

IDAPA 07 – DIVISION OF BUILDING SAFETY

07.08.01 – IDAHO MINIMUM SAFETY STANDARDS AND PRACTICES FOR LOGGING – GENERAL PROVISIONS

DOCKET NO. 07-0801-1901

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 Section 67-2601A, Idaho Code.

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

PUBLIC MEETING	
Tuesday, June 25, 2019 – 4:00 p.m. (MDT)	
Idaho Division of Building Safety 1090 E. Watertower Street, 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 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:

The Division invites interested members of the public who wish to participate to submit any written comments, questions, recommendations, or ideas to the Division on designated forms available on 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 Division 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.

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:

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

In accordance with 2019 HB2, the proposed amendments would allow the director of the Idaho State Police and the Idaho Transportation Board to enforce IDAPA 07.08.01 on public highways. The proposed amendments would also update and clarify provisions of IDAPA 07.08.01, eliminate outdated terminology, eliminate reference to outdated equipment and practices, and require important safety equipment and procedures. Specifically, the proposed amendments would require employers and employees to use specific safety equipment and procedures related to the use of eye, face, head, hand, and leg protection; machinery operator manuals; U-bolt wire rope clamps; swing yarders; Flemish eye splices; and guyline extensions. Further, the proposed amendments would eliminate language related to log dumps, log ponds, booms, towing, pond boats, tow boats, and rafting. The proposed amendments would also clarify procedures for checking in at the end of a shift, reporting unsafe logging conditions and practices, and loading logs onsite.

In addition, this rulemaking would eliminate or simplify provisions in IDAPA 07.08.01 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 Larry Jeffres, Regional Manager, Division of Building Safety at (208) 277-6526 or at larry.jeffres@dbs.idaho.gov. Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the Division's website at <http://dbs.idaho.gov/>.

Anyone may submit written comments regarding this negotiated rulemaking. All written comments must be directed to the undersigned and delivered by June 18, 2019.

Dated this 6th day of May, 2019.

Ron Whitney, Deputy Administrator
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