

**IDAPA 07 – DIVISION OF BUILDING SAFETY**

**07.07.01 – RULES GOVERNING INSTALLATION OF HEATING, VENTILATION,  
AND AIR CONDITIONING SYSTEMS, DIVISION OF BUILDING SAFETY**

**DOCKET NO. 07-0701-1901**

**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 Sections 54-5001, 54-5004, and 54-5005, Idaho Code.

**MEETING SCHEDULE:** A public meeting on the negotiated rulemaking will be held as follows:

<b>PUBLIC MEETING</b>	
<b>Tuesday, May 21, 2019 – 9:30 a.m. (MDT)</b>	
<b>Idaho Division of Building Safety 1090 E. Watertower Street, Suite 150 Meridian, ID 83642</b>	
<b>*Via VIDEO TELECONFERENCE* (same date and time as above) At the following Division of Building Safety locations:</b>	
<b>Coeur d’Alene Regional Office 1250 Ironwood Drive, Suite 220 Coeur d’Alene, ID 83814</b>	<b>Pocatello Regional Office 2055 Garrett Way, Bldg. 1, Suite 4 Pocatello, ID 83201</b>

Additional negotiated rulemaking meetings may be established, if necessary. Adequate notice of the dates, locations, and manner of participation of any such additional meetings will be posted on the Idaho Division of Building Safety (Division) 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 Idaho Heating, Ventilation, and Air Conditioning Board (Board) 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 invites 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:

Parts V (mechanical) and VI (fuel gas) of the 2018 edition of the International Residential Code (IRC) and the 2018 editions of the International Fuel Gas Code (IFGC) and International Mechanical Code (IMC) provide revisions

and clarifications that make the codes easier to understand and apply. The 2018 editions of these codes also provide enhanced safety requirements for heating, ventilation, and air conditioning (HVAC) installations, including new safety requirements for emerging HVAC technologies. Examples of noteworthy changes to these codes include the following: parts V and VI of the 2018 IRC revise requirements regarding makeup air serving domestic cooking exhaust, the 2018 IFGC includes express prohibition of the use of PVC and CPVC for fuel gas systems, and the 2018 IMC provides detailed requirements regarding pedicure and manicure station exhaust systems and rates.

Additionally, an in-state or out-of-state applicant for an Idaho HVAC contractor license must currently prove having legally acted as an Idaho HVAC journeyman for twenty-four (24) months. This requirement creates an unnecessary barrier for out-of-state applicants with similar qualifications to in-state applicants to obtain an Idaho HVAC contractor license.

The purpose of the intended negotiated rulemaking is to invite public comment regarding the following:

These proposed amendments would adopt parts V and VI of the 2018 edition of the IRC and the 2018 editions of the IFGC and IMC but retain existing Idaho amendments to the 2012 editions of these codes, as applicable.

These proposed amendments would also allow an out-of-state applicant for an Idaho HVAC contractor license to meet the work experience requirement for such license by providing satisfactory proof of twenty-four months of work experience as an HVAC journeyman in another jurisdiction or forty-eight months of work experience equivalent in nature to the work experience of an Idaho HVAC journeyman. In addition, this proposed rulemaking would require such an applicant to obtain an Idaho HVAC journeyman license, pay applicable application and licensing fees, and pass the Idaho HVAC contractor examination before receiving an Idaho HVAC contractor license.

Further, this rulemaking would eliminate or simplify provisions in IDAPA 07.07.01 to comply with the Red Tape Reduction Act (Executive Order 2019-02).

**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 John Nielsen, Plumbing Program Manager, Division of Building Safety at (208) 332-7112 or at [john.nielsen@dbb.idaho.gov](mailto:john.nielsen@dbb.idaho.gov). Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the Division's website at <http://dbb.idaho.gov/>.

Anyone may submit written comments regarding this negotiated rulemaking. All written comments must be directed to the undersigned and delivered by May 16, 2019.

Dated this 5th day of April, 2019.

Ron Whitney, Deputy Administrator  
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