

IDAPA 07 – DIVISION OF BUILDING SAFETY

07.04.02 – SAFETY RULES FOR ELEVATORS, ESCALATORS, AND MOVING WALKS

DOCKET NO. 07-0402-1701

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 adopting or amending codes governing the operation, installation, alteration, maintenance, inspection and repair of conveyances in the state of Idaho. The Division of Building Safety desires public comment prior to initiating formal rulemaking procedures. This negotiated rulemaking action is authorized pursuant to Sections 67-2601A and 39-8605, 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:

**Wednesday, May 3, 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 Division of Building Safety, Elevator 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 will allow oral comments or presentations to be made. You may contact the Division of Building Safety, Elevator 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 conclusion 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 Section 39-8605, Idaho Code, the Administrator of the Idaho Division of Building Safety has the authority to promulgate rules adopting or amending codes governing the operation, installation, alteration, maintenance, inspection and repair of conveyances in the State of Idaho. In accordance with Section 39-8614, Idaho Code, these codes include the ANSI/ASME, Safety Code for Elevators and Escalators; ANSI/ASME, Guide for Inspection of Elevators, Escalators, and Moving Walks; ANSI/ASME, Safety Code for Existing Elevators and Escalators; ANSI/ASME, Guide for Emergency Personnel; ANSI/ASME, Standards for Elevators and Escalator Electrical Equipment; ANSI/ASME, Safety Requirement for Personnel Hoists and Employee Elevators for Construction and Demolition of Operations; ICCF/ANSI, American Notional Standard, Accessible and Usable Buildings and Facilities; ANSI/ASME, Safety Standard for Platform Lifts and Stairway Chairlifts; and ASME, Standard for the Qualification of Elevator Inspectors. The Division desires to amend provisions of these codes or adopt new editions of such codes as it determines necessary through the negotiated rulemaking process. The Division seeks the participation of the affected industry including owners and operators of elevators, 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 elevator codes 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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