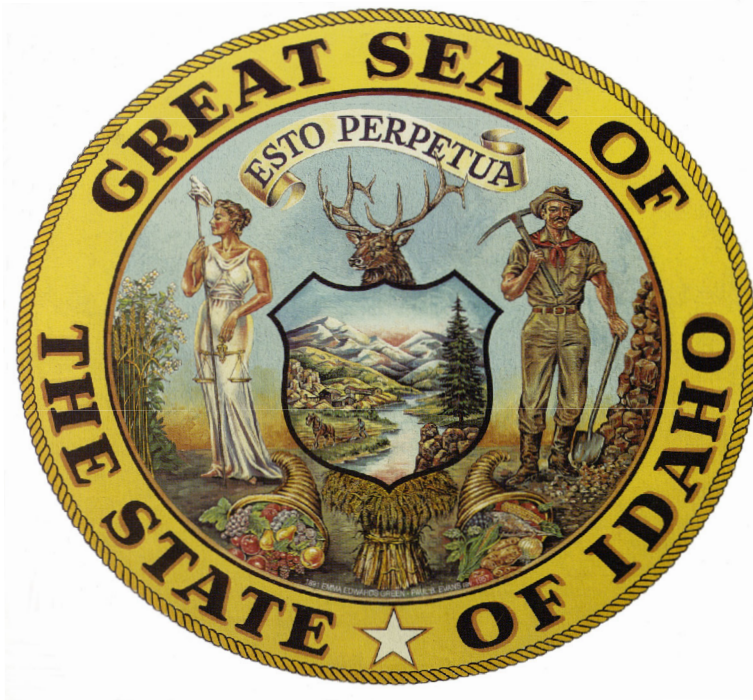


IDAHO ADMINISTRATIVE BULLETIN

January 1, 2025 – Vol. 25-1

Office of the Governor
Division of Financial Management
Office of the Administrative Rules Coordinator



The Idaho Administrative Bulletin is published monthly by the Office of the Administrative Rules Coordinator, Division of Financial Management, Office of the Governor, pursuant to Title 67, Chapter 52, Idaho Code.

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PREFACE

The Idaho Administrative Bulletin is an electronic-only, online monthly publication of the Office of the Administrative Rules Coordinator, Division of Financial Management, that is published pursuant to Section 67-5203, Idaho Code. The Bulletin is a compilation of all official rulemaking notices, official rule text, executive orders of the Governor, and all legislative documents affecting rules that are statutorily required to be published in the Bulletin. It may also include other rules-related documents an agency may want to make public through the Bulletin.

State agencies are required to provide public notice of all rulemaking actions and must invite public input. This is done through negotiated rulemaking procedures or after proposed rulemaking has been initiated. The public receives notice that an agency has initiated proposed rulemaking procedures through the Idaho Administrative Bulletin and a legal notice (Public Notice of Intent) that publishes in authorized newspapers throughout the state. The legal notice provides reasonable opportunity for the public to participate when a proposed rule publishes in the Bulletin. Interested parties may submit written comments to the agency or request public hearings of the agency, if none have been scheduled. Such submissions or requests must be presented to the agency within the time and manner specified in the individual “Notice of Rulemaking - Proposed Rule” for each proposed rule that is published in the Bulletin.

Once the comment period closes, the agency considers fully all comments and information submitted regarding the proposed rule. Changes may be made to the proposed rule at this stage of the rulemaking, but changes must be based on comments received and must be a “logical outgrowth” of the proposed rule. The agency may now adopt and publish the pending rule. A pending rule is “pending” legislative review for final approval. The pending rule is the agency’s final version of the rulemaking that will be forwarded to the legislature for review and final approval. Comment periods and public hearings are not provided for when the agency adopts a temporary or pending rule.

CITATION TO THE IDAHO ADMINISTRATIVE BULLETIN

The Bulletin is identified by the calendar year and issue number. For example, Bulletin **19-1** refers to the first Bulletin issued in calendar year **2019**; Bulletin **20-1** refers to the first Bulletin issued in calendar year **2020**. Volume numbers, which proceed from 1 to 12 in a given year, correspond to the months of publication, i.e.; Volume No. **19-1** refers to January 2019; Volume No. **20-2** refers to February 2020; and so forth. Example: The Bulletin published in January 2019 is cited as Volume **19-1**. The December 2019 Bulletin is cited as Volume **19-12**.

RELATIONSHIP TO THE IDAHO ADMINISTRATIVE CODE

The **Idaho Administrative Code** is an electronic-only, online compilation of all final and enforceable administrative rules of the state of Idaho that are of full force and effect. Any temporary rule that is adopted by an agency and is of force and effect is codified into the Administrative Code upon Bulletin publication. All pending rules that have been approved by the legislature during the legislative session as final rules and any temporary rules that are extended supplement the Administrative Code. These rules are codified into the Administrative Code upon becoming effective. Because proposed and pending rules are not enforceable, they are published in the Administrative Bulletin only and cannot be codified into the Administrative Code until approved as final.

To determine if a particular rule remains in effect or whether any amendments have been made to the rule, refer to the **Cumulative Rulemaking Index**. Link to it on the Administrative Rules homepage at adminrules.idaho.gov.

THE DIFFERENT RULES PUBLISHED IN THE ADMINISTRATIVE BULLETIN

Idaho’s administrative rulemaking process, governed by the Administrative Procedure Act, Title 67, Chapter 52, Idaho Code, comprises distinct rulemaking actions: negotiated, proposed, temporary, pending and final rulemaking. Not all rulemakings incorporate or require all of these actions. At a minimum, a rulemaking includes proposed, pending and final rulemaking. Many rules are adopted as temporary rules when they meet the required statutory criteria and agencies must, when feasible, engage in negotiated rulemaking at the beginning of the process to facilitate consensus building. In the majority of cases, the process begins with proposed rulemaking and ends with the final rulemaking. The following is a brief explanation of each type of rule.

1. NEGOTIATED RULEMAKING

Negotiated rulemaking is a process in which all interested persons and the agency seek consensus on the content of a rule through dialogue. Agencies are required to conduct negotiated rulemaking whenever it is feasible to do so. The agency files a “Notice of Intent to Promulgate – Negotiated Rulemaking” for publication in the Administrative Bulletin inviting interested persons to contact the agency if interested in discussing the agency’s intentions regarding the rule changes. This process is intended to result in the formulation of a proposed rule and the initiation of regular rulemaking procedures. One result, however, may also be that regular (proposed) rulemaking is not initiated and no further action is taken by the agency.

2. PROPOSED RULEMAKING

A proposed rulemaking is an action by an agency wherein the agency is proposing to amend or repeal an existing rule or to adopt a new rule. Prior to the adoption, amendment, or repeal of a rule, the agency must publish a “Notice of Rulemaking – Proposed Rule” in the Bulletin. This notice must include very specific information regarding the rulemaking including all relevant state or federal statutory authority occasioning the rulemaking, a non-technical description of the changes being made, any associated costs, guidance on how to participate through submission of written comments and requests for public hearings, and the text of the proposed rule in legislative format.

3. TEMPORARY RULEMAKING

Temporary rules may be adopted only when the governor finds that it is necessary for:

- a) protection of the public health, safety, or welfare; or
- b) compliance with deadlines in amendments to governing law or federal programs; or
- c) conferring a benefit.

If a rulemaking meets one or more of these criteria, and with the Governor’s approval, the agency may adopt and make a temporary rule effective prior to receiving legislative authorization and without allowing for any public input. The law allows an agency to make a temporary rule immediately effective upon adoption. A temporary rule expires at the conclusion of the next succeeding regular legislative session unless the rule is extended by concurrent resolution, is replaced by a final rule, or expires under its own terms.

4. PENDING RULEMAKING

A pending rule is a rule that has been adopted by an agency under regular rulemaking procedures and remains subject to legislative review before it becomes a final, enforceable rule. When a pending rule is published in the Bulletin, the agency is required to include certain information in the “Notice of Rulemaking – Pending Rule.” This includes a statement giving the reasons for adopting the rule, a statement regarding when the rule becomes effective, a description of how it differs from the proposed rule, and identification of any fees being imposed or changed.

Agencies are required to republish the text of the pending rule when substantive changes have been made to the proposed rule. An agency may adopt a pending rule that varies in content from that which was originally proposed if the subject matter of the rule remains the same, the pending rule change is a logical outgrowth of the proposed rule, and the original notice was written so as to assure that members of the public were reasonably notified of the subject. It is not always necessary to republish all the text of the pending rule.

5. FINAL RULEMAKING

A final rule is a rule that has been adopted by an agency under the regular rulemaking procedures and is of full force and effect.

HOW TO USE THE IDAHO ADMINISTRATIVE BULLETIN

Rulemaking documents produced by state agencies and published in the **Idaho Administrative Bulletin** are organized by a numbering schematic. Each state agency has a two-digit identification code number known as the “**IDAPA**” number. (The “IDAPA” Codes are listed in the alphabetical/numerical index at the end of this Preface.) Within each agency there are divisions or sections to which a two-digit “TITLE” number is assigned. There are “CHAPTER” numbers assigned within the Title and the rule text is divided among major sections that are further subdivided into subsections. An example IDAPA number is as follows:

IDAPA 38.05.01.200.02.c.ii.

“**IDAPA**” refers to Administrative Rules in general that are subject to the Administrative Procedures Act and are required by this act to be published in the Idaho Administrative Code and the Idaho Administrative Bulletin.

“**38.**” refers to the Idaho Department of Administration

“**05.**” refers to Title **05**, which is the Department of Administration’s Division of Purchasing

“**01.**” refers to Chapter **01** of Title 05, “Rules of the Division of Purchasing”

“**200.**” refers to Major Section **200**, “Content of the Invitation to Bid”

“**02.**” refers to Subsection 200.02.

“**c.**” refers to Subsection 200.02.c.

“**ii.**” refers to Subsection 200.02.c.ii.

DOCKET NUMBERING SYSTEM

Internally, the Bulletin is organized sequentially using a rule docketing system. Each rulemaking that is filed with the Coordinator is assigned a “DOCKET NUMBER.” The docket number is a series of numbers separated by a hyphen “-”, (**38-0501-1401**). Rulemaking dockets are published sequentially by IDAPA number (the two-digit agency code) in the Bulletin. The following example is a breakdown of a typical rule docket number:

“DOCKET NO. 38-0501-1901”

“**38-**” denotes the agency’s **IDAPA** number; in this case the Department of Administration.

“**0501-**” refers to the **TITLE AND CHAPTER** numbers of the agency rule being promulgated; in this case the Division of Purchasing (**TITLE 05**), Rules of the Division of Purchasing (**Chapter 01**).

“**1901**” denotes the year and sequential order of the docket being published; in this case the numbers refer to the first rulemaking action published in **calendar year 2019**. A subsequent rulemaking on this same rule chapter in calendar year 2019 would be designated as “**1902**”. The docket number in this scenario would be 38-0501-**1902**.

Within each Docket, only the affected sections of chapters are printed. (See **Sections Affected Index** in each Bulletin for a listing of these.) The individual sections affected are printed in the Bulletin sequentially (e.g. Section “200” appears before Section “345” and so on). Whenever the sequence of the numbering is broken the following statement will appear:

(BREAK IN CONTINUITY OF SECTIONS)

BULLETIN PUBLICATION SCHEDULE FOR YEAR 2024

Vol. No.	Monthly Issue of Bulletin	ARRF Due to DFM	Closing Date for Agency Filing	Bulletin Publication Date	21-day Comment Period End Date
24-2	February 2024	December 22, 2023	January 5, 2024	February 7, 2024	February 28, 2024
24-3	March 2024	January 26, 2024	February 9, 2024	March 6, 2024	March 27, 2024
24-4	April 2024	February 23, 2024	March 8, 2024	April 3, 2024	April 24, 2024
24-5	May 2024	March 22, 2024	April 5, 2024	May 1, 2024	May 22, 2024
24-6	June 2024	April 19, 2024	May 3, 2024	June 5, 2024	June 26, 2024
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24-9	September 2024	July 19, 2024	August 2, 2024	September 4, 2024	September 25, 2024
24-10	October 2024	August 16, 2024	*August 30, 2024	October 2, 2024	October 23, 2024
24-11	November 2024	September 20, 2024	October 4, 2024	November 6, 2024	November 27, 2024
24-12	December 2024	October 25, 2024	November 8, 2024	December 4, 2024	December 25, 2024
25-1	January 2025	November 15, 2024	**November 29, 2024	January 1, 2025	January 22, 2025

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25-9	September 2025	July 18, 2025	August 1, 2025	September 3, 2025	September 24, 2025
25-10	October 2025	August 15, 2025	*August 29, 2025	October 1, 2025	October 22, 2025
25-11	November 2025	September 19, 2025	October 3, 2025	November 5, 2025	November 26, 2025
25-12	December 2025	October 24, 2025	November 7, 2025	December 3, 2025	December 24, 2025
26-1	January 2026	November 21, 2025	**December 5, 2025	January 7, 2026	January 28, 2026

***Last day to submit a proposed rule for the rulemaking to remain on course for review by the upcoming legislature.**

****Last day to submit a pending rule to be reviewed by the upcoming legislature.**

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IDAPA 02 – IDAHO STATE DEPARTMENT OF AGRICULTURE

02.02.12 – BONDED WAREHOUSE RULES

DOCKET NO. 02-0212-2401 (ZBR CHAPTER REWRITE)

NOTICE OF RULEMAKING – ADOPTION OF PENDING RULE

EFFECTIVE DATE: This rule has been adopted by the agency and is now pending review by the 2025 Idaho State Legislature and must be approved by concurrent resolution of the Legislature to go into effect, in accordance with Section 67-5224(2)(c), Idaho Code. Should the pending rule be approved, it will become final and effective on July 1 following the First Regular Session of the Sixty-eighth Idaho Legislature, unless the concurrent resolution states a different effective date.

AUTHORITY: In compliance with Section 67-5224, Idaho Code, notice is hereby given that this agency has adopted a pending rule. The action is authorized pursuant to Section 69-231, Idaho Code.

DESCRIPTIVE SUMMARY: The following is a concise explanatory statement of the reasons for adopting the pending rule and a statement of any change between the text of the proposed rule and the text of the pending rule with an explanation of the reasons for the change:

This rule is being presented for authorization as part of the ISDA's plan to review each rule every 5 years. Redundant language that is verbatim in statute has been removed, consistent with the Governor's [Zero-Based Regulation Executive Order](#).

There are no changes to the pending rule, and it is being adopted as originally proposed. The complete text of the proposed rule was published in the October 2, 2024, Idaho Administrative Bulletin, [Vol. 24-10, pages 15-25](#).

FEE SUMMARY: Pursuant to Section 67-5224(2)(d), Idaho Code, a pending fee rule shall not become final and effective unless affirmatively approved by concurrent resolution of the Legislature. The following is a description of the fee or charge imposed or increased in this rulemaking: There is no change in fee or charge.

FISCAL IMPACT: The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year:

There is no fiscal impact on the state general fund greater than ten thousand dollars (\$10,000).

IDAHO CODE SECTION 22-101A STATEMENT: Pursuant to 22-101A(1), for any rule promulgated or adopted by the director which is broader in scope or more stringent than federal law or regulations, or which regulates an activity not regulated by the federal government, the director shall identify the portions of the adopted rule that are broader in scope or more stringent than federal law or rules, or which regulate an activity not regulated by the federal government. The following sections of the rule are broader in scope, more stringent than federal law or regulations, or regulate an activity not regulated by the federal government:

- The federal government does not regulate state licensed warehouses. This activity is defined in Idaho Code.
- The detailed 22-101A analysis can be found on the agency's website at www.agri.idaho.gov.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this pending rule, contact Lloyd Knight at lloyd.knight@isda.idaho.gov.

DATED this 1st day of January, 2025.

Lloyd Knight
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Idaho Department of Agriculture
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IDAPA 02 – IDAHO STATE DEPARTMENT OF AGRICULTURE

02.02.14 – RULES FOR WEIGHTS AND MEASURES

DOCKET NO. 02-0214-2401

NOTICE OF RULEMAKING – ADOPTION OF PENDING RULE

EFFECTIVE DATE: This rule has been adopted by the agency and is now pending review by the 2025 Idaho State Legislature and must be approved by concurrent resolution of the Legislature to go into effect, in accordance with Section 67-5224(2)(c), Idaho Code. Should the pending rule be approved, it will become final and effective on July 1 following the First Regular Session of the Sixty-eighth Idaho Legislature, unless the concurrent resolution states a different effective date.

AUTHORITY: In compliance with Section 67-5224, Idaho Code, notice is hereby given that this agency has adopted a pending rule. The action is authorized pursuant to Section 71-111, Idaho Code.

DESCRIPTIVE SUMMARY: The following is a concise explanatory statement of the reasons for adopting the pending rule and a statement of any change between the text of the proposed rule and the text of the pending rule with an explanation of the reasons for the change:

The pending rule updates the publication date for the document Incorporated by Reference at Section 004.01. The publication edition is updated to 2024 for the National Institute of Standards and Technology, Handbook No. 44. This handbook contains the specifications, tolerances, and other technical requirements for commercial weighing and measuring devices.

There are no changes to the pending rule, and it is being adopted as originally proposed. The complete text of the proposed rule was published in the October 2, 2024, Idaho Administrative Bulletin, [Vol. 24-10, pages 26-28](#).

FEE SUMMARY: Pursuant to Section 67-5224(2)(d), Idaho Code, a pending fee rule shall not become final and effective unless affirmatively approved by concurrent resolution of the Legislature. The following is a description of the fee or charge imposed or increased in this rulemaking: There is no change in fee or charge.

FISCAL IMPACT: The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year: There is no fiscal impact on the state general fund greater than ten thousand dollars (\$10,000).

