

IDAPA 07 – DIVISION OF BUILDING SAFETY

07.04.01 – RULES GOVERNING SAFETY INSPECTIONS – GENERAL

DOCKET NO. 07-0401-1701

NOTICE OF INTENT TO PROMULGATE RULES – NEGOTIATED RULEMAKING

AUTHORITY: In compliance with Sections 67-5220(1) and 67-5220(2), Idaho Code, notice is hereby given that this agency intends to promulgate rules and desires public comment prior to initiating formal rulemaking procedures. This negotiated rulemaking action is authorized pursuant to Section 67-2601A, Idaho Code.

MEETING SCHEDULE: A public meeting on the negotiated rulemaking will be held by the Idaho Division of Building Safety, and is scheduled as follows:

**Tuesday, May 2, 2017
9:30 a.m. (MDT)**

**Idaho Division of Building Safety
1090 E. Watertower, Suite 150
Meridian, ID 83642**

**via VIDEO-TELECONFERENCE
(same date and time as above)
at the following Division of Building Safety locations:**

**Coeur d'Alene Regional Office
1250 Ironwood Drive, Suite 220
Coeur d'Alene, ID 83814**

**Pocatello Regional Office
2055 Garrett Way, Bldg. 1, Suite 4
Pocatello, ID 83201**

During the scheduled public meeting, additional negotiated rulemaking meetings may be established by the Division, if necessary. Adequate notice of the dates, locations, and manner of participation of any such additional meetings will be posted on the Division of Building Safety website <http://dbs.idaho.gov/>.

The meeting sites will be accessible to persons with disabilities, if needed. Requests for accommodation must be made not alter than five (5) days prior to the meeting to the agency address below.

METHOD OF PARTICIPATION: Persons wishing to participate in the negotiated rulemaking must do the following:

Interested members of the public who wish to participate must submit any written comments, questions, recommendations, or ideas to the Idaho Division of Building Safety, Industrial Safety Program on designated forms available at the Division of Building Safety website <http://dbs.idaho.gov/> and at the DBS offices in Meridian, Coeur d'Alene, and Pocatello, Idaho. Individuals may also attend the public meeting to be conducted on the above date during which the Division of Building Safety will allow oral comments or presentations to be made. You may contact the Division of Building Safety, Industrial Safety Program by contacting Gary Barnes at the Division of Building Safety. Mr. Barnes' email address is Gary.Barnes@dbs.idaho.gov.

Upon conclusion of the negotiated rulemaking, any unresolved issues, all key issues considered, and conclusions reached during the negotiated rulemaking will be addressed in a written summary. The summary will be made available to interested persons who contact the agency or, if the agency chooses, the summary may be posted on the agency website.

DESCRIPTIVE SUMMARY: The following is a statement in nontechnical language of the substance and purpose of the intended negotiated rulemaking and the principle issues involved:

Pursuant to Sections 67-2311 through 67-2318, the Administrator of the Division of Building Safety has authority to perform inspection of state buildings to determine the existence of any unsafe or hazardous conditions. Additionally, pursuant to Section 67-2601A, Idaho Code, the Administrator has authority to conduct safety inspections of buildings owned or maintained by political subdivisions of the state upon request, as well as promulgate rules adopting minimum safety standards and procedures for conducting inspections and safety training. The Division desires to amend provisions of the existing safety and health rules applicable to places of public employment as it determines necessary through the negotiated rulemaking process. Specifically, the Division seeks to amend outdated provisions and update the adopted safety standards applicable to the safety inspections it conducts on state-owned buildings, or those it may conduct for a political subdivision. The Division seeks the participation of the affected industry, owners and operators of public buildings or other interested parties, and the public at large in this rulemaking process to ensure that due consideration is given to the varying views about the adoption of safety rules for application in Idaho.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS, OBTAINING COPIES: For assistance on technical questions concerning this negotiated rulemaking or to obtain a copy of the preliminary draft of the text of the proposed rule, if available, contact Ron Whitney, Deputy Administrator, Division of Building Safety at (208) 332-7150. Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the DBS website at <http://dbs.idaho.gov/>.

Anyone may submit written comments regarding this negotiated rulemaking. All written comments, questions, recommendations, and ideas must be directed to the undersigned and must be submitted on the appropriate form to the Division of Building Safety by April 24, 2017. Forms may be submitted via email to neg.rules@dbs.idaho.gov.

DATED this 6th day of March, 2017.

Ron Whitney, Deputy Administrator
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