1601)

IDAPA 07.08.03 - Idaho Minimum Safety Standards and Practices for Logging--Explosives and Blasting - Proposed Rule (Docket No. 07-0803-1601)

IDAPA 07.08.04 - Minimum Safety Standards and Practices for Logging--Garages, Machine Shops, and Related Work Areas - Proposed Rule (Docket No. 07-0804-1601)

(1) 07.08.01 - Idaho Minimum Safety Standards and Practices for Logging--General Provisions - Proposed Rule (Docket No. 07-0801-1601)

The Division of Building Safety submits notice of proposed rulemaking at IDAPA 07.08.01 - Idaho Minimum Safety Standards and Practices for Logging--General Provisions. The Division states that many of its rules are outdated, no longer applicable or confusing and that these changes for clarification, to provide updated references and citations to applicable standards and regulations and to replace outdated or unclear illustrations related to common logging practices. Specifically, this rule change provides for compliance with the Public Records Act, provides an additional reference for the definition of logging terms, clarifies the scope of the Division's authority in interpreting and applying rules and updates the general requirements of the employer's and employee's responsibility to ensure safe operations.

The Division states that negotiated rulemaking was conducted and that notice was published in the December 2015 edition of the Idaho Administrative Bulletin, Vol. 15-12, pages 1-2. There is no fiscal impact associated with this rulemaking.

The proposed rule appears to be within the statutory authority granted to the Division in Section 67-2601A, Idaho Code.

(2) 07.08.02 - Idaho Minimum Safety Standards and Practices for Logging--Health, Safety, and Sanitation - Proposed Rule (Docket No. 07-0802-1601)

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The Division of Building Safety submits notice of proposed rulemaking at IDAPA 07.08.02 - Idaho Minimum Safety Standards and Practices for Logging--Health, Safety, and Sanitation. The Division states that many of its rules are outdated, no longer applicable or confusing and that these changes for clarification, to provide updated references and citations to applicable standards and regulations and to replace outdated or unclear illustrations related to common logging practices. Specifically, this rule change clarifies the reference to rule provisions that govern an appeal of a decision made by the Division related to logging, identifies practices related to the provision of first aid and contents of first aid kits and amends provisions related to safety and fire equipment and personal protective equipment.

The Division states that negotiated rulemaking was conducted and that notice was published in the December 2015 edition of the Idaho Administrative Bulletin, Vol. 15-12, pages 1-2. There is no fiscal impact associated with this rulemaking.

The proposed rule appears to be within the statutory authority granted to the Division in Section 67-2601A, Idaho Code.

(3) 07.08.03 - Idaho Minimum Safety Standards and Practices for Logging--Explosives and Blasting - Proposed Rule (Docket No. 07-0803-1601)

The Division of Building Safety submits notice of proposed rulemaking at IDAPA 07.08.03 - Idaho Minimum Safety Standards and Practices for Logging--Explosives and Blasting. This rule change repeals the chapter of rules related to the use, handling, transportation and storage of explosive and blasting agents. The Division states that this chapter is outdated because the majority of loggers no longer engage in the practice of explosives and blasting but instead contract such work out to professionals.

The Division states that negotiated rulemaking was conducted and that notice was published in the December 2015 edition of the Idaho Administrative Bulletin, Vol. 15-12, pages 1-2. There is no fiscal impact associated with this rulemaking.

The proposed rule appears to be within the statutory authority granted to the Division in Section 67-2601A, Idaho Code.

(4) 07.08.04 - Minimum Safety Standards and Practices for Logging--Garages, Machine Shops, and Related Work Areas - Proposed Rule (Docket No. 07-0804-1601)

The Division of Building Safety submits notice of proposed rulemaking at IDAPA 07.08.04 - Minimum Safety Standards and Practices for Logging--Garages, Machine Shops, and Related Work Areas. The Division states that it is making minor editorial revisions to ensure clarity. Specifically, this rule change lists the office locations and hours, clarifies the proper reference to rule provisions that govern an appeal of a decision made by the Division related to logging and provides additional references for the definition of logging terms.

The Division states that negotiated rulemaking was conducted and that notice was published in the December 2015 edition of the Idaho Administrative Bulletin, Vol. 15-12, pages 1-2. There is no fiscal impact associated with this rulemaking.

The proposed rule appears to be within the statutory authority granted to the Division in Section 67-2601A, Idaho Code.

cc: Division of Building Safety
Steve Keys