IDAHO CODE SECTION 22-101A STATEMENT: Pursuant to 22-101A(1), for any rule promulgated or adopted by the director which is broader in scope or more stringent than federal law or regulations, or which regulates an activity not regulated by the federal government, the director shall identify the portions of the adopted rule that are broader in scope or more stringent than federal law or rules, or which regulate an activity not regulated by the federal government. The following sections of the rule are broader in scope, more stringent than federal law or regulations, or regulate an activity not regulated by the federal government:

This rule regulates an activity that is not regulated by the federal government; therefore the entire rule is broader in scope or more stringent than federal law. The detailed 22-101A analysis can be found on the agency's website at www.agri.idaho.gov.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this pending rule, contact Lloyd Knight at lloyd.knight@isda.idaho.gov.

DATED this 1st day of January, 2025.

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IDAPA 02 – IDAHO STATE DEPARTMENT OF AGRICULTURE

02.03.01 – RULES GOVERNING PESTICIDE MANAGEMENT PLANS FOR GROUND WATER PROTECTION

DOCKET NO. 02-0301-2401 (ZBR CHAPTER REWRITE)

NOTICE OF RULEMAKING – ADOPTION OF PENDING RULE

EFFECTIVE DATE: This rule has been adopted by the agency and is now pending review by the 2025 Idaho State Legislature and must be approved by concurrent resolution of the Legislature to go into effect, in accordance with Section 67-5224(2)(c), Idaho Code. Should the pending rule be approved, it will become final and effective on July 1 following the First Regular Session of the Sixty-eighth Idaho Legislature, unless the concurrent resolution states a different effective date.

AUTHORITY: In compliance with Section 67-5224, Idaho Code, notice is hereby given that this agency has adopted a pending rule. The action is authorized pursuant to Sections 22-3419 and 22-3421, Idaho Code.

DESCRIPTIVE SUMMARY: The following is a concise explanatory statement of the reasons for adopting the pending rule and a statement of any change between the text of the proposed rule and the text of the pending rule with an explanation of the reasons for the change:

This rule is being presented for authorization as part of the ISDA's plan to review each rule every 5 years. Redundant language that is verbatim in statute has been removed, consistent with the Governor's [Zero-Based Regulation Executive Order](#). This rule clarifies the procedure for testing and monitoring groundwater for pesticides and remedies of the Department for non-compliance.

There are no changes to the pending rule, and it is being adopted as originally proposed. The complete text of the proposed rule was published in the October 2, 2024, Idaho Administrative Bulletin, [Vol. 24-10, pages 29-39](#).

FEE SUMMARY: Pursuant to Section 67-5224(2)(d), Idaho Code, a pending fee rule shall not become final and effective unless affirmatively approved by concurrent resolution of the Legislature. The following is a description of the fee or charge imposed or increased in this rulemaking: There is no change in fee or charge.

FISCAL IMPACT: The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year:

There is no fiscal impact on the state general fund greater than ten thousand dollars (\$10,000).

IDAHO CODE SECTION 22-101A STATEMENT: Pursuant to 22-101A(1), for any rule promulgated or adopted by the director which is broader in scope or more stringent than federal law or regulations, or which regulates an activity not regulated by the federal government, the director shall identify the portions of the adopted rule that are broader in scope or more stringent than federal law or rules, or which regulate an activity not regulated by the federal government. The following sections of the rule are broader in scope, more stringent than federal law or regulations, or regulate an activity not regulated by the federal government:

The federal government does not regulate this state run program. This activity is defined in Idaho Code. The detailed 22-101A analysis can be found on the agency's website at www.agri.idaho.gov.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this pending rule, contact Lloyd Knight at lloyd.knight@isda.idaho.gov.

DATED this 1st day of January, 2025.

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IDAPA 02 – IDAHO STATE DEPARTMENT OF AGRICULTURE

02.03.03 – RULES GOVERNING PESTICIDE AND CHEMIGATION USE AND APPLICATION

DOCKET NO. 02-0303-2402

NOTICE OF RULEMAKING – ADOPTION OF PENDING RULE

EFFECTIVE DATE: This rule has been adopted by the agency and is now pending review by the 2025 Idaho State Legislature and must be approved by concurrent resolution of the Legislature to go into effect, in accordance with Section 67-5224(2)(c), Idaho Code. Should the pending rule be approved, it will become final and effective on July 1 following the First Regular Session of the Sixty-eighth Idaho Legislature, unless the concurrent resolution states a different effective date.

AUTHORITY: In compliance with Section 67-5224, Idaho Code, notice is hereby given that this agency has adopted a pending rule. The action is authorized pursuant to Section 22-3421, Idaho Code.

DESCRIPTIVE SUMMARY: The following is a concise explanatory statement of the reasons for adopting the pending rule and a statement of any change between the text of the proposed rule and the text of the pending rule with an explanation of the reasons for the change:

This rule is being presented to be in compliance with H.549, which was passed by the Idaho Legislature in the 2024 session and signed into law by the Governor on March 18, 2024. The legislation amended how licenses for chemigation applicators are categorized by separating those licenses from the federal FIFRA categories. This rule proposes a simplified process for the acquiring and maintenance of those licenses.

There are no changes to the pending rule, and it is being adopted as originally proposed. The complete text of the proposed rule was published in the July 3, 2024, Idaho Administrative Bulletin, [Vol. 24-7, pages 22-40](#).

FEE SUMMARY: Pursuant to Section 67-5224(2)(d), Idaho Code, a pending fee rule shall not become final and effective unless affirmatively approved by concurrent resolution of the Legislature. The following is a description of the fee or charge imposed or increased in this rulemaking: There is no change in fee or charge.

FISCAL IMPACT: The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year: There is no fiscal impact on the state general fund greater than ten thousand dollars (\$10,000).

IDAHO CODE SECTION 22-101A STATEMENT: Pursuant to 22-101A(1), for any rule promulgated or adopted by the director which is broader in scope or more stringent than federal law or regulations, or which regulates an activity not regulated by the federal government, the director shall identify the portions of the adopted rule that are broader in scope or more stringent than federal law or rules, or which regulate an activity not regulated by the federal government. The following sections of the rule are broader in scope, more stringent than federal law or regulations, or regulate an activity not regulated by the federal government:

- This rule does not regulate an activity regulated by the federal government. This activity is defined in Idaho Code.
- The detailed 22-101A analysis can be found on the agency's website at www.agri.idaho.gov.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this pending rule, contact Lloyd Knight at lloyd.knight@isda.idaho.gov.

DATED this 1st day of January, 2025.

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IDAPA 02 – IDAHO STATE DEPARTMENT OF AGRICULTURE

02.04.03 – RULES GOVERNING ANIMAL INDUSTRY

DOCKET NO. 02-0403-2401 (ZBR CHAPTER REWRITE)

NOTICE OF RULEMAKING – ADOPTION OF PENDING RULE

EFFECTIVE DATE: This rule has been adopted by the agency and is now pending review by the 2025 Idaho State Legislature and must be approved by concurrent resolution of the Legislature to go into effect, in accordance with Section 67-5224(2)(c), Idaho Code. Should the pending rule be approved, it will become final and effective on July 1 following the First Regular Session of the Sixty-eighth Idaho Legislature, unless the concurrent resolution states a different effective date.

AUTHORITY: In compliance with Section 67-5224, Idaho Code, notice is hereby given that this agency has adopted a pending rule. The action is authorized pursuant to Sections 69-231, 22-3418, 22-3419, 22-3421, 22-103 (20), 25-203, 25-207, 25-207B, 25-212, 25-804, 25-3704, and 22-5404, Idaho Code.

DESCRIPTIVE SUMMARY: The following is a concise explanatory statement of the reasons for adopting the pending rule and a statement of any change between the text of the proposed rule and the text of the pending rule with an explanation of the reasons for the change:

This rule is being presented for authorization as part of the ISDA’s plan to review each rule every 5 years. Redundant language that is verbatim in statute has been removed, consistent with the Governor’s [Zero-Based Regulation Executive Order](#). This rule clarifies the procedure for disease control of livestock and other animals into, within, and out of the state, procedures for prevention, control, and eradication of diseases among animals in the state of Idaho, and remedies of the Department for non-compliance.

There are no changes to the pending rule, and it is being adopted as originally proposed. The complete text of the proposed rule was published in the October 2, 2024, Idaho Administrative Bulletin, [Vol. 24-10, pages 40-60](#).

FEE SUMMARY: Pursuant to Section 67-5224(2)(d), Idaho Code, a pending fee rule shall not become final and effective unless affirmatively approved by concurrent resolution of the Legislature. The following is a description of the fee or charge imposed or increased in this rulemaking:

There is no change in fee or charge.

FISCAL IMPACT: The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year:

There is no fiscal impact on the state general fund greater than ten thousand dollars (\$10,000).

IDAHO CODE SECTION 22-101A STATEMENT: Pursuant to 22-101A(1), for any rule promulgated or adopted by the director which is broader in scope or more stringent than federal law or regulations, or which regulates an activity not regulated by the federal government, the director shall identify the portions of the adopted rule that are broader in scope or more stringent than federal law or rules, or which regulate an activity not regulated by the federal government. The following sections of the rule are broader in scope, more stringent than federal law or regulations, or regulate an activity not regulated by the federal government:

The federal government only provides standards and best practices for certain diseases and programs implemented under this rule. The federal government does not regulate animals within the state. This activity is defined in Idaho Code. The detailed 22-101A analysis can be found on the agency’s website at www.agri.idaho.gov.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this pending rule, contact Lloyd Knight at lloyd.knight@isda.idaho.gov.

DATED this 1st day of January, 2025.

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IDAPA 02 – IDAHO STATE DEPARTMENT OF AGRICULTURE

02.04.05 – RULES GOVERNING GRADE A MILK AND MANUFACTURE GRADE MILK

DOCKET NO. 02-0405-2401

NOTICE OF RULEMAKING – ADOPTION OF PENDING RULE

EFFECTIVE DATE: This rule has been adopted by the agency and is now pending review by the 2025 Idaho State Legislature and must be approved by concurrent resolution of the Legislature to go into effect, in accordance with Section 67-5224(2)(c), Idaho Code. Should the pending rule be approved, it will become final and effective on July 1 following the First Regular Session of the Sixty-eighth Idaho Legislature, unless the concurrent resolution states a different effective date.

AUTHORITY: In compliance with Section 67-5224, Idaho Code, notice is hereby given that this agency has adopted a pending rule. The action is authorized pursuant to Sections 37-303, 37-402, 37-405, and 37-516, Idaho Code.

DESCRIPTIVE SUMMARY: The following is a concise explanatory statement of the reasons for adopting the pending rule and a statement of any change between the text of the proposed rule and the text of the pending rule with an explanation of the reasons for the change:

The proposed rule updates changes in federal code regarding pasteurized milk ordinances, methods of making sanitation rating milk shippers, evaluation of milk laboratories, and procedures governing the cooperative state-public health service/Food and Drug Administration Program of the National Conference on Interstate Milk Shippers. This rule governs procedures for the design, construction, production, manufacture, distribution, handling, storage, quality, analysis and sale of Grade A Milk and Manufacture Grade Milk and Milk Products to ensure safe and wholesome dairy products.

There are no changes to the pending rule, and it is being adopted as originally proposed. The complete text of the proposed rule was published in the October 2, 2024, Idaho Administrative Bulletin, [Vol. 24-10, pages 61-63](#).

FEE SUMMARY: Pursuant to Section 67-5224(2)(d), Idaho Code, a pending fee rule shall not become final and effective unless affirmatively approved by concurrent resolution of the Legislature. The following is a description of the fee or charge imposed or increased in this rulemaking:

There is no change in fee or charge.

FISCAL IMPACT: The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year:

There is no fiscal impact on the state general fund greater than ten thousand dollars (\$10,000).

IDAHO CODE SECTION 22-101A STATEMENT: Pursuant to 22-101A(1), for any rule promulgated or adopted by the director which is broader in scope or more stringent than federal law or regulations, or which regulates an activity not regulated by the federal government, the director shall identify the portions of the adopted rule that are broader in scope or more stringent than federal law or rules, or which regulate an activity not regulated by the federal government. The following sections of the rule are broader in scope, more stringent than federal law or regulations, or regulate an activity not regulated by the federal government:

The federal government does regulate Grade A Milk and Manufacture Grade Milk. Idaho Code mimics federal regulation to ensure compliance with federal law. This activity is defined in Idaho Code. The detailed 22-101A analysis can be found on the agency's website at www.agri.idaho.gov.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this pending rule, contact Lloyd Knight at lloyd.knight@isda.idaho.gov.

DATED this 1st day of January, 2025.

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IDAPA 02 – IDAHO STATE DEPARTMENT OF AGRICULTURE
02.04.15 – RULES GOVERNING BEEF CATTLE ANIMAL FEEDING OPERATIONS
DOCKET NO. 02-0415-2401
NOTICE OF RULEMAKING – ADOPTION OF PENDING RULE

EFFECTIVE DATE: This rule has been adopted by the agency and is now pending review by the 2025 Idaho State Legislature and must be approved by concurrent resolution of the Legislature to go into effect, in accordance with Section 67-5224(2)(c), Idaho Code. Should the pending rule be approved, it will become final and effective on July 1 following the First Regular Session of the Sixty-eighth Idaho Legislature, unless the concurrent resolution states a different effective date.

AUTHORITY: In compliance with Section 67-5224, Idaho Code, notice is hereby given that this agency has adopted a pending rule. The action is authorized pursuant to Sections 22-110 and 22-4903, Idaho Code.

DESCRIPTIVE SUMMARY: The following is a concise explanatory statement of the reasons for adopting the pending rule and a statement of any change between the text of the proposed rule and the text of the pending rule with an explanation of the reasons for the change:

This rulemaking is being facilitated to remove now redundant language that is included in the Environmental & Nutrient Management Rule that underwent Zero Based Regulation (ZBR) review in 2023 and was approved by the Idaho Legislature in 2024. This rule was last open for ZBR review in 2022.

There are no changes to the pending rule, and it is being adopted as originally proposed. The complete text of the proposed rule was published in the October 2, 2024, Idaho Administrative Bulletin, [Vol. 24-10, pages 64-68](#).

FEE SUMMARY: Pursuant to Section 67-5224(2)(d), Idaho Code, a pending fee rule shall not become final and effective unless affirmatively approved by concurrent resolution of the Legislature. The following is a description of the fee or charge imposed or increased in this rulemaking:

There is no change in fee or charge.

FISCAL IMPACT: The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year:

There is no fiscal impact on the state general fund greater than ten thousand dollars (\$10,000).

IDAHO CODE SECTION 22-101A STATEMENT: Pursuant to 22-101A(1), for any rule promulgated or adopted by the director which is broader in scope or more stringent than federal law or regulations, or which regulates an activity not regulated by the federal government, the director shall identify the portions of the adopted rule that are broader in scope or more stringent than federal law or rules, or which regulate an activity not regulated by the federal government. The following sections of the rule are broader in scope, more stringent than federal law or regulations, or regulate an activity not regulated by the federal government:

This rule implements the requirements of the Beef Cattle Environmental Control Act, as defined in Title 22, Chapter 49, Idaho Code. The federal government does have regulatory authority over the permitting of discharges from beef cattle animal feeding operations, which is implemented by the Idaho Department of Environmental Quality Idaho Pollution Discharge Elimination System (IPDES) program. The detailed 22-101A analysis can be found on the agency's website at www.agri.idaho.gov.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this pending rule, contact Lloyd Knight at lloyd.knight@isda.idaho.gov.

DATED this 1st day of January, 2025.

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IDAPA 02 – IDAHO STATE DEPARTMENT OF AGRICULTURE

02.04.19 – RULES GOVERNING DOMESTIC CERVIDAE

DOCKET NO. 02-0419-2401

NOTICE OF RULEMAKING – ADOPTION OF PENDING RULE

EFFECTIVE DATE: This rule has been adopted by the agency and is now pending review by the 2025 Idaho State Legislature and must be approved by concurrent resolution of the Legislature to go into effect, in accordance with Section 67-5224(2)(c), Idaho Code. Should the pending rule be approved, it will become final and effective on July 1 following the First Regular Session of the Sixty-eighth Idaho Legislature, unless the concurrent resolution states a different effective date.

AUTHORITY: In compliance with Section 67-5224, Idaho Code, notice is hereby given that this agency has adopted a pending rule. The action is authorized pursuant to Sections 25-3704, 25-303, 25-305, 25-401, 25-601, Idaho Code.

DESCRIPTIVE SUMMARY: The following is a concise explanatory statement of the reasons for adopting the pending rule and a statement of any change between the text of the proposed rule and the text of the pending rule with an explanation of the reasons for the change:

H 591 was passed by the Idaho Legislature and approved by the Governor during the 2024 Legislative Session. The legislation made certain changes to the quarantine process, sampling protocols, and requirements for domestic cervidae operations while under quarantine. This rulemaking will make the rule consistent and compliant with the legislation.

There are no changes to the pending rule, and it is being adopted as originally proposed. The complete text of the proposed rule was published in the October 2, 2024 Idaho Administrative Bulletin, [Vol. 24-10, pages 69-75](#).

FEE SUMMARY: Pursuant to Section 67-5224(2)(d), Idaho Code, a pending fee rule shall not become final and effective unless affirmatively approved by concurrent resolution of the Legislature. The following is a description of the fee or charge imposed or increased in this rulemaking:

There is no change in fee or charge.

FISCAL IMPACT: The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year:

There is no fiscal impact on the state general fund greater than ten thousand dollars (\$10,000).

