

## IDAPA 07 – DIVISION OF BUILDING SAFETY

### 07.09.01 – SAFETY AND HEALTH RULES FOR PLACES OF PUBLIC EMPLOYMENT

DOCKET NO. 07-0901-1801

#### 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 as follows:

**Tuesday, May 22, 2018  
9:30 a.m. (MDT)**

**Idaho Division of Building Safety  
1090 E. Watertower St., 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**

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

The meeting sites will be accessible to persons with disabilities, if needed. Requests for accommodation must be made not later 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 on designated forms available at the Division’s website at <http://dbs.idaho.gov/> and at the Division’s offices in Meridian, Coeur d’Alene and Pocatello. Individuals may also attend the public meeting to be conducted on the date listed above. The Board will allow oral comments or presentations to be made at the meeting. More information on the meeting is available by contacting Deputy Administrator Ron Whitney at (208) 332-7150 or at [ron.whitney@dbs.idaho.gov](mailto:ron.whitney@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 AND STATEMENT OF PURPOSE:** The following is a statement in nontechnical language of the substance and purpose of the intended negotiated rulemaking and the principal issues involved:

Pursuant to Sections 67-2311 through 67-2318, Idaho Code, the Administrator of the Division of Building Safety has authority to perform inspections 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 and 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 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 for a political subdivision. The Division seeks the participation of the affected industry, owners and operators of public buildings, 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 DRAFT COPIES:** For assistance on technical questions concerning this negotiated rulemaking or to obtain a preliminary draft copy of the rule text, if available, contact Ron Whitney, Deputy Administrator, at (208) 332-7150 or at [ron.whitney@dbs.idaho.gov](mailto:ron.whitney@dbs.idaho.gov). Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the Division's web site at <http://dbs.idaho.gov>.

Anyone may submit written comments regarding this negotiated rulemaking. All written comments must be directed to the undersigned and must be delivered by May 17, 2018.

Dated this 13th day of March, 2018.

Ron Whitney, Deputy Administrator  
Division of Building Safety  
1090 E. Watertower St., Ste. 150  
P. O. Box 83720  
Meridian, ID 83642  
Phone: (208) 332-7150  
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