IDAHO CODE SECTION 22-101A STATEMENT: Pursuant to 22-101A(1), for any rule promulgated or adopted by the director which is broader in scope or more stringent than federal law or regulations, or which regulates an activity not regulated by the federal government, the director shall identify the portions of the adopted rule that are broader in scope or more stringent than federal law or rules, or which regulate an activity not regulated by the federal government. The following sections of the rule are broader in scope, more stringent than federal law or regulations, or regulate an activity not regulated by the federal government:

The purpose of the rule is to implement the requirements of Title 25, Chapter 37, Idaho Code. The federal government does not regulate cervidae within the state, with the exception of certain requirements for import into the United States.

The detailed 22-101A analysis can be found on the agency's website at www.agri.idaho.gov.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this pending rule, contact Lloyd Knight at lloyd.knight@isda.idaho.gov.

DATED this 1st day of January, 2025.

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IDAPA 02 – IDAHO STATE DEPARTMENT OF AGRICULTURE

02.05.01 – RULES GOVERNING PRODUCE SAFETY

DOCKET NO. 02-0501-2401 (ZBR CHAPTER REWRITE)

NOTICE OF RULEMAKING – ADOPTION OF PENDING RULE

EFFECTIVE DATE: This rule has been adopted by the agency and is now pending review by the 2025 Idaho State Legislature and must be approved by concurrent resolution of the Legislature to go into effect, in accordance with Section 67-5224(2)(c), Idaho Code. Should the pending rule be approved, it will become final and effective on July 1 following the First Regular Session of the Sixty-eighth Idaho Legislature, unless the concurrent resolution states a different effective date.

AUTHORITY: In compliance with Section 67-5224, Idaho Code, notice is hereby given that this agency has adopted a pending rule. The action is authorized pursuant to Section 22-5404, Idaho Code, Idaho Code.

DESCRIPTIVE SUMMARY: The following is a concise explanatory statement of the reasons for adopting the pending rule and a statement of any change between the text of the proposed rule and the text of the pending rule with an explanation of the reasons for the change:

This rule is being presented for authorization as part of the ISDA’s plan to review each rule every 5 years. Redundant language that is verbatim in statute has been removed, consistent with the Governor’s [Zero-Based Regulation Executive Order](#). This rule clarifies the procedure for administering the Food Safety Modernization Act and remedies of the Department for non-compliance.

There are no changes to the pending rule, and it is being adopted as originally proposed. The complete text of the proposed rule was published in the October 2, 2024 Idaho Administrative Bulletin, [Vol. 24-10, pages 76-79](#).

FEE SUMMARY: Pursuant to Section 67-5224(2)(d), Idaho Code, a pending fee rule shall not become final and effective unless affirmatively approved by concurrent resolution of the Legislature. The following is a description of the fee or charge imposed or increased in this rulemaking:

There is no change in fee or charge.

FISCAL IMPACT: The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year:

There is no fiscal impact on the state general fund greater than ten thousand dollars (\$10,000).

IDAHO CODE SECTION 22-101A STATEMENT: Pursuant to 22-101A(1), for any rule promulgated or adopted by the director which is broader in scope or more stringent than federal law or regulations, or which regulates an activity not regulated by the federal government, the director shall identify the portions of the adopted rule that are broader in scope or more stringent than federal law or rules, or which regulate an activity not regulated by the federal government. The following sections of the rule are broader in scope, more stringent than federal law or regulations, or regulate an activity not regulated by the federal government:

The federal government does regulate the Food Safety Modernization Act (FSMA). Per Title 22, Chapter 54, Idaho Code, the agency is authorized to administer and enforce FSMA through this rule, and are not to exceed the standards required by federal law.

The detailed 22-101A analysis can be found on the agency’s website at www.agri.idaho.gov.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this pending rule, contact Lloyd Knight at lloyd.knight@isda.idaho.gov.

DATED this 1st day of January, 2025.

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IDAPA 02 – IDAHO STATE DEPARTMENT OF AGRICULTURE

02.06.02 – RULES GOVERNING REGISTRATIONS AND LICENSES

DOCKET NO. 02-0602-2401

NOTICE OF RULEMAKING – ADOPTION OF PENDING RULE

EFFECTIVE DATE: This rule has been adopted by the agency and is now pending review by the 2025 Idaho State Legislature and must be approved by concurrent resolution of the Legislature to go into effect, in accordance with Section 67-5224(2)(c), Idaho Code. Should the pending rule be approved, it will become final and effective on July 1 following the First Regular Session of the Sixty-eighth Idaho Legislature, unless the concurrent resolution states a different effective date.

AUTHORITY: In compliance with Section 67-5224, Idaho Code, notice is hereby given that this agency has adopted a pending rule. The action is authorized pursuant to Sections 22-604, 22-2204, 22-2303 (5), 22-2503, 22-2511, and 25-2710, Idaho Code.

DESCRIPTIVE SUMMARY: The following is a concise explanatory statement of the reasons for adopting the pending rule and a statement of any change between the text of the proposed rule and the text of the pending rule with an explanation of the reasons for the change:

The proposed rule updates the publication dates for the Official Publications of the American Association of Feed Control Officials and the American Association of Plant Food Control Officials. The two publications are incorporated into this rule as standardized regulations for three subchapters of this rule – Commercial Feed, Commercial Fertilizer, and Soil and Plant Amendments.

The updates to these documents include refinements to definitions, technical terms, and other standards necessary for regulation that meets state statutes as well as the national cooperation in regulating these products.

There are no changes to the pending rule, and it is being adopted as originally proposed. The complete text of the proposed rule was published in the October 2, 2024 Idaho Administrative Bulletin, [Vol. 24-10, pages 80-82](#).

FEE SUMMARY: Pursuant to Section 67-5224(2)(d), Idaho Code, a pending fee rule shall not become final and effective unless affirmatively approved by concurrent resolution of the Legislature. The following is a description of the fee or charge imposed or increased in this rulemaking:

There is no change in fee or charge.

FISCAL IMPACT: The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year:

There is no fiscal impact on the state general fund greater than ten thousand dollars (\$10,000).

IDAHO CODE SECTION 22-101A STATEMENT: Pursuant to 22-101A(1), for any rule promulgated or adopted by the director which is broader in scope or more stringent than federal law or regulations, or which regulates an activity not regulated by the federal government, the director shall identify the portions of the adopted rule that are broader in scope or more stringent than federal law or rules, or which regulate an activity not regulated by the federal government. The following sections of the rule are broader in scope, more stringent than federal law or regulations, or regulate an activity not regulated by the federal government:

This rule implements regulatory activities and requirements directed and authorized in Idaho Code. As these are directed in statute, they are not directly regulated by the federal government.

The detailed 22-101A analysis can be found on the agency’s website at www.agri.idaho.gov.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this pending rule, contact Lloyd Knight at lloyd.knight@isda.idaho.gov.

DATED this 1st day of January, 2025.

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IDAPA 02 – IDAHO STATE DEPARTMENT OF AGRICULTURE
02.06.09 – RULES GOVERNING INVASIVE SPECIES AND NOXIOUS WEEDS
DOCKET NO. 02-0609-2402
NOTICE OF RULEMAKING – ADOPTION OF PENDING RULE

EFFECTIVE DATE: This rule has been adopted by the agency and is now pending review by the 2025 Idaho State Legislature and must be approved by concurrent resolution of the Legislature to go into effect, in accordance with Section 67-5224(2)(c), Idaho Code. Should the pending rule be approved, it will become final and effective on July 1 following the First Regular Session of the Sixty-eighth Idaho Legislature, unless the concurrent resolution states a different effective date.

AUTHORITY: In compliance with Section 67-5224, Idaho Code, notice is hereby given that this agency has adopted a pending rule. The action is authorized pursuant to Section 22-2403, Idaho Code.

DESCRIPTIVE SUMMARY: The following is a concise explanatory statement of the reasons for adopting the pending rule and a statement of any change between the text of the proposed rule and the text of the pending rule with an explanation of the reasons for the change:

The department received two separate petitions proposing new additions to the Noxious Weed List – one for Palmar amaranth and one for Myrtle spurge. There was not consensus on the petitions for listing of the two species. Those species are not proposed to be listed in this Proposed Rule.

In addition, the agency is proposing to reduce categorization of Turkish thistle from Early Detection/Rapid Response (EDRR) to Control category and to add EDRR language that was missed during the last rulemaking session.

There are no changes to the pending rule, and it is being adopted as originally proposed. The complete text of the proposed rule was published in the October 2, 2024 Idaho Administrative Bulletin, [Vol. 24-10, pages 83-88](#).

FEE SUMMARY: Pursuant to Section 67-5224(2)(d), Idaho Code, a pending fee rule shall not become final and effective unless affirmatively approved by concurrent resolution of the Legislature. The following is a description of the fee or charge imposed or increased in this rulemaking:

There is no change in fee or charge.

FISCAL IMPACT: The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year:

There is no fiscal impact on the state general fund greater than ten thousand dollars (\$10,000).

IDAHO CODE SECTION 22-101A STATEMENT: Pursuant to 22-101A(1), for any rule promulgated or adopted by the director which is broader in scope or more stringent than federal law or regulations, or which regulates an activity not regulated by the federal government, the director shall identify the portions of the adopted rule that are broader in scope or more stringent than federal law or rules, or which regulate an activity not regulated by the federal government. The following sections of the rule are broader in scope, more stringent than federal law or regulations, or regulate an activity not regulated by the federal government:

The federal government does not regulate state invasive species or noxious weeds within the state. This activity is defined in Title 22, Chapter 24, Idaho Code.

The detailed 22-101A analysis can be found on the agency's website at www.agri.idaho.gov.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this pending rule, contact Lloyd Knight at lloyd.knight@isda.idaho.gov.

DATED this 1st day of January, 2025.

Lloyd Knight
Deputy Director
Idaho Department of Agriculture
2270 Old Penitentiary Road
P.O. Box 7249
Boise, Idaho 83707
Phone: (208) 332-8615
Email: lloyd.knight@isda.idaho.gov

IDAPA 02 – IDAHO STATE DEPARTMENT OF AGRICULTURE

02.06.33 – ORGANIC FOOD PRODUCTS RULES

DOCKET NO. 02-0633-2401

NOTICE OF RULEMAKING – ADOPTION OF PENDING RULE

EFFECTIVE DATE: This rule has been adopted by the agency and is now pending review by the 2025 Idaho State Legislature and must be approved by concurrent resolution of the Legislature to go into effect, in accordance with Section 67-5224(2)(c), Idaho Code. Should the pending rule be approved, it will become final and effective on July 1 following the First Regular Session of the Sixty-eighth Idaho Legislature, unless the concurrent resolution states a different effective date.

AUTHORITY: In compliance with Section 67-5224, Idaho Code, notice is hereby given that this agency has adopted a pending rule. The action is authorized pursuant to Section 22-1103, Idaho Code.

DESCRIPTIVE SUMMARY: The following is a concise explanatory statement of the reasons for adopting the pending rule and a statement of any change between the text of the proposed rule and the text of the pending rule with an explanation of the reasons for the change:

The proposed rule updates the publication date for the Code of Federal Regulations, Title 7, Part 205, National Organic Program Regulations. This regulation contains the specifications, tolerances, and other technical requirements for maintaining organic accreditation.

There are no changes to the pending rule, and it is being adopted as originally proposed. The complete text of the proposed rule was published in the October 2, 2024 Idaho Administrative Bulletin, [Vol. 24-10, pages 91-92](#).

FEE SUMMARY: Pursuant to Section 67-5224(2)(d), Idaho Code, a pending fee rule shall not become final and effective unless affirmatively approved by concurrent resolution of the Legislature. The following is a description of the fee or charge imposed or increased in this rulemaking:

There is no change in fee or charge.

FISCAL IMPACT: The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year:

There is no fiscal impact on the state general fund greater than ten thousand dollars (\$10,000).

IDAHO CODE SECTION 22-101A STATEMENT: Pursuant to 22-101A(1), for any rule promulgated or adopted by the director which is broader in scope or more stringent than federal law or regulations, or which regulates an activity not regulated by the federal government, the director shall identify the portions of the adopted rule that are broader in scope or more stringent than federal law or rules, or which regulate an activity not regulated by the federal government. The following sections of the rule are broader in scope, more stringent than federal law or regulations, or regulate an activity not regulated by the federal government:

This rule allows the agency to implement the organic certification program specifically according to the National Organic Program Regulations. Incorporating these national regulations ensures that the state program is in compliance with the federal program, to the benefit of the voluntary certification customers served by the agency.

The detailed 22-101A analysis can be found on the agency's website at www.agri.idaho.gov.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this pending rule, contact Lloyd Knight at lloyd.knight@isda.idaho.gov.

DATED this 1st day of January, 2025.

Lloyd Knight
Deputy Director
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IDAPA 02.08 – IDAHO SHEEP AND GOAT HEALTH BOARD

02.08.01 – SHEEP AND GOAT RULES OF THE IDAHO SHEEP AND GOAT HEALTH BOARD

DOCKET NO. 02-0801-2401 (ZBR CHAPTER REWRITE)

NOTICE OF RULEMAKING – ADOPTION OF PENDING RULE

EFFECTIVE DATE: This rule has been adopted by the agency and is now pending review by the 2025 Idaho State Legislature and must be approved by concurrent resolution of the Legislature to go into effect, in accordance with Section 67-5224(2)(c), Idaho Code. Should the pending rule be approved, it will become final and effective on July 1 following the First Regular Session of the Sixty-eighth Idaho Legislature, unless the concurrent resolution states a different effective date.

AUTHORITY: In compliance with Section 67-5224, Idaho Code, notice is hereby given that this agency has adopted a pending rule. The action is authorized pursuant to Sections 25-129(1) and 25-147, Idaho Code.

DESCRIPTIVE SUMMARY: The following is a concise explanatory statement of the reasons for adopting the pending rule and a statement of any change between the text of the proposed rule and the text of the pending rule with an explanation of the reasons for the change:

Following [Executive Order 2020-01, Zero-Based Regulation](#), this rule chapter is scheduled for a comprehensive review in 2025 with the goal of simplifying the rules for increased clarity and ease of use. The overall regulatory burden has been reduced by decreasing both total word count and utilize incorporated by reference to ensure clarity in the new rule chapter.

There are no changes to the pending rule, and it is being adopted as originally proposed. The complete text of the proposed rule was published in the October 2, 2024 Idaho Administrative Bulletin, [Vol. 24-10, pages 93-104](#).

FEE SUMMARY: Pursuant to Section 67-5224(2)(d), Idaho Code, a pending fee rule shall not become final and effective unless affirmatively approved by concurrent resolution of the Legislature. The following is a description of the fee or charge imposed or increased in this rulemaking:

As authorized in Sections 25-129(1) and 25-147, Idaho Code, the fees in this rulemaking will remain the same. The rate of assessment is eight cents (\$.08) per pound on all wool, in the grease basis, except tags, crutchings, and dead wool. The rate of assessment is eighty cents (\$.80) per head of goats.

FISCAL IMPACT: The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year: N/A.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this pending rule, contact t Lauren Mink, Executive Secretary, at (208) 803-5084.

DATED this 11th day of December, 2024.

Lauren Mink
Idaho Sheep and Goat Health Board Executive Secretary
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Boise, Idaho 83705
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IDAPA 08 – STATE BOARD OF EDUCATION

08.01.11 – REGISTRATION OF POSTSECONDARY EDUCATIONAL INSTITUTIONS AND PROPRIETARY SCHOOLS

DOCKET NO. 08-0111-2401

NOTICE OF RULEMAKING – ADOPTION OF PENDING RULE

EFFECTIVE DATE: This rule has been adopted by the agency and is now pending review by the 2025 Idaho State Legislature and must be approved by concurrent resolution of the Legislature to go into effect, in accordance with Section 67-5224(2)(c), Idaho Code. Should the pending rule be approved, it will become final and effective on July 1 following the First Regular Session of the Sixty-eighth Idaho Legislature, unless the concurrent resolution states a different effective date.

AUTHORITY: In compliance with Section 67-5224, Idaho Code, notice is hereby given that this agency has adopted a pending rule. The action is authorized pursuant to Sections 33-105, 33-107, 33-2402, and 33-2403, Idaho Code.

DESCRIPTIVE SUMMARY: The following is a concise explanatory statement of the reasons for adopting the pending rule and a statement of any change between the text of the proposed rule and the text of the pending rule with an explanation of the reasons for the change:

The rulemaking aligns this rule with the 2023 changes made by the U.S. Department of Education with regard to language around accreditation. The US DOE no longer uses the term “regional” when referencing accreditation. If the rule were to retain the word, five institutions currently operating in our state would no longer be exempted from paying a surety bond required by Section 33-2406, Idaho Code. Removing the outdated word ensures continuity of operations.

Furthermore, removing the additional requirements for Board recognition removes regulations that have not been utilized to date and would be in excess of the more robust national review process conducted by the US DOE which consists of evaluation by a formal accreditation group established by the US DOE and by the National Advising Committee on Institutional quality and Integrity.

There are no changes to the pending rule, and it is being adopted as originally proposed. The complete text of the proposed rule was published in the July 3, 2024, Idaho Administrative Bulletin, [Vol. 24-7, pages 51-52](#).

FEE SUMMARY: Pursuant to Section 67-5224(2)(d), Idaho Code, a pending fee rule shall not become final and effective unless affirmatively approved by concurrent resolution of the Legislature. The following is a description of the fee or charge imposed or increased in this rulemaking: NA.

FISCAL IMPACT: The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year: NA.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this pending rule, contact Nicholas Wagner at rules@edu.idaho.gov or (208)-488-7586.

DATED this 21st day of November, 2024.

Nicholas Wagner
Administrative Rules Coordinator
Idaho State Board of Education
650 W State St.
PO Box 83720
Boise, Idaho 83720-0037
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IDAPA 08 – STATE BOARD OF EDUCATION

08.01.13 – RULES GOVERNING THE OPPORTUNITY SCHOLARSHIP PROGRAM

DOCKET NO. 08-0113-2401

NOTICE OF RULEMAKING – ADOPTION OF PENDING RULE

EFFECTIVE DATE: This rule has been adopted by the agency and is now pending review by the 2025 Idaho State Legislature and must be approved by concurrent resolution of the Legislature to go into effect, in accordance with Section 67-5224(2)(c), Idaho Code. Should the pending rule be approved, it will become final and effective on July 1 following the First Regular Session of the Sixty-eighth Idaho Legislature, unless the concurrent resolution states a different effective date.

AUTHORITY: In compliance with Section 67-5224, Idaho Code, notice is hereby given that this agency has adopted a pending rule. The action is authorized pursuant to Article IX, Section 2, Idaho Constitution and under Sections 33-105, 33-4303, and 33-4304, Idaho Code.

DESCRIPTIVE SUMMARY: The following is a concise explanatory statement of the reasons for adopting the pending rule and a statement of any change between the text of the proposed rule and the text of the pending rule with an explanation of the reasons for the change:

H500 and H747 (2024) amended Section 33-4303, Idaho Code. To remain compliant with the governing statute, IDAPA 08.01.13 must be revised to reflect several key changes. These changes include the following: updating the credit completion minimums for students seeking to renew an Opportunity Scholarship beyond the initial year of award; including a new initial eligibility requirement that restricts students from receiving both the Opportunity Scholarship and the Launch Grant simultaneously; and reinstating community colleges as eligible recipients of Opportunity Scholarship Funds.

There are no changes to the pending rule, and it is being adopted as originally proposed. The complete text of the proposed rule was published in the October 2, 2024, Idaho Administrative Bulletin, [Vol. 24-10 pages 105-109](#).

FEE SUMMARY: Pursuant to Section 67-5224(2)(d), Idaho Code, a pending fee rule shall not become final and effective unless affirmatively approved by concurrent resolution of the Legislature. The following is a description of the fee or charge imposed or increased in this rulemaking: NA.

FISCAL IMPACT: The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year: NA.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this pending rule, contact Nicholas Wagner at rules@edu.idaho.gov or (208)-488-7586.

DATED this 21st day of November, 2024.

Nicholas Wagner
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IDAPA 08 – STATE BOARD OF EDUCATION

08.02.01 – RULES GOVERNING ADMINISTRATION

DOCKET NO. 08-0201-2401

NOTICE OF RULEMAKING – ADOPTION OF PENDING RULE

EFFECTIVE DATE: This rule has been adopted by the agency and is now pending review by the 2025 Idaho State Legislature and must be approved by concurrent resolution of the Legislature to go into effect, in accordance with Section 67-5224(2)(c), Idaho Code. Should the pending rule be approved, it will become final and effective on July 1 following the First Regular Session of the Sixty-eighth Idaho Legislature, unless the concurrent resolution states a different effective date.

AUTHORITY: In compliance with Section 67-5224, Idaho Code, notice is hereby given that this agency has adopted a pending rule. The action is authorized pursuant to Sections 33-101, 33-105, 33-107, 33-116, 33-117, 33-308, 33-320, 33-310B, 33-512, 33-513, 33-905, 33-1279, 33-1403, 33-1405, 33-2004, and Chapter 10, Title 33, Idaho Code.

DESCRIPTIVE SUMMARY: The following is a concise explanatory statement of the reasons for adopting the pending rule and a statement of any change between the text of the proposed rule and the text of the pending rule with an explanation of the reasons for the change:

To ensure conformity with recent changes to legislation made by H422 (2024) and H521 (2024), “Responsible District/School” and “Physically on Campus” two additional data points will need to be collected through the Idaho System of Educational Excellence (ISEE) data collection system. These data points must be identified in Subsection 251.01. Updates in the rule to allow for the collection of the data points will give the Board the ability to properly assist the IDE with calculating various funding streams.

Specifically, recent legislation requires that the Board update data elements to Subsection 08.02.01.251.01. Additional data points will include identification of the “Responsible District” for each student and an indicator of whether the student is “Physically on Campus.” The former will allow the Board to identify which district is primarily responsible for a student when they are dual-enrolled or reported in multiple locations, and the latter allows the Board to collect validation data on whether a student is attending physically on campus to support the requirements of participation in certain facility funding streams.

There are no changes to the pending rule, and it is being adopted as originally proposed. The complete text of the proposed rule was published in the July 3, 2024, Idaho Administrative Bulletin, [Vol. 24-7, pages 53-54](#).

FEE SUMMARY: Pursuant to Section 67-5224(2)(d), Idaho Code, a pending fee rule shall not become final and effective unless affirmatively approved by concurrent resolution of the Legislature. The following is a description of the fee or charge imposed or increased in this rulemaking: NA.

FISCAL IMPACT: The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year: NA.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this pending rule, contact Nicholas Wagner at rules@edu.idaho.gov or (208)-488-7586.

DATED this 21st day of November, 2024.

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IDAPA 08 – STATE BOARD OF EDUCATION

08.02.02 – RULES GOVERNING UNIFORMITY

DOCKET NO. 08-0202-2401

NOTICE OF RULEMAKING – ADOPTION OF PENDING RULE

EFFECTIVE DATE: This rule has been adopted by the agency and is now pending review by the 2025 Idaho State Legislature and must be approved by concurrent resolution of the Legislature to go into effect, in accordance with Section 67-5224(2)(c), Idaho Code. Should the pending rule be approved, it will become final and effective on July 1 following the First Regular Session of the Sixty-eighth Idaho Legislature, unless the concurrent resolution states a different effective date.

AUTHORITY: In compliance with Section 67-5224, Idaho Code, notice is hereby given that this agency has adopted a pending rule. The action is authorized pursuant to Article IX, Section 2 of the Idaho Constitution and under Sections 33-105, 33-107, 33-116, and 33-1612, Idaho Code.

DESCRIPTIVE SUMMARY: The following is a concise explanatory statement of the reasons for adopting the pending rule and a statement of any change between the text of the proposed rule and the text of the pending rule with an explanation of the reasons for the change:

The amendment to Section 33-1203, Idaho Code, that resulted from S1069 (2023) provided for a board-approved apprenticeship program to be developed. S1069 also allowed for teacher certifications to be issued to teachers based on completion of four years of college training or the completion of a board-approved apprenticeship program. The current language in IDAPA only addresses the four years of college training and needs to be updated to address the additional pathway allowed by this amendment to Idaho Code § 33-1203. A board workgroup developed the program during 2023, the approval by the board was granted in December of 2023 and the U.S. Department of Labor granted approval in February of 2024. Now that the parameters of the program are established, this rule needs to be amended to align with the program exit requirements before apprentices (who will enter the program in fall of 2024) become eligible to exit. The changes also update the apprenticeship Section 014 to clarify the federally established standards for participation in apprenticeships and aligns the rule with the language in Idaho Code § 33- 1203.

There are no changes to the pending rule, and it is being adopted as originally proposed. The complete text of the proposed rule was published in the October 2, 2024, Idaho Administrative Bulletin, [Vol. 24-10 pages 110-125](#).

FEE SUMMARY: Pursuant to Section 67-5224(2)(d), Idaho Code, a pending fee rule shall not become final and effective unless affirmatively approved by concurrent resolution of the Legislature. The following is a description of the fee or charge imposed or increased in this rulemaking: NA.

FISCAL IMPACT: The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year: NA.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this pending rule, contact Nicholas Wagner at rules@edu.idaho.gov or (208)-488-7586.

DATED this 21st day of November, 2024.

Nicholas Wagner
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IDAPA 08 – STATE BOARD OF EDUCATION

08.02.03 – RULES GOVERNING THOROUGHNESS

DOCKET NO. 08-0203-2401

NOTICE OF RULEMAKING – ADOPTION OF PENDING RULE

EFFECTIVE DATE: This rule has been adopted by the agency and is now pending review by the 2025 Idaho State Legislature and must be approved by concurrent resolution of the Legislature to go into effect, in accordance with Section 67-5224(2)(c), Idaho Code. Should the pending rule be approved, it will become final and effective on July 1 following the First Regular Session of the Sixty-eighth Idaho Legislature, unless the concurrent resolution states a different effective date.

AUTHORITY: In compliance with Section 67-5224, Idaho Code, notice is hereby given that this agency has adopted a pending rule. The action is authorized pursuant to Article IX, Section 2 of the Idaho Constitution and under Sections 33-105, 33-116, 33-118, and 33-1612, Idaho Code.

DESCRIPTIVE SUMMARY: The following is a concise explanatory statement of the reasons for adopting the pending rule and a statement of any change between the text of the proposed rule and the text of the pending rule with an explanation of the reasons for the change:

Amendments between the proposed and pending rule stages include updates to the graduation requirements Section 105. The amendments from the proposed rule include updates to definitions to align with current rule and policy language and updates to the formatting of sections due to removal of definitions and sections no longer applicable. Additional updates clarify the intended effective date of the changes. Amendments between the proposed and pending rules stages were made based on the public comments received.

Additional amendments update The Special Education Manual approval date and incorporated by reference document to reflect a November 21, 2024, final approval date. During the Public comment window, the State Department of Education recognized that some of the amendments made to the Special Education Manual in August, while desirable, were required and need further vetting. Subsequently, the board re-adopted the manual to reflect only the amendments required for compliance with the Individuals with Disabilities Act, outlined by the U.S. Department of Education, Office of Special Education Programs, OSEP. The changes are limited to Chapter 4, Section 8, Specific Learning Disability.

The text of the pending rule has been amended in accordance with Section 67-5227, Idaho Code. Only those sections that have changes that differ from the proposed text are printed in this bulletin. The complete text of the proposed rule was published in the October 2, 2024, Idaho Administrative Bulletin, [Vol. 24-10 pages 126-137](#).

FEE SUMMARY: Pursuant to Section 67-5224(2)(d), Idaho Code, a pending fee rule shall not become final and effective unless affirmatively approved by concurrent resolution of the Legislature. The following is a description of the fee or charge imposed or increased in this rulemaking: NA.

FISCAL IMPACT: The following is a specific description, if applicable, of any negative fiscal impact on the state General Fund greater than ten thousand dollars (\$10,000) during the fiscal year: NA.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this pending rule, contact Nicholas Wagner at rules@edu.idaho.gov or (208)-488-7586).

DATED this 21st day of November, 2024.

Nicholas Wagner
Administrative Rules Coordinator
Idaho State Board of Education
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DOCKET NO. 08-0203-2401 – ADOPTION OF PENDING RULE

Substantive changes have been made in the pending rule.
Italicized red text that is *double underscored* indicates
amendments to the proposed text as adopted in the pending rule.

The text of the proposed rule was published in the Idaho Administrative Bulletin,
Volume 24-10, October 2, 2024, pages 126 through 137.

This rule has been adopted as a pending rule by the Agency and is now awaiting
review and final approval by the 2025 Idaho State Legislature.

THE FOLLOWING IS UPDATED TEXT IN THE PENDING RULE FOR DOCKET NO. 08-0203-2401
(Only those sections or subsections that have changed from the original proposed
text are printed in this Bulletin following this notice.)

08.02.03 – RULES GOVERNING THOROUGHNESS

004. INCORPORATION BY REFERENCE.

The following documents are incorporated into this rule: (3-15-22)

01. The Idaho Content Standards. The Idaho Content Standards as adopted by the State Board of Education. Individual subject content standards are adopted in various years in relation to the curricular materials adoption schedule. Copies of the document can be found on the State Board of Education website at <https://boardofed.idaho.gov>. (3-15-22)

- a.** Arts and Humanities Categories: (3-15-22)
 - i. Dance, as revised and adopted on ~~August 11, 2016~~ June 12, 2024; (3-15-22)()
 - ii. Interdisciplinary Humanities, as revised and adopted on ~~August 11, 2016~~ June 12, 2024; (3-15-22)()
 - iii. Media Arts, as adopted on ~~August 11, 2016~~ June 12, 2024. (3-15-22)()
 - iv. Music, as revised and adopted on ~~August 11, 2016~~ June 12, 2024; (3-15-22)()
 - v. Theater, as revised and adopted on ~~August 11, 2016~~ June 12, 2024; (3-15-22)()
 - vi. Visual Arts, as revised and adopted on ~~August 11, 2016~~ June 12, 2024; (3-15-22)()
 - vii. World languages, as revised and adopted on ~~August 11, 2016~~ June 12, 2024. (3-15-22)()
- b.** Computer Science, adopted on ~~November 28, 2016~~ June 12, 2024. (3-15-22)()
- c.** Driver Education, as revised and adopted on ~~August 10, 2017~~ June 12, 2024. (3-15-22)()

- d. Health, as revised and adopted on August 24, 2022. (4-6-23)
- e. Information and Communication Technology, as revised and adopted on ~~August 10, 2017~~ June 12, 2024. (3-15-22)()
- f. Physical Education, as revised and adopted on August 24, 2022. (4-6-23)
- g. Social Studies, as revised and adopted on ~~November 28, 2016~~ June 12, 2024. (3-15-22)()
- h. College and Career Readiness Competencies adopted on June 15, 2017. (3-15-22)
- 02. The Idaho Standards for Infants, Toddlers, Children, and Youth Who Are Deaf or Hard of Hearing.** As adopted by the State Board of Education on October 11, 2007. Copies of the document can be found on the State Board of Education website at <https://boardofed.idaho.gov>. (3-15-22)
- 03. The Idaho Standards for Infants, Toddlers, Children, and Youth Who Are Blind or Visually Impaired.** As adopted by the State Board of Education on October 11, 2007. Copies of the document can be found on the State Board of Education website at <https://boardofed.idaho.gov>. (3-15-22)
- 04. The Idaho Special Education Manual.** The Idaho Special Education Manual as adopted by the State Board of Education on ~~October 17, 2018~~ November 21, 2024. Copies of the document can be found on the State Board of Education website at <https://boardofed.idaho.gov>. (3-15-22)()
- 005. -- 006. (RESERVED)**
- 007. DEFINITIONS.**
- 01. Achievement Standards.** Define “below basic,” “basic,” “proficient,” and “advanced” achievement levels on the Idaho Standards Achievement Tests (ISAT) and level one (1) through level six (6) on Idaho’s English language assessment by setting scale score cut points. These cut scores are set by the state board of education and paired with descriptions of how well students are mastering the material in the content standards. These descriptions are called achievement level descriptors and are provided by achievement level, by content area, and by grade. (4-6-23)
- 02. Advanced Opportunities.** Advanced placement courses, Dual Credit courses, ~~Technical Competency Credit~~ microcredentials, or International Baccalaureate programs. (4-6-23)()
- 03. Advanced Placement® (AP) - College Board.** The Advanced Placement Program is administered by the College Board at <http://www.collegeboard.com>. AP students may take one (1) or more college level courses in a variety of subjects. AP courses are not tied to a specific college curriculum, but rather follow national College Board curricula. While taking the AP exam is optional, students can earn college credit by scoring well on the national exams. It is up to the discretion of the receiving college to accept the scores from the AP exams to award college credit or advanced standing. (3-15-22)
- 04. All Students.** All public school students, grades K-12. (3-15-22)
- 05. Applied Science. Applying scientific knowledge to practical problems or situations.** ()
- 056. Assessment.** The process of quantifying, describing, or gathering information about skills, knowledge or performance. (3-15-22)
- 067. Assessment Standards.** Statements setting forth guidelines for evaluating student work, as in the “Standards for the Assessment of Reading and Writing.” (3-15-22)
- 078. Career Pathway Plan.** The plan that outlines a student’s program of study, which should include a rigorous academic core and a related sequence of electives in academic, career technical education (CTE), or humanities aligned with the student’s post-graduation goals. (3-15-22)

089. **Career Technical Education.** Formal preparation for semi-skilled, skilled, technical, or paraprofessional occupations, usually below the baccalaureate level. (3-15-22)

0910. **College and Career Readiness.** College and career readiness is the attainment and demonstration of state board adopted competencies that broadly prepare high school graduates for a successful transition into some form of postsecondary education and/or the workplace. (3-15-22)

101. **Content Standards.** Describe the knowledge, concepts, and skills that students are expected to acquire at each grade level in each content area. (3-15-22)

142. **Criteria.** Guidelines, rules or principles by which student responses, products, or performances, are judged. What is valued and expected in the student performance, when written down and used in assessment, become rubrics or scoring guides. (3-15-22)

123. **Diploma.** A document awarded to a student by a secondary school to show the student has successfully completed the state and local education agency graduation requirements. Diplomas may be awarded to individuals who attended a secondary school prior to the year in which the student is requesting issuance of a diploma based on the graduation requirements in existence at the time the student attended. Determination of meeting past graduation requirements may be determined based on proficiency as determined by the local education agency. Each local education agency may determine the format of the diploma, including the recognition of emphasis areas based on a student's completion of courses or courses or studies in an emphasis area or educational pathways, including but not limited to science, technology, engineering and math (STEM), career technical education, or arts and music. (3-15-22)

134. **Dual Credit.** ~~Dual credit allows high school students to simultaneously earn credit toward a high school diploma and a postsecondary degree or certificate. Postsecondary institutions work closely with high schools to deliver college courses that are identical to those offered on the college campus. Credits earned in a dual credit class become part of the student's permanent college record. Students may enroll in dual credit programs taught at the high school or on the college campus.~~ Means credit awarded to a student on his or her secondary and postsecondary transcript for the completion of a single course. (3-15-22)()

145. **Idaho Standards Achievement Tests.** Statewide assessments aligned to the state content standards and used to measure a student's knowledge of the applicable content standards. (3-15-22)

156. **International Baccalaureate (IB).** Administered by the International Baccalaureate Organization, the IB program provides a comprehensive liberal arts course of study for students in their junior and senior years of high school. IB students take end-of-course exams that may qualify for college credit. Successful completion of the full course of study leads to an IB diploma. (3-15-22)

16. **Laboratory.** ~~A laboratory course is defined as one in which at least one (1) class period each week is devoted to providing students with the opportunity to manipulate equipment, materials, specimens or develop skills in observation and analysis and discover, demonstrate, illustrate or test scientific principles or concepts.~~ (3-15-22)

17. **Localized Pathway.** A framework of locally provided offerings that identifies core and elective credits, assessments, and other opportunities aligned to post-secondary goals. Local Education Agencies determine their own framework and students may select offerings aligned with localized pathways. ()

178. **Portfolio.** ~~A digital or physical collection of materials that documents and demonstrates a student's academic and work-based learning. A portfolio typically includes many forms of information that exhibit the student's knowledge, skills, and interests. By building a portfolio, students can recognize their own growth and learn to take increased responsibility for their education. Teachers, mentors, and employers can use portfolios for assessment purposes and to record educational outcomes.~~ (3-15-22)()

1819. **Project Based Learning.** A hands-on approach to learning that encourages students to create/interpret/communicate an original work or project and assesses quality and success of learning through performance/presentation/production of that work or project. (3-15-22)

~~19.20.~~ **Proficiency.** Having or demonstrating a high degree of knowledge or skill in a particular area. (3-15-22)

~~20.~~ **Standards.** Statements about what is valued in a given field, such as English language arts, and/or descriptions of what is considered quality work. See content standards, assessment standards, and achievement standards. (3-15-22)

~~21. **Technical Competency Credit.** *Technical competency credit is a sequenced program of study that allows secondary students to document proficiency in the skills and abilities they develop in approved high school career technical programs to be evaluated for postsecondary transcription at a later date. Technical Competency Credits are awarded for skills and competencies identified as eligible through an agreement with at least one Idaho postsecondary institution. Eligible skills and competencies are included as part of a high school career technical program and approved by the postsecondary institution through the agreement in advance to student participation. Credits are granted by the postsecondary institution for which the agreement is with and are transcribed at the time the student enrolls at the postsecondary institution.* (3-15-22)~~

22. Technology Education. A curriculum for elementary, middle, and senior high schools that integrates learning about technology (e.g., transportation, materials, communication, manufacturing, power and energy, and biotechnology) with problem-solving projects that require students to work in teams. Many technology education classrooms and laboratories are well equipped with computers, basic hand tools, simple robots, electronic devises, and other resources found in most communities today. (3-15-22)

23. Unique Student Identifier. A number issued and assigned by the Board or designee to each student currently enrolled or who will be enrolled in an Idaho local education agency to obtain data. (3-15-22)

~~24. **Work-Based Learning.** Structured learning experiences that connect classroom learning to the workplace. Work-based learning can include technical, academic and employability skills gained in a simulated or real work environment. ()~~

(BREAK IN CONTINUITY OF SECTIONS)

105. HIGH SCHOOL GRADUATION REQUIREMENTS.

A student must meet all of the requirements identified in this section before the student will be eligible to graduate from an Idaho high school. The local school district or LEA may establish graduation requirements beyond the state minimum. (3-15-22)

01. Credit Requirements. The State minimum graduation requirement for all Idaho public high schools is forty-six (46) credits and must include twenty-nine (29) credits in core subjects as identified in Paragraphs 105.01.c. through 105.01.h. (3-15-22)

a. Credits. One (1) credit shall equal sixty (60) hours of total instruction. School districts or LEA's may request a waiver from this provision by submitting a letter to the State Department of Education for approval, signed by the superintendent and chair of the board of trustees of the district or LEA. The waiver request shall provide information and documentation that substantiates the school district or LEA's reason for not requiring sixty (60) hours of total instruction per credit. (3-15-22)

b. Mastery. Students must demonstrate mastery of Idaho Content Standards in a format provided by the LEA. Notwithstanding the credit definition of Subsection 105.01.a., a student may also achieve credits by demonstrating mastery of a subject's content standards as defined and approved by the ~~local education agency (LEA.)~~ (3-15-22) ()

c. Credit Flexibility. The State Department of Education will support LEAs in the development of crosswalks and templates to assist in awarding credit for learning opportunities in ways that meet course requirements for high school graduation. ()

ed. Secondary Language Arts ~~and Communication. Nine (9) credits are required.~~ Eight (8) credits ~~of instruction in Language Arts are required.~~ Each year of Language Arts shall consist of language study, composition, ~~and literature, and speaking and listening~~ and be aligned to the Idaho English Language Arts Content Standards for the appropriate grade level. ~~One (1) credit of instruction in communications~~ Students graduating after January 1, 2028 consisting of shall receive instruction addressing oral communication and technological applications in speaking and listening delivered within Language Arts courses or a stand-alone elective in alignment with Idaho Content Standards. Students graduating prior to January 1, 2028 require one (1) additional credit of instruction in communications, which will consist of oral communication in speaking and listening that may include a course in speech, a course in debate, or a sequence of instructional activities that meet the Idaho ~~Speech~~ English Language Arts Content Standards requirements. (3-15-22)()

de. Mathematics. Six (6) credits are required. Secondary mathematics includes Integrated Mathematics, Applied Mathematics, Business Mathematics, Algebra, Geometry, Trigonometry, Fundamentals of Calculus, Probability and Statistics, Discrete Mathematics, and courses in mathematical problem solving and quantitative reasoning including mathematics taken through career technical education programs. ~~Dual credit~~ Engineering courses and computer science courses aligned to the state standards for grades nine (9) through (12), including AP Computer Science and dual credit computer science courses may also be counted as a mathematics credit. Students who choose to take computer science and dual credit or engineering courses may not concurrently count such courses as both a mathematics and science credit for the same course. (4-6-23)()

i. Students must complete secondary mathematics in the following areas: (3-15-22)

(1) Two (2) credits of Algebra I, Algebra I level equivalent Integrated Mathematics or courses that meet the High School Algebra Content Standards; (3-15-22)

(2) Two (2) credits of Geometry, Geometry level equivalent Integrated Mathematics, or courses that meet the Idaho High School Geometry Content Standards; and (3-15-22)

(3) Two (2) credits of mathematics of the student's choice. (3-15-22)

ef. Science. Six (6) credits are required, ~~two (2) of which will be laboratory based.~~ Four (4) credits are required from at least two (2) of the four (4) content areas: physics, chemistry, earth and space, or life science. An additional two (2) credits in ~~Secondary sciences may include instruction in applied sciences, physics, chemistry, earth and space sciences, physical sciences, life sciences, engineering, and or computer science. Students who choose to take computer science or engineering courses may not concurrently count such courses as both a mathematics and science credit for the same course.~~ Secondary sciences may include instruction in applied sciences, physics, chemistry, earth and space sciences, physical sciences, life sciences, engineering, and or computer science. Students who choose to take computer science or engineering courses may not concurrently count such courses as both a mathematics and science credit for the same course. (3-15-22)()

~~i. Secondary sciences include instruction in the following areas: biology, computer science, physical science or chemistry, and earth, space, environment, or approved applied science. (3-15-22)~~

fg. Social Studies. Five (5) credits are required, including government (two (2) credits), United States history (two (2) credits), and economics and financial literacy (one (1) credit). Courses such as geography, sociology, psychology, and world history may be offered as electives, but are not to be counted as a social studies requirement. (4-6-23)

gh. ~~Humanities~~ Fine Arts or World Languages. Two (2) credits are required. ~~Humanities e~~ Courses include instruction in visual arts, music, theatre, dance, or world languages ~~s~~ aligned to the Idaho content standards for those subjects. Other courses such as literature, history, philosophy, architecture, or comparative world religions may satisfy the humanities standards if the course is aligned to the Interdisciplinary Humanities Content Standards. (3-15-22)()

hi. Health/Wellness. One (1) credit is required. Course must be aligned to the Idaho Health Content Standards. ~~Effective for all public school students who enter grade nine (9) in Fall 2015 or later, e~~ Each student shall receive a minimum of one (1) ~~class period~~ training on psychomotor cardiopulmonary resuscitation (CPR) training as outlined in the American Heart Association (AHA) Guidelines for CPR to include the proper utilization of an

automatic external defibrillator (AED) as part of the Health/Wellness course.

(3-15-22)()

~~**i.** *Students participating in one (1) season in any sport recognized by the Idaho High School Activities Association or club sport recognized by the local school district, or eighteen (18) weeks of a sport recognized by the local school district may choose to substitute participation up to one (1) credit of physical education. Students must show mastery of the Physical Education Content Standards in a format provided by the school district.*~~

~~(3-15-22)~~

j. Digital Literacy. One (1) credit is required. The course must include instruction that aligns with Idaho Content Standards associated with leveraging technology, digital citizenship, and computational thinking which are imbedded in the Information and Communication Technology Content Standards, and with leveraging the impacts of computing, algorithms, and programming, which are embedded in the Computer Science Standards. This requirement will apply to any student graduating after January 1, 2028.

()

02. Content Standards. Each student shall meet locally established subject area standards (using state content standards as minimum requirements) demonstrated through various measures of accountability including examinations or other measures.

(3-15-22)

03. Senior Project. The senior project is a culminating project to show a student's ability to analyze, synthesize, and evaluate information and communicate that knowledge and understanding. A student must complete a senior project by the end of grade twelve (12). Senior projects may be multi-year projects, group or individual projects, or approved pre-internship or school to work internship programs, at the discretion of the school district or charter school. The project must include elements of research, development of a thesis using experiential learning or integrated project based learning experiences and presentation of the project outcome. Additional requirements for a senior project are at the discretion of the local school district or LEA. Completion of a postsecondary certificate or degree at the time of high school graduation or an approved pre-internship or internship program may be used to meet this requirement. The senior project will last apply for the class of 2027, unless an LEA opts to early implement the future readiness project.

(3-15-22)()

04. Future Readiness Project. The future readiness project is a culminating project that demonstrates a student's application of college and career competencies and exploration of potential post high school options. All students beginning with the class of 2028 must complete a future readiness project by the end of grade twelve (12). The project must include an experiential component, such as a work-based, service-based, research-based, or portfolio-based component in which a student demonstrates the acquisition of Idaho college and career competencies. Experiences including, but not limited to apprenticeships, internships, volunteer work and extracurricular activities related to real-world skills acquisition will count toward this requirement. LEAs must determine how students will demonstrate the acquisition of college and career competencies and may require additional components. The State Department of Education will provide templates for LEAs and oversee the implementation of this provision.

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05. Localized Pathways. In order to assist students in structuring their secondary course selection electives, assessment, and supplemental activities, all LEAs shall develop and post publicly two or more localized pathways. Localized pathways are designed to inform students and parents/guardians of local opportunities aligned with post-secondary goals as identified in the student's career pathway plan. The State Department of Education shall support the implementation of this provision. This provision must be implemented by all LEAs no later than June 30, 2026.

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046. Civics and Government Proficiency. Pursuant to Section 33-1602, Idaho Code, each LEA may establish an alternate path for determining if a student has met the state civics and government content standards. Alternate paths are open to all students in grades seven (7) through twelve (12.) Any student who has been determined proficient in the state civics and government content standards either through the completion of the civics test or an alternate path shall have it noted on the student's high school transcript.

(3-15-22)

07. Physical Education. Students participating in one (1) season in any sport recognized by the Idaho High School Activities Association or club sport recognized by the local school district, or eighteen (18) weeks of a sport recognized by the local school district may choose to substitute participation up to one (1) credit of physical education. Students must show mastery of the Physical Education Content Standards in a format provided by the LEA.

()

058. **Middle School.** A student will have met the high school content and credit area requirement for any high school course if the requirements outlined in Subsections 105.068.a. through 105.068.c. of this rule are met. (3-15-22)()

a. The student completes such course with a grade of C or higher before entering grade nine (9); (3-15-22)

b. The course meets the same content standards that are required in high school for the same course; and (3-15-22)

c. The course is taught by a teacher properly certified to teach high school content and who meets the federal definition of highly qualified for the course being taught. (3-15-22)

d. The student shall be given a grade for the successful completion of that course and such grade and the number of credit hours assigned to the course will be transferred to the student's high school transcript. Notwithstanding this requirement, the student's parent or guardian shall be notified in advance when credits are going to be transcribed and may elect to not have the credits and grade transferred to the student's high school transcript. Courses taken in middle school appearing in the student's high school transcript, pursuant to this subsection, shall count for the purpose of high school graduation. However, the student must complete the required number of credits in all high school core subjects as identified in Subsections 105.01.ed. through 105.01.ii. except as provided in 105.01.de.ii#. The transcribing high school is required to verify the course meets the requirements specified in Subsections 105.058.a. through 105.058.c. of this rule. (3-15-22)()

069. **Special Education Students.** A student who is eligible for special education services under the Individuals With Disabilities Education Improvement Act may, with the assistance of the student's Individualized Education Program (IEP) team, meet the graduation requirements through to the current Idaho Special Education Manual specifications. (3-15-22)

0710. **Foreign Exchange Students.** A foreign exchange student may be eligible for graduation by completing a comparable program as approved by the LEA. (3-15-22)

IDAPA 08 – STATE BOARD OF EDUCATION

08.04.01 – RULES OF THE IDAHO DIGITAL LEARNING ACADEMY

DOCKET NO. 08-0401-2401

NOTICE OF RULEMAKING – ADOPTION OF PENDING RULE

EFFECTIVE DATE: This rule has been adopted by the agency and is now pending review by the 2025 Idaho State Legislature and must be approved by concurrent resolution of the Legislature to go into effect, in accordance with Section 67-5224(2)(c), Idaho Code. Should the pending rule be approved, it will become final and effective on July 1 following the First Regular Session of the Sixty-eighth Idaho Legislature, unless the concurrent resolution states a different effective date.

AUTHORITY: In compliance with Section 67-5224, Idaho Code, notice is hereby given that this agency has adopted a pending rule. The action is authorized pursuant to Article IX, Section 2 of the Idaho Constitution and under Sections 33-5504, 33-5505, 33-5507, and Chapter 55, Title 33, Idaho Code.

DESCRIPTIVE SUMMARY: The following is a concise explanatory statement of the reasons for adopting the pending rule and a statement of any change between the text of the proposed rule and the text of the pending rule with an explanation of the reasons for the change:

The 2024 legislature reviewed 08.04.01 rule amendments. Concurrent resolutions HCR32 and SCR122 were not in alignment on a single point of revision and therefore none of the proposed amendments passed. Specifically, the House Education Committee rejected the proposed removal of language in Subsection 102.03 requiring faculty to contact students within the first 24 hours of class. The Senate Education Committee did not reject this proposed amendment. All other proposed revisions were not contested by either germane committee. IDLA has requested to bring forward in 2025 one of the proposed revisions that was not contested by either germane committee.

The change will allow IDLA in collaboration with the local education agency (LEA) to determine comprehensive assessment requirements for their students enrolled in Idaho Digital Learning Academy (IDLA) courses. This change reflects similar language in 08.04.01, Section 01 under Accountability recognizing the partnership between IDLA and the local school enrolling the student. The current language specifies a more traditional assessment. The amended language will provide for a broader definition and allow for portfolios or other demonstrations of learning to serve as the final assessment when deemed appropriate by IDLA and the LEA. This minor adjustment to 08.04.01 recognizes the authority of LEAs without the increase of any regulation.

There are no changes to the pending rule, and it is being adopted as originally proposed. The complete text of the proposed rule was published in the October 2, 2024, Idaho Administrative Bulletin, [Vol. 24-10 pages 145-146](#).

FEE SUMMARY: Pursuant to Section 67-5224(2)(d), Idaho Code, a pending fee rule shall not become final and effective unless affirmatively approved by concurrent resolution of the Legislature. The following is a description of the fee or charge imposed or increased in this rulemaking: NA.

FISCAL IMPACT: The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year: NA.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this pending rule, contact Nicholas Wagner at rules@edu.idaho.gov or (208)-488-7586.

DATED this 21st day of November, 2024.

Nicholas Wagner
Administrative Rules Coordinator
Idaho State Board of Education
650 W State St.
PO Box 83720
Boise, Idaho 83720-0037
Phone: (208)488-7586
fax: (208)334-2632

IDAPA 09 – IDAHO DEPARTMENT OF LABOR

09.01.01 – RULES OF ADMINISTRATIVE PROCEDURE OF THE DEPARTMENT OF LABOR

DOCKET NO. 09-0101-2401 (ZBR CHAPTER REWRITE)

NOTICE OF RULEMAKING – ADOPTION OF PENDING RULE

EFFECTIVE DATE: This rule has been adopted by the agency and is now pending review by the 2025 Idaho State Legislature and must be approved by concurrent resolution of the Legislature to go into effect, in accordance with Section 67-5224(2)(c), Idaho Code. Should the pending rule be approved, it will become final and effective on July 1 following the First Regular Session of the Sixty-eighth Idaho Legislature, unless the concurrent resolution states a different effective date.

AUTHORITY: In compliance with Section 67-5224, Idaho Code, notice is hereby given that this agency has adopted a pending rule. The action is authorized pursuant to Sections 72-1300 et seq., Idaho Code, and Sections 45-600 et seq., 74-106(7), Idaho Code.

DESCRIPTIVE SUMMARY: The following is a concise explanatory statement of the reasons for adopting the pending rule and a statement of any change between the text of the proposed rule and the text of the pending rule with an explanation of the reasons for the change:

These rules are being adopted as part of the IDOL's plan to review each rule every 5 years. The changes are consistent with the [Executive Order 2020-01, Zero Based Regulation](#).

There are no changes to the pending rule, and it is being adopted as originally proposed. The complete text of the proposed rule was published in the October 2, 2024, Idaho Administrative Bulletin, [Vol. 24-10, pages 147-153](#).

FEE SUMMARY: Pursuant to Section 67-5224(2)(d), Idaho Code, a pending fee rule shall not become final and effective unless affirmatively approved by concurrent resolution of the Legislature. The following is a description of the fee or charge imposed or increased in this rulemaking:

Not applicable. There are no fees or charges associated with this rulemaking.

FISCAL IMPACT: The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year:

This rulemaking is not anticipated to have any fiscal impact.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this pending rule, contact Darlene Carnopis at (208) 696-2380.

DATED this 20th day of November, 2024.

Darlene Carnopis
Policy Coordinator
Idaho Department of Labor
317 W. 3rd St.
Boise, ID 83702
Phone: (208) 696-2380
Email: darlene.carnopis@labor.idaho.gov

IDAPA 09 – IDAHO DEPARTMENT OF LABOR
09.01.30 – UNEMPLOYMENT INSURANCE BENEFITS ADMINISTRATION RULES
DOCKET NO. 09-0130-2401 (ZBR CHAPTER REWRITE)
NOTICE OF RULEMAKING – ADOPTION OF PENDING RULE

EFFECTIVE DATE: This rule has been adopted by the agency and is now pending review by the 2025 Idaho State Legislature and must be approved by concurrent resolution of the Legislature to go into effect, in accordance with Section 67-5224(2)(c), Idaho Code. Should the pending rule be approved, it will become final and effective on July 1 following the First Regular Session of the Sixty-eighth Idaho Legislature, unless the concurrent resolution states a different effective date.

AUTHORITY: In compliance with Section 67-5224, Idaho Code, notice is hereby given that this agency has adopted a pending rule. The action is authorized pursuant to Sections 72-1300 et seq., Idaho Code, and Sections 45-600 et seq., 74-106(7), Idaho Code.

DESCRIPTIVE SUMMARY: The following is a concise explanatory statement of the reasons for adopting the pending rule and a statement of any change between the text of the proposed rule and the text of the pending rule with an explanation of the reasons for the change:

These rules are being adopted as part of the IDOL's plan to review each rule every 5 years. The changes are consistent with the [Executive Order 2020-01, Zero Based Regulation](#).

There are no changes to the pending rule, and it is being adopted as originally proposed. The complete text of the proposed rule was published in the October 2, 2024, Idaho Administrative Bulletin, [Vol. 24-10, pages 154-174](#).

FEE SUMMARY: Pursuant to Section 67-5224(2)(d), Idaho Code, a pending fee rule shall not become final and effective unless affirmatively approved by concurrent resolution of the Legislature. The following is a description of the fee or charge imposed or increased in this rulemaking:

Not applicable. There are no fees or charges associated with this rulemaking.

FISCAL IMPACT: The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year:

This rulemaking is not anticipated to have any fiscal impact.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this pending rule, contact Darlene Carnopis at (208) 696-2380.

DATED this 20th day of November, 2024.

Darlene Carnopis
Policy Coordinator
Idaho Department of Labor
317 W. 3rd St.
Boise, ID 83702
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Email: darlene.carnopis@labor.idaho.gov

IDAPA 09 – IDAHO DEPARTMENT OF LABOR
09.01.35 – UNEMPLOYMENT INSURANCE TAX ADMINISTRATION RULES
DOCKET NO. 09-0135-2401 (ZBR CHAPTER REWRITE)
NOTICE OF RULEMAKING – ADOPTION OF PENDING RULE

EFFECTIVE DATE: This rule has been adopted by the agency and is now pending review by the 2025 Idaho State Legislature and must be approved by concurrent resolution of the Legislature to go into effect, in accordance with Section 67-5224(2)(c), Idaho Code. Should the pending rule be approved, it will become final and effective on July 1 following the First Regular Session of the Sixty-eighth Idaho Legislature, unless the concurrent resolution states a different effective date.

AUTHORITY: In compliance with Section 67-5224, Idaho Code, notice is hereby given that this agency has adopted a pending rule. The action is authorized pursuant to Sections 72-1300 et seq., Idaho Code, and Sections 45-600 et seq., 74-106(7), Idaho Code.

DESCRIPTIVE SUMMARY: The following is a concise explanatory statement of the reasons for adopting the pending rule and a statement of any change between the text of the proposed rule and the text of the pending rule with an explanation of the reasons for the change:

These rules are being adopted as part of the IDOL's plan to review each rule every 5 years. The changes are consistent with the [Executive Order 2020-01, Zero Based Regulation](#).

There are no changes to the pending rule, and it is being adopted as originally proposed. The complete text of the proposed rule was published in the October 2, 2024, Idaho Administrative Bulletin, [Vol. 24-10, pages 175-190](#).

FEE SUMMARY: Pursuant to Section 67-5224(2)(d), Idaho Code, a pending fee rule shall not become final and effective unless affirmatively approved by concurrent resolution of the Legislature. The following is a description of the fee or charge imposed or increased in this rulemaking:

Not applicable. There are no fees or charges associated with this rulemaking.

FISCAL IMPACT: The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year:

This rulemaking is not anticipated to have any fiscal impact.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this pending rule, contact Darlene Carnopis at (208) 696-2380.

DATED this 20th day of November, 2024.

Darlene Carnopis
Policy Coordinator
Idaho Department of Labor
317 W. 3rd St.
Boise, ID 83702
Phone: (208) 696-2380
Email: darlene.carnopis@labor.idaho.gov

IDAPA 11 – IDAHO STATE POLICE STATE FORENSIC LABORATORY

11.03.01 – RULES GOVERNING ALCOHOL TESTING

DOCKET NO. 11-0301-2401 (ZBR CHAPTER REWRITE)

NOTICE OF RULEMAKING – ADOPTION OF PENDING RULE

EFFECTIVE DATE: This rule has been adopted by the agency and is now pending review by the 2025 Idaho State Legislature and must be approved by concurrent resolution of the Legislature to go into effect, in accordance with Section 67-5224(2)(c), Idaho Code. Should the pending rule be approved, it will become final and effective on July 1 following the First Regular Session of the Sixty-eighth Idaho Legislature, unless the concurrent resolution states a different effective date.

AUTHORITY: In compliance with Section 67-5224, Idaho Code, notice is hereby given that this agency has adopted a pending rule. The action is authorized pursuant to Section 67-2901, Idaho Code.

DESCRIPTIVE SUMMARY: The following is a concise explanatory statement of the reasons for adopting the pending rule and a statement of any change between the text of the proposed rule and the text of the pending rule with an explanation of the reasons for the change:

Based on feedback from stakeholders during the negotiated and proposed rulemaking process, the Idaho State Police State Forensic Laboratory made changes to the pending rule.

To better clarify parts of the rule, definitions were added for some key terms.

Language was added to clarify the instrumentation, certification, and testing procedures used by the Idaho State Police Forensic Services Laboratories.

The text of the pending rule has been amended in accordance with Section 67-5227, Idaho Code. Only those sections that have changes that differ from the proposed text are printed in this bulletin. The complete text of the proposed rule was published in the October 2nd, 2024, Idaho Administrative Bulletin, [Vol. 24-10, pages 191-199](#).

FEE SUMMARY: Pursuant to Section 67-5224(2)(d), Idaho Code, a pending fee rule shall not become final and effective unless affirmatively approved by a concurrent resolution of the Legislature. The following is a description of the fee or charge imposed or increased in this rulemaking: There are no fees associated with this rulemaking.

FISCAL IMPACT: The following is a specific description, if applicable, of any negative fiscal impact on the state General Fund greater than ten thousand dollars (\$10,000) during the fiscal year: There is no fiscal impact.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this pending rule, contact Matthew Gamette, (208) 884-7217, email: matthew.gamette@isp.idaho.gov

DATED this 6th day of December, 2024.

Lt. Colonel Russ Wheatley
Chief of Staff
Idaho State Police
700 S Stratford Drive
Meridian ID 83642
Russ.Wheatley@isp.idaho.gov

DOCKET NO. 11-0301-2401 – ADOPTION OF PENDING RULE

Substantive changes have been made in the pending rule.
Italicized red text that is *double underscored* indicates
amendments to the proposed text as adopted in the pending rule.

The text of the proposed rule was published in the Idaho Administrative Bulletin,
Volume 24-10, October 2, 2024, pages 191 through 199.

This rule has been adopted as a pending rule by the Agency and is now awaiting
review and final approval by the 2025 Idaho State Legislature.

THE FOLLOWING IS UPDATED TEXT IN THE PENDING RULE FOR ZBR DOCKET NO. 11-0301-2401
(Only those sections or subsections that have changed from the original proposed
text are printed in this Bulletin following this notice.)

11.03.01 – RULES GOVERNING ALCOHOL TESTING

010. DEFINITIONS AND ABBREVIATIONS.

01. **Alcohol.** The chemical compounds of ethyl alcohol, methyl alcohol, or isopropyl alcohol. (3-23-22)
- ~~02. **Approved Vendor.** A source/provider/manufacturer of an approved standard. (3-23-22)~~
- ~~03. **Blood Alcohol Analysis.** An analysis of breath, blood, or urine to determine the concentration of alcohol present. (3-23-22)()~~
- ~~04. **Breath Alcohol Analysis.** An analysis of breath to determine the concentration of alcohol present. (3-23-22)~~
- ~~05. **Breath Alcohol Test.** A breath sample or series of separate breath samples provided during a breath testing sequence(s). (3-23-22)~~
- ~~06. **Breath Alcohol Testing Sequence.** A sequence of events as determined by the Idaho State Police Forensic Services, which may be directed by the instrument, the Operator, or both, and may consist of air blanks, performance verification, internal standard checks, and breath samples. (3-23-22)~~
- 07. **Breath Testing Specialist (BTS).** An operator who has completed advanced training approved by the department and are certified to perform routine instrument maintenance, teach instrument operation skills, proctor proficiency tests for instrument Operators, and testifying as an expert on alcohol physiology and instrument function in court. (3-23-22)*
- 08. **Calibration.** A set of laboratory operations which establish under specified conditions, the relationship between values indicated by a measuring instrument or measuring system, or values represented by a material, and the corresponding known values of a measurement. (3-23-22)*

~~096.~~ **Certificate of Analysis.** A certificate stating the standards used for performance verification have been tested and approved for use by the ISPFS or are manufactured by an ISO 17025:2005, 17025:2017, (or equivalent standard) vendor and are traceable to N.I.S.T. standards. (3-23-22)

~~107.~~ **Certificate of Instrument Calibration.** A certificate stating that an individual breath alcohol testing instrument has been evaluated by the ISPFS and found to be suitable for forensic alcohol testing. The certificate bears the signature of the calibration analyst at Idaho State Police Forensic Services, and the effective date of the instrument approval. (3-23-22)

~~108.~~ **Department.** The Idaho State Police. (3-23-22)

~~120.~~ **Deprivation Period.** A minimum time period of fifteen (15) minutes immediately prior to evidentiary breath alcohol testing during which the subject/~~individual~~ is not to be allowed to smoke, drink, or eat substances containing alcohol. (3-23-22)()

~~1310.~~ **Evidentiary Test.** A blood, breath, or urine test performed on a subject/~~individual~~ for potential evidentiary or legal purposes. A distinction is made between evidentiary testing and non-quantitative screening/monitoring. (3-23-22)()

~~1411.~~ **Idaho State Police Forensic Services (ISPFS).** A division of the Idaho State Police. ISPFS is dedicated to providing forensic science services to the criminal justice system of Idaho. ISPFS is the administrative body for the alcohol testing programs in Idaho. (3-23-22)

~~1512.~~ **Laboratory.** The place at which specialized devices, instruments and methods are used by trained personnel to measure the concentration of alcohol in samples of blood, vitreous humor, urine, or beverages for law enforcement purposes. (3-23-22)

~~16.~~ **MIP/MIC.** ~~An abbreviation used to designate minor in possession or minor in consumption of alcohol.~~ (3-23-22)

~~173.~~ **Monitoring Period.** A minimum time period of fifteen (15) minutes immediately prior to evidentiary breath alcohol testing. The monitoring period consists of a mandatory deprivation period and discretionary observation period. The observation period becomes mandatory if the numeric results from only a single breath sample are used. (3-23-22)

~~184.~~ **Observation Period.** The time period running concurrently with the deprivation period in which the officer(s) should be observing the subject/~~individual~~, and any belch/burp/vomit/regurgitation should be noted by the operator(s). The officer(s) should be in a position, either physically or remotely, to be able to ~~use their available senses to~~ detect the aforementioned events. (3-23-22)()

~~195.~~ **Operator Certification.** ~~The condition of having satisfied the t~~ Training requirements for administering breath alcohol tests as established by the department. (3-23-22)()

~~2016.~~ **Operator.** An individual certified by the department as qualified ~~by~~ **after completion of Breath Test Operator or Breath Test Specialist** training to administer breath alcohol tests. (3-23-22)()

~~217.~~ **Performance Verification.** ~~A verification of the a~~ **Accuracy check** of the breath testing instrument utilizing a performance verification standard. ~~Performance verification should be,~~ reported to three decimal places. ~~While ISPFS uses the term performance verification, manufacturers and others may use a term such as~~ **Synonymous with terms** "calibration check" or "simulator check." (3-23-22)()

~~2218.~~ **Performance Verification Standard.** An ethyl alcohol standard used for field performance verifications. The standard is provided or approved, or both, by the department. (3-23-22)

~~2319.~~ **Proficiency Testing.** A periodic analysis ~~of blood, urine, or other liquid specimen(s) whose alcohol content is unknown to the testing laboratory,~~ to evaluate the capability of ~~that a~~ laboratory to perform accurate analysis for alcohol concentration. (3-23-22)()

~~24.20.~~ **Quality Control.** An analysis of referenced samples whose alcohol content is known, ~~which is performed with each batch of blood, vitreous humor, urine or beverage analysis~~ to ensure that the laboratory's determination of alcohol concentration is reproducible and accurate. (3-23-22)()

~~25.~~ **Urine Alcohol Analysis.** An analysis of urine to determine the concentration of alcohol present. (3-23-22)

21. **Testing Sequence.** A sequence of events as determined by the Idaho State Police Forensic Services, which may be directed by the instrument, the Operator, or both, and may consist of air blanks, performance verification, internal standard checks, and breath samples. ()

011. – 012. (RESERVED)

013. REQUIREMENTS FOR LABORATORY ALCOHOL ANALYSIS.

01. Laboratory. Any laboratory desiring to perform urine alcohol, vitreous humor, blood alcohol, or beverage analysis shall meet the following standards: (3-23-22)

a. Prepare and maintain a written procedure governing its method of analysis, including guidelines for quality control and proficiency testing. A copy of the procedure shall be provided to ISPFS for initial approval. Whenever procedure, protocol, or method changes (however named) are adopted by a laboratory, a copy of the update with the changes clearly indicated shall be approved by ISPFS before implementation; (3-23-22)

b. Provide adequate facilities and space for the procedure used. The laboratory alcohol related functions shall be subject to an assessment by either an accrediting body or the department each calendar year, and the results from the annual audit shall be submitted to the department. The assessment shall be at the expense of the laboratory; (3-23-22)

c. Maintain specimens in a limited access and secure storage area prior to analysis. A chain of custody shall be maintained while the evidence is in the laboratory; (3-23-22)

d. All instrumentation, equipment, reagents and glassware necessary for the performance of the chosen procedure shall be on hand or readily available on the laboratory premises. Instrument maintenance documentation shall be available for review by the department; (3-23-22)

e. Participate in approved proficiency testing ~~and pass this proficiency testing~~ according to standards set by the department. Laboratories must ~~participate in~~ pass proficiency testing from a department approved provider at least once a calendar year. Approved providers include National Highway Traffic Safety Administration (NHTSA) and Collaborative Testing Services (CTS). Each test consists of at least four (4) blood samples spiked with an unknown concentration of ethyl alcohol, and possibly other volatiles, for qualitative determination. Participating laboratories ~~must obtain proficiency tests from approved providers and~~ are responsible for all costs associated with ~~obtaining and analyzing~~ such tests. Results from proficiency tests must be submitted by the due date to the test provider and ISPFS. Results not submitted to a test provider within the allowed time do not qualify as a proficiency test. An alcohol concentration range is determined from the target value and ± 3.0 standard deviations as provided by the proficiency test provider. Reported values must fall within this range. If a laboratory determines more than one (1) alcohol value for a given sample, the mean value of results will be submitted and evaluated. Upon satisfactory completion of an approved proficiency test, a certificate of approval will be issued by the department to the participating laboratory. Approval to perform legal blood alcohol determinations is continued until the results of the next proficiency test are reviewed and notification is sent to the respective laboratory by ISPFS. Failure to pass a proficiency test shall result in immediate suspension of testing by an analyst or laboratory in the form of a written inquiry from the department. The test is graded as unsuccessful when the mean results are outside the established tolerance range ~~established from the accepted mean values~~. The laboratory shall have thirty (30) calendar days to respond to the department inquiry. The department shall notify the laboratory within fourteen (14) calendar days regarding corrective action steps necessary to lift the testing suspension, or the department may issue a written revocation. The department shall not lift a proficiency testing related suspension or revocation until a successful proficiency test has been completed by the individual analyst or laboratory. (3-23-22)()

~~f.~~ For a laboratory performing blood, urine, vitreous humor, or beverage analysis for alcohol, approval shall be Laboratory approval is awarded to the laboratory ~~director~~ manager or ~~primary~~ analyst responsible for that laboratory correct test performance. The responsibility for the correct performance of tests in that laboratory rests with that person; however, the duty of performing such tests may be delegated to any person designated by such ~~director or primary analyst~~. The department may ~~temporarily~~ suspend or ~~permanently~~ revoke the approval of a ~~laboratory or analyst~~ if the listed requirements are not met. The department will issue the suspension or revocation in writing to the laboratory ~~director or primary analyst responsible~~; (3-23-22)()

~~g02.~~ Appeal. Reinstatement after revocation requires completed corrective action of any items listed on the revocation documentation issued by the department. Documentation of corrective actions taken to address the nonconformities shall be submitted to the department for review. Once the department is satisfied that the laboratory is in compliance with all requirements, the department will issue written approval for the resumption of testing by that laboratory or analyst. A laboratory may appeal a suspension or revocation to the Director of the department. (3-23-22)()

023. Blood Collection. Blood collection shall be accomplished according to the following requirements: (3-23-22)

~~a04.~~ Blood sSamples. s Shall be collected using sterile, dry syringes and hypodermic needles, or other equipment of equivalent sterility; (3-23-22)()

~~ba.~~ The ~~skin at the area of~~ puncture area shall be ~~cleansed thoroughly and~~ disinfected with an aqueous ~~solution of a~~ nonvolatile antiseptic. Alcohol or phenolic solutions shall not be used as a skin antiseptic; (3-23-22)()

~~eb.~~ Blood specimens shall contain at least ten (10) milligrams of sodium fluoride per cubic centimeter ~~of blood~~ plus an ~~appropriate~~ anticoagulant. (3-23-22)()

035. Blood Reported. ~~The r~~ Results of analysis ~~on blood~~ for alcohol concentration shall be reported in units of grams of alcohol per one hundred (100) cubic centimeters of whole blood. (3-23-22)()

046. Urine Collection. Urine samples shall be collected in clean, dry containers. (3-23-22)

057. Urine Reported. ~~The results of analysis on urine~~ Results for alcohol concentration shall be reported in ~~units of~~ grams of alcohol per sixty-seven (67) milliliters ~~of urine~~. Results of alcohol analysis of urine specimens shall be accompanied by a warning statement about the questionable value of urine alcohol results, with a warning about the questionable value of urine alcohol results. (3-23-22)()

068. Records. All records regarding proficiency tests, quality control and results shall be retained for three (3) years. (3-23-22)

014. REQUIREMENTS FOR PERFORMING BREATH ALCOHOL TESTING.

01. Instruments. ~~Each breath testing i~~ Instrument models incorporated by reference in Section 02.01 of this rule shall be approved by the department ~~and be listed in the "Conforming Products List of Evidential Breath Measurement Devices" published in the Federal Register by the United States Department of Transportation as incorporated by reference in Section 002 of this rule. The department will maintain a list of benchtop and portable instruments approved for evidentiary testing use in Idaho. Each individual breath testing instrument must be certified by the department. The department may revoke instrument approval; for cause, ~~remove a specific instrument by serial number from evidential testing and suspend or withdraw certification thereof.~~ (3-23-22)()~~

02. Report. Each direct breath testing instrument shall report alcohol concentration as grams of alcohol per two hundred ten (210) liters of breath. (3-23-22)

03. Administration. ~~Breath tests shall be administered in conformity with standards established by the department~~ Breath tests must be administered by a certified operator and follow department standards. Standards

shall be developed for each type of breath testing instrument used in Idaho, and such standards shall be issued in the form of Idaho administrative rules, ISPFs analytical methods, and ISPFs standard operating procedures.

(3-23-22)(____)

~~a.~~ The breath alcohol test must be administered by an operator (BTO or BTS) currently certified in the use of the instrument. (3-23-22)

~~ba.~~ Prior to administering the monitoring period, any foreign objects/materials which have the potential to enter the instrument/breath tube or may present a choking hazard (e.g. gum, chewing tobacco, food) should be removed. (3-23-22)

~~eb.~~ The operator shall administer a monitoring period prior to evidentiary testing. (3-23-22)

~~dc.~~ If mouth alcohol is suspected or indicated by the testing instrument, the operator shall ~~begin another fifteen (15) minute~~ restart another fifteen (15) minute monitoring period if repeating the testing sequence. If during the monitoring period the subject/individual vomits or regurgitates material from the stomach into the breath pathway, the monitoring period should start over. If there is doubt as to the events occurring during the monitoring period (~~e.g. silent burp, belch, vomit, regurgitation~~), the operator should evaluate the instrument results for any indication of mouth alcohol. (3-23-22)(____)

~~ed.~~ A complete breath alcohol test includes two (2) valid breath samples, preceded by air blanks, taken ~~during the testing procedure and preceded by air blanks. The breath samples performed with a portable breath testing instrument should be approximately at least~~ two (2) minutes apart ~~or more~~. If the subject/individual fails or refuses to provide two (2) adequate samples as requested by the operator, ~~the test result of a single adequate sample result~~ shall be considered a valid. ~~If a single test result is used, then test only if~~ the observation ~~criteria of the monitoring period (observation period) is mandatory~~ has been met. For hygienic reasons, the operator should use a new mouthpiece for each subject/individual tested. (3-23-22)(____)

~~fe.~~ The operator ~~has the discretion to end breath testing, repeat breath testing, or request a blood draw at any point during the testing process as the circumstances require (including but not limited to lack of sample correlation, lack of subject participation or cooperation, subject is incoherent or incapable of following instructions, subject incapacitation)~~ Operators may end testing, repeat testing, or request a blood draw as needed. If a subject/individual fails or refuses to provide adequate samples as requested by the operator, the results obtained are ~~still~~ considered valid, provided the failure to supply the ~~requested~~ samples was the fault of the subject/individual and not the operator. (3-23-22)(____)

~~gf.~~ ~~A third~~ Additional breath samples shall, when possible, be collected if the ~~first two (2)~~ results differ by more than 0.02 g/210L alcohol. Unless mouth alcohol is indicated or suspected, it is not necessary to repeat the monitoring period prior to obtaining ~~a third~~ additional breath samples. (3-23-22)(____)

~~hg.~~ The ~~results for~~ breath samples results should correlate within 0.02 g/210L alcohol to show consistent sample delivery, indicate the absence of RFI, and to indicate the absence of alcohol contamination in the subject/individual's breath pathway as a contributing factor to the breath results. (3-23-22)(____)

~~ih.~~ In the event of an instrument failure, the operator should attempt to utilize another instrument or have blood drawn. (3-23-22)

04. Training. Each ~~individual~~ operator (~~BTO or BTS~~) shall ~~demonstrate sufficient training to operate the instrument correctly. This shall be accomplished by successfully completing complete~~ a training course approved by the department on each instrument model ~~utilized by the operator used~~. Operator certifications ~~issued after July 1, 2013~~ are valid for two (2) ~~calendar~~ years from the course completion date. The department may revoke ~~individual operator (BTO/BTS) certification for cause.~~ (3-23-22)(____)

05. Performance Verification Checks. Each ~~breath testing~~ instrument shall be checked for accuracy with an approved performance verification standard ~~approved by the department~~. Performance verification checks shall be performed and documented according to a procedure established by the department ~~and be documented~~. The

official time and date of the performance verification is the time and date recorded on the printout, or the time and date recorded in the log. (3-23-22)()

a. A performance verification check shall occur within twenty-four (24) hours before or after an evidentiary test. ~~The benchtop instrument requires a performance verification check as part of the testing sequence. On the For~~ portable instruments, multiple breath alcohol tests may be covered by a single performance verification. (3-23-22)()

b. A performance verification on a portable instrument consists of two (2) samples at either the 0.08 or 0.20 level. Both samples must be run with the same performance verification standard. Three (3) attempts at obtaining an acceptable performance verification are allowed. Troubleshooting measures may be employed during this process. If the ~~third performance~~ verifications fails, the instrument shall be taken out of service and not be returned to service until it has been calibrated and certified by ISPFs. (3-23-22)()

c. A performance verification acquired during a breath testing sequence on an approved benchtop instrument consists of one (1) sample at either the 0.08 or 0.20 level. A performance verification acquired outside the breath testing sequence on an approved benchtop instrument consists of two (2) samples at either the 0.08 or 0.20 level. Three (3) attempts at obtaining an acceptable performance verification are allowed. Troubleshooting measures may be employed during this process. If the ~~third performance~~ verifications fails, the instrument must be taken out of service and not be returned to service until it has been calibrated and certified by ISPFs. (3-23-22)()

d. Performance verification checks must be within +/- 10% of the ~~performance verification~~ standard's target value. (3-23-22)()

e. A wet bath 0.08 ~~performance verification~~ standard should be replaced with fresh standard approximately every twenty-five (25) verifications or every calendar month, whichever comes first. ~~For a e~~closed loop, recirculating system (e.g. the Intox 5000 series), the 0.08 ~~performance verification standard~~ should be replaced with fresh standards approximately every one hundred (100) verifications or every calendar month, whichever comes first. (3-23-22)()

f. ~~A w~~Wet bath 0.20 ~~performance verification~~ standards should be replaced with fresh standard approximately every twenty-five (25) verifications. (3-23-22)()

g. Dry gas ~~performance verification~~ standards may be used continuously ~~without replacement~~ until the canister is spent or the expiration date is reached ~~expired~~. (3-23-22)()

h. ~~Performance verification s~~Standards should not be used beyond the expiration date. (3-23-22)()

i. If Section 18-8004C, Idaho Code, ~~(excessive alcohol concentration)~~ is applicable, ~~then~~ a 0.20 performance verification must be run and ~~results~~ documented once per calendar month. Failure to perform ~~a 0.20 performance verification this~~ will not invalidate any tests where Section 18-8004C, Idaho Code, is not applicable. A ~~performance verification with a 0.20 standard performance verification~~ does not need to be performed within twenty-four (24) hours of an ~~evidentiary~~ breath test in excess of 0.20 g/210L alcohol. (3-23-22)()

j. ~~Temperature of the w~~Wet bath simulator ~~temperature~~ shall be between thirty-three point five degrees Celsius (33.5°C) and thirty-four point five degrees Celsius (34.5°C) ~~in order for the performance verification results to be for~~ valid ~~results~~. (3-23-22)()

k. An agency may run additional performance verification ~~standard~~ levels at their discretion. (3-23-22)()

06. **Records.** Operators must document and retain test results (i.e. written log, printout, or electronic database). ~~All records regarding and maintenance and results shall be retained records~~ for three (3) years. ISPFs is not responsible for ~~storage of documentation not generated by ISPFs storing non-ISPFs documentation~~. (3-23-22)()

07. **Deficiencies.** Failure to meet ~~any of the conditions listed~~ in Sections 013 and 014. ~~Any laboratory or breath testing instrument may be disapproved for failure to meet one (1) or more of the requirements listed in Sections 013 and 014, and approval may be withheld until the deficiency is corrected~~ lead to disapproval of any laboratory or breath testing instrument until corrected. (3-23-22)()

08. **Standards.** ~~Premixed alcohol simulator solutions shall~~ An approved standard shall be from ~~an approved vendor~~ a source, provider, or manufacturer of an approved standard and explicitly approved ~~in writing~~ by the department ~~before distribution within Idaho.~~ Dry gas s Standards from ISO ~~17025:2005~~ 17034 (or equivalent) certified providers are ~~explicitly approved by the department for use in Idaho~~ without department evaluation ~~by the department.~~ (3-23-22)()

09. **MIP/MIC** Minor in Possession or Minor in Consumption (MIP/MIC). ~~The p~~ Presence or absence of alcohol ~~is the determining factor in~~ determines the evidence in ~~an~~ MIP/MIC cases. The instrumentation used in obtaining the breath sample is often the same instrumentation utilized for acquiring DUI evidence. The different standard of evidence requires different standards for the procedure. The administration of a MIP/MIC breath test should follow section 14.03 with the following exceptions: (3-23-22)()

a. Fifteen (15) minute monitoring period: The monitoring period is not required for the MIP/MIC procedure A fifteen (15) minute monitoring period is required before retesting if mouth alcohol is suspected. (3-23-22)()

~~b. The breath alcohol test must be administered by an operator currently certified in the use of that instrument.~~

~~eb.~~ The instrument used must be initially certified by ISPFS. ~~The instrument only needs to be initially certified by ISPFS. Initial certification shows that the instrument responds to alcohols and not to acetone.~~ The instrument does not need to be checked regularly or periodically with any of the 0.08 or 0.20 standard. (3-23-22)()

~~dc.~~ The officer should have the individual being tested remove all loose foreign material from their mouth before testing. False teeth, partial plates, or bridges installed or prescribed by a dentist or physician do not need to be removed to obtain a valid test. The officer may allow the individual to briefly rinse their mouth out with water prior to the breath testing. Any alcohol containing material left in the mouth during the entirety of the breath test sampling could contribute to the results in the breath testing sequence. (3-23-22)()

~~ed.~~ A complete breath alcohol test includes two (2) valid breath samples taken from the subject and preceded by an air blank. The breath samples do not need to be consecutive samples from the same subject. The individual breath samples should be approximately taken at least two (2) minutes apart or more. A deficient or insufficient sample does not automatically invalidate a test sample. The operator should use a new mouthpiece for each individual. (3-23-22)()

~~f.~~ A third breath sample is required if the first two (2) results differ by more than 0.02 g/210L alcohol. In the event that all three (3) samples fall outside the 0.02 g/210L alcohol correlation, and testing indicates or the officer suspects mouth alcohol, they must administer a fifteen (15) minute monitoring period and then retest the subject. If mouth alcohol is not suspected or indicated by the test results, then the officer may retest the subject without administering a monitoring period. (3-23-22)

~~ge.~~ The operator should ~~manually log test~~ document results and/or retain printouts for possible use in court. (3-23-22)()

~~hf.~~ The instrument must not be in passive mode for ~~the testing of an evidentiary~~ subjects ~~for evidential purposes~~ but should only be used for testing liquids for the presence of alcohol. (3-23-22)()

~~ig.~~ The passive mode ~~of testing using the Lifeloc FC20 or ASHI~~ should be used for testing liquids ~~or containers of liquid~~ for the presence or absence of alcohol. (3-23-22)()

IDAPA 16 – DEPARTMENT OF HEALTH AND WELFARE

16.06.01 – CHILD AND FAMILY SERVICES

DOCKET NO. 16-0601-2405 (ZBR CHAPTER REWRITE)

NOTICE OF RULEMAKING – ADOPTION OF PENDING RULE

EFFECTIVE DATE: This rule has been adopted by the agency and is now pending review by the 2025 Idaho State Legislature and must be approved by concurrent resolution of the Legislature to go into effect, in accordance with Section 67-5224(2)(c), Idaho Code. Should the pending rule be approved, it will become final and effective on July 1 following the First Regular Session of the Sixty-eighth Idaho Legislature, unless the concurrent resolution states a different effective date.

AUTHORITY: In compliance with Section 67-5224, Idaho Code, notice is hereby given that this agency has adopted a pending rule. The action is authorized pursuant to Section 56-202, Idaho Code, as well as Sections 16-1629, 16-1623, 16-2102, 16-2406, 16-2423, 16-2433, 39-1209, 39-1210, 39-1211, 39-5603, 39-7501, 56-204A, 56-803, 56-1003, 56-1004, 56-1004A, and 56-1007, Idaho Code.

DESCRIPTIVE SUMMARY: The following is a concise explanatory statement of the reasons for adopting the pending rule and a statement of any change between the text of the proposed rule and the text of the pending rule with an explanation of the reasons for the change:

In compliance with [Executive Order Number 2020-01, Zero-Based Regulation](#) a complete review and re-write of the rule was completed. The focus of the review and re-write was to eliminate outdated rules and streamline the rule chapter to be more clear. Rather than incorporating federal and state laws into the rule itself, references to those laws were used to ensure the public has the ability to review the source of those regulations directly. Content in the rule was reorganized to ensure topics were in the same place in the rule rather than being discussed in several different areas of the rule. Language was updated as well to be more clear and align with current practice. The rule was updated to ensure compliance with recent court rulings related to the child welfare program. Some of the larger changes to the rule were related to changes regarding the placement of individuals on the central registry to ensure due process, elimination of fees related to adoptions and adoption home studies, expanding the definition of family service worker, and removing the foster care reimbursement fees from the rule to be published on the department's website.

After further inspection of this rule chapter it was determined that the temporary and proposed rulemaking edits that were published in the June 5, 2024, Idaho Administrative Bulletin, [Vol. 24-6 pages 29 through 36](#) were not incorporated into the ZBR chapter rewrite that was published in the September 4, 2024 Idaho Administrative Bulletin, [Vol. 24-9 pages 348 through 414](#). As such, the Department is seeking to correct this error by vacating pending rule 16-0601-2401 and replacing it with the combined language of 16-1601-2401 and 16-0601-2402 into a new docket, 16-0601-2405.

There are no changes to the pending rule, and it is being adopted as originally proposed. The complete text of the proposed rule was published in the December 4th, 2024, Idaho Administrative Bulletin, [Vol. 24-12, pages 24-89](#).

FEE SUMMARY: Pursuant to Section 67-5224(2)(d), Idaho Code, a pending fee rule shall not become final and effective unless affirmatively approved by concurrent resolution of the Legislature. The following is a description of the fee or charge imposed or increased in this rulemaking:

Fees will not be increased as a result of this rulemaking.

FISCAL IMPACT: The following is a specific description, if applicable, of any negative fiscal impact on the state General Fund greater than ten thousand dollars (\$10,000) during the fiscal year:

There will not be a negative fiscal impact exceeding \$10,000.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the pending rule, contact Jared Larsen at 208-334-5500.

DATED this 25th day of December, 2024.

Alex J. Adams, PharmD, MPH
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IDAPA 16 – DEPARTMENT OF HEALTH AND WELFARE

16.06.02 – FOSTER CARE LICENSING

DOCKET NO. 16-0602-2403

NOTICE OF RULEMAKING – ADOPTION OF PENDING RULE

EFFECTIVE DATE: This rule has been adopted by the agency and is now pending review by the 2025 Idaho State Legislature and must be approved by concurrent resolution of the Legislature to go into effect, in accordance with Section 67-5224(2)(c), Idaho Code. Should the pending rule be approved, it will become final and effective on July 1 following the First Regular Session of the Sixty-eighth Idaho Legislature, unless the concurrent resolution states a different effective date.

AUTHORITY: In compliance with Section 67-5224, Idaho Code, notice is hereby given that this agency has adopted a pending rule. The action is authorized pursuant to Sections 39-1211, 39-1213, 56-1003, 56-1004A, and 561005(8), Idaho Code.

DESCRIPTIVE SUMMARY: The following is a concise explanatory statement of the reasons for adopting the pending rule and a statement of any change between the text of the proposed rule and the text of the pending rule with an explanation of the reasons for the change:

This rule change allows individuals who have been a licensed foster parent in the last 12 months, but has let their license lapse, renew their foster license with a fast-tracked process so long as they were in good standing while licensed.

There has been a demonstrated need to increase the number of resource families in the foster system throughout the state. Achieving a higher ratio of eligible foster families to foster kids in need has become the top priority of the Department. This change is needed to help support that mission, and in doing so also reduces the regulatory burden imposed by the state.

There are no changes to the pending rule, and it is being adopted as originally proposed. The complete text of the proposed rule was published in the September 4th, 2024, Idaho Administrative Bulletin, [Vol. 24-9, pages 424-426](#).

FEE SUMMARY: Pursuant to Section 67-5224(2)(d), Idaho Code, a pending fee rule shall not become final and effective unless affirmatively approved by concurrent resolution of the Legislature. The following is a description of the fee or charge imposed or increased in this rulemaking: N/A.

FISCAL IMPACT: The following is a specific description, if applicable, of any negative fiscal impact on the state General Fund greater than ten thousand dollars (\$10,000) during the fiscal year:

There will not be an impact to the General Fund greater than \$10,000.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this pending rule, contact Jared Larsen at 208-334-5500.

DATED this 6th day of December, 2024.

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IDAPA 16 – DEPARTMENT OF HEALTH AND WELFARE

16.07.17 – SUBSTANCE USE DISORDERS SERVICES

DOCKET NO. 16-0717-2401

NOTICE OF RULEMAKING – ADOPTION OF PENDING RULE

EFFECTIVE DATE: This rule has been adopted by the agency and is now pending review by the 2025 Idaho State Legislature and must be approved by concurrent resolution of the Legislature to go into effect, in accordance with Section 67-5224(2)(c), Idaho Code. Should the pending rule be approved, it will become final and effective on July 1 following the First Regular Session of the Sixty-eighth Idaho Legislature, unless the concurrent resolution states a different effective date.

AUTHORITY: In compliance with Section 67-5224, Idaho Code, notice is hereby given that this agency has adopted a pending rule. The action is authorized pursuant to Sections 56-202, Idaho Code, and 56-1003, 56-1004, 56-1004A, 56-1007, 56-1009, 39-305, 39-306, and 39-311, Idaho Code.

DESCRIPTIVE SUMMARY: The following is a concise explanatory statement of the reasons for adopting the pending rule and a statement of any change between the text of the proposed rule and the text of the pending rule with an explanation of the reasons for the change:

The rule change strives to prevent the accumulation of costly, ineffective, and outdated regulations and reduce regulatory burden to achieve a more efficient operation of government. This also coincides with the recent go-live status of the Idaho Behavioral Health Plan and seeks to update this rule chapter in association with similarly effected chapters including 16.07.33 and 16.07.37. Changes were made to the proposed rule following comments received from stakeholders. These changes included clarifying certifying entities and allowing for waiver authority to encompass additional individuals seeking to provide substance use disorder services.

The text of the pending rule has been amended in accordance with Section 67-5227, Idaho Code. Only those sections that have changes that differ from the proposed text are printed in this bulletin. The complete text of the proposed rule was published in the November 6th, 2024, Idaho Administrative Bulletin, [Vol. 24-11, pages 84-93](#).

FEE SUMMARY: Pursuant to Section 67-5224(2)(d), Idaho Code, a pending fee rule shall not become final and effective unless affirmatively approved by concurrent resolution of the Legislature. The following is a description of the fee or charge imposed or increased in this rulemaking:

Fees are not being increased as a result of this proposed rulemaking.

FISCAL IMPACT: The following is a specific description, if applicable, of any negative fiscal impact on the state General Fund greater than ten thousand dollars (\$10,000) during the fiscal year:

There will not be a negative fiscal impact exceeding \$10,000 as a result of this proposed rulemaking.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this pending rule, contact Jared Larsen at 208-334-5500.

DATED this 5th day of December, 2024.

Alex J. Adams, PharmD, MPH
Director
Idaho Department of Health & Welfare
450 W. State Street, 10th Floor
P.O. Box 83720
Boise, ID 83720-0036
(208) 334-5500 phone; (208) 334-6558 fax
Alex.Adams@dhw.idaho.gov

DOCKET NO. 16-0717-2401 – ADOPTION OF PENDING RULE

Substantive changes have been made in the pending rule.
Italicized red text that is double underscored indicates
amendments to the proposed text as adopted in the pending rule.

The text of the proposed rule was published in the Idaho Administrative Bulletin,
Volume 24-11, November 6, 2024, pages 84 through 93.

This rule has been adopted as a pending rule by the Agency and is now awaiting
review and final approval by the 2025 Idaho State Legislature.

THE FOLLOWING IS UPDATED TEXT IN THE PENDING RULE FOR DOCKET NO. 16-0717-2401
(Only those sections or subsections that have changed from the original proposed
text are printed in this Bulletin following this notice.)

16.07.17 – SUBSTANCE USE DISORDERS SERVICES

009. CRIMINAL HISTORY AND BACKGROUND CHECK REQUIREMENTS.

~~01. Criminal History and Background Check. All employees, volunteers, interns, and contractors of substance use disorder treatment and recovery support services must comply with the provisions of IDAPA 16.05.06, “Criminal History and Background Checks.” (3-17-22)~~

~~02. Availability to Work or Provide Service. An individual listed in Subsection 009.01 of this rule is available to work on a provisional basis at the discretion of the employer or agency once the individual has submitted their completed criminal history and background check application, it has been reviewed by the employer or agency, and no disqualifying crimes or relevant records are disclosed on the application. An individual must be fingerprinted within twenty-one (21) days of submitting their criminal history and background check. (3-17-22)~~

~~a. An individual is allowed to work or have access to participants only under supervision until the criminal history and background check is completed. (3-17-22)~~

~~b. An individual, who does not receive a criminal history and background check clearance or have a Behavioral Health waiver granted under the provisions in Subsection 009.03 of this rule, must not provide direct care or services, or serve in a position that requires regular contact with participants. (3-17-22)~~

031. Waiver of Criminal History and Background Check Denial.

a. A certified ~~or uncertified~~ individual from a certifying body that is recognized by the Department who is seeking to provide ~~Peer Support Specialist, Family Support Partner, or Recovery Coach~~ substance use disorder treatment or recovery support services, or an uncertified individual that receives an unconditional denial or a denial after an exemption review by the Department’s Criminal History Unit, may apply for a Behavioral Health waiver. (3-17-22)()

b. An individual is allowed to work or have access to participants only under supervision until the

waiver request is processed.

(3-17-22)

(BREAK IN CONTINUITY OF SECTIONS)

011. DEFINITIONS - G THROUGH Z.

For the purposes of these rules, the following terms apply:

(3-17-22)

01. Idaho Board of Alcohol/Drug Counselor Certification, Inc. (IBADCC). A board recognized by the Department affiliated with the International Certification Reciprocity Consortium/Alcohol and Other Drug Abuse (ICRC). The IBADCC is the certifying entity that oversees credentialing of Idaho Student of Addiction Studies (ISAS), and Certified Alcohol/Drug Counselors (CADC) in the state of Idaho. (3-17-22) ()

~~**02. Individualized Service Plan.** A written action plan based on an eligibility screening and clinical assessment, that identifies the individual's clinical needs, the strategy for providing services to meet those needs, treatment goals and objectives and the criteria for terminating the specified interventions. (3-17-22)~~

~~**03. Intensive Outpatient Services.** Educational classes and individual or group counseling consisting of regularly scheduled sessions within a structured program, for a minimum of nine (9) hours of treatment per week for adults and six (6) hours of treatment per week for adolescents. (3-17-22)~~

~~**04. Medication Assisted Treatment (MAT).** The use of medications, approved by the Food and Drug Administration (FDA), in combination with counseling and behavioral therapies, to provide a whole-patient approach to the treatment of substance use disorders. (3-17-22)~~

~~**05. Network Treatment Provider.** Any provider, group of providers, or entity that has a network provider agreement with the Department's Division of Behavioral Health contractor to provide behavioral health services. (3-17-22)~~

~~**06. Opioid Treatment Program (OTP).** A program that provides MAT for persons diagnosed with opioid use disorder (OUD). OTPs provide all FDA approved MAT medications. In addition, participants receiving MAT medications must also receive counseling and other behavioral therapies to provide participants with a whole-person approach. (3-17-22)~~

~~**07. Outpatient Services.** Educational classes and individual or group counseling consisting of regularly scheduled sessions within a structured program for up to eight (8) hours of treatment per week for adults and five (5) hours of treatment per week for adolescents. (3-17-22)~~

~~**02. National Certification Commission for Addiction Professionals (NCC AP).** A certifying body recognized by the Department that provides counselor certifications and endorsements. ()~~

~~**083. Priority Population.** Priority populations consist of individuals who receive services ahead of other persons. Priority populations are determined yearly by the Department and align with federally mandated priorities. (3-17-22)~~

~~**09. Recovery Support Services.** Non clinical services designed to initiate, support, and enhance recovery. These services may include: safe and sober housing, transportation, child care, life skills education, drug testing, recovery coaching, and case management. (3-17-22)~~

~~**10. Residential Treatment Services.** A planned and structured regimen of treatment provided in a 24-hour residential setting. Residential programs serve individuals who, because of function limitations need safe and stable living environments and 24 hour care. (3-17-22)~~

~~**11. Substance Related Disorders.** Clinical presentations due to substance use that may or may not demonstrate sufficient signs or symptoms to substantiate a diagnosis of a substance use disorder. (3-17-22)~~

~~12. **Substance Use Disorder.** A disorder evidenced by a cluster of cognitive, behavioral, and physiological symptoms indicating that the individual continues using a substance despite significant substance-related problems. According to the DSM-5, diagnosis of a substance use disorder is based on a pathological pattern of behaviors related to use of the substance. (3-17-22)~~

(BREAK IN CONTINUITY OF SECTIONS)

**SUBSTANCE USE DISORDER SERVICES
(Sections 200-600)**

200. QUALIFIED SUBSTANCE USE DISORDERS PROFESSIONAL PERSONNEL REQUIRED.

Each behavioral health program providing substance use disorders services must employ the number and variety of staff needed to provide the services and treatments offered by the program as a multidisciplinary team. The program must employ at least one (1) qualified substance use disorders professional for each behavioral health program location. A qualified substance use disorders professional includes individuals ~~with the as~~ following ~~ings~~ qualifications: (3-17-22)()

01. Idaho Board of Alcohol/Drug Counselor Certification - Certified Advanced or Certified Alcohol/Drug Counselor. (3-17-22)

~~02. Northwest Indian Alcohol/Drug Specialist Certification – Counselor II or Counselor III.~~ (3-17-22)

~~03. National Board for Certified Counselors (NBCC) - Master Addictions Counselor (MAC).~~ (3-17-22)

~~04. Clinical Social Worker (LCSW) or Masters Social Worker (LMSW). Licensed under Title 54, Chapter 32, Idaho Code;~~ (3-17-22)

~~05. Marriage and Family Therapist or Associate Marriage and Family Therapist. Licensed under Title 54, Chapter 34, Idaho Code;~~ (3-17-22)

~~06. Nurse Practitioner. Licensed under Title 54, Chapter 14, Idaho Code;~~ (3-17-22)

~~07. Clinical Nurse Specialist. Licensed under Title 54, Chapter 14, Idaho Code;~~ (3-17-22)

~~08. Physician Assistant. Licensed under Title 54, Chapter 18, Idaho Code;~~ (3-17-22)

~~09. Professional Counselor (LPC) or Clinical Professional Counselor (LCPC). Licensed under Title 54, Chapter 34, Idaho Code;~~ (3-17-22)

~~10. Psychologist or Psychologist Extender. Licensed under Title 54, Chapter 23, Idaho Code;~~ (3-17-22)

~~11. Physician. Licensed under Title 54, Chapter 18, Idaho Code; and;~~ (3-17-22)

~~12. Registered Nurse (RN). Licensed under Title 54, Chapter 14, Idaho Code.~~ (3-17-22)

~~13. Pharmacist. Licensed under Title 54, Chapter 17, Idaho Code.~~ (3-17-22)

03. **NCCAP – Master Addiction Counselor (MAC).** ()

04. **Licensed Professional.** Hold an active license or registration with the applicable jurisdiction for the profession and provide services within the practice authority for the applicable profession consistent with the laws and regulations of the state where services are provided and consistent with the applicable standard of care. ()

IDAPA 16 – DEPARTMENT OF HEALTH AND WELFARE

16.07.33 – ADULT MENTAL HEALTH SERVICES

DOCKET NO. 16-0733-2401

NOTICE OF RULEMAKING – ADOPTION OF PENDING RULE

EFFECTIVE DATE: This rule has been adopted by the agency and is now pending review by the 2025 Idaho State Legislature and must be approved by concurrent resolution of the Legislature to go into effect, in accordance with Section 67-5224(2)(c), Idaho Code. Should the pending rule be approved, it will become final and effective on July 1 following the First Regular Session of the Sixty-eighth Idaho Legislature, unless the concurrent resolution states a different effective date.

AUTHORITY: In compliance with Section 67-5224, Idaho Code, notice is hereby given that this agency has adopted a pending rule. The action is authorized pursuant to Section 56-202, Idaho Code, and Sections 39-3140, 56-1003, 56-1004, 56-1004A, 56-1007, and 56-1009, Idaho Code.

DESCRIPTIVE SUMMARY: The following is a concise explanatory statement of the reasons for adopting the pending rule and a statement of any change between the text of the proposed rule and the text of the pending rule with an explanation of the reasons for the change:

The rule change strives to prevent the accumulation of costly, ineffective, and outdated regulations and reduce regulatory burden to achieve a more efficient operation of government. This also coincides with the recent go-live status of the Idaho Behavioral Health Plan and seeks to update this rule chapter in association with similarly effected chapters including 16.07.17 and 16.07.37.

There are no changes to the pending rule, and it is being adopted as originally proposed. The complete text of the proposed rule was published in the November 6th, 2024, Idaho Administrative Bulletin, [Vol. 24-11, pages 94-99](#).

FEE SUMMARY: Pursuant to Section 67-5224(2)(d), Idaho Code, a pending fee rule shall not become final and effective unless affirmatively approved by concurrent resolution of the Legislature. The following is a description of the fee or charge imposed or increased in this rulemaking:

Fees are not being increased as a result of this proposed rulemaking.

FISCAL IMPACT: The following is a specific description, if applicable, of any negative fiscal impact on the state General Fund greater than ten thousand dollars (\$10,000) during the fiscal year:

There will not be a negative fiscal impact exceeding \$10,000 as a result of this proposed rulemaking.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this pending rule, contact Jared Larsen at 208-334-5500.

DATED this 27th day of November, 2024.

Alex J. Adams, PharmD, MPH
Director
Idaho Department of Health & Welfare
450 W. State Street, 10th Floor
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IDAPA 17 – INDUSTRIAL COMMISSION

17.01.01 – ADMINISTRATIVE RULES UNDER THE WORKER'S COMPENSATION LAW

DOCKET NO. 17-0101-2301 (ZBR CHAPTER REWRITE)

NOTICE OF RULEMAKING – ADOPTION OF PENDING RULE

EFFECTIVE DATE: This rule has been adopted by the agency and is now pending review by the 2025 Idaho State Legislature and must be approved by concurrent resolution of the Legislature to go into effect, in accordance with Section 67-5224(2)(c), Idaho Code. Should the pending rule be approved, it will become final and effective on July 1 following the First Regular Session of the Sixty-eighth Idaho Legislature, unless the concurrent resolution states a different effective date.

AUTHORITY: In compliance with Section 67-5224, Idaho Code, notice is hereby given that this agency has adopted a pending rule. The action is authorized pursuant to Sections 72-508 and 72-304, Idaho Code.

DESCRIPTIVE SUMMARY: The following is a concise explanatory statement of the reasons for adopting the pending rule and a statement of any change between the text of the proposed rule and the text of the pending rule with an explanation of the reasons for the change:

The text of the pending rule has been amended in accordance with Section 67-5227, Idaho Code. Only those sections that have changes that differ from the proposed text are printed in this bulletin. The complete text of the proposed rule was published in the October 2, 2024, Idaho Administrative Bulletin, [Vol. 24-10, pages 212-244](#).

The Commission has approved and adopted only one relatively minor change to this pending rule from the previously published proposed rule, based on comments the Commission received at the Public Hearings on the ZBR Re-write of this Chapter. In the proposed rule, the Commission added a provision to Rule 17.01.01.601.07 that imposed a timeline of seven (7) days for sureties or self-insured employers to provide requested information to the Commission to process a claim. Some of our stakeholders expressed concern that the seven-day time limit to provide the requested information placed a heavy burden on sureties, particularly if the surety did not have regular communication with or a well-established relationship with the injured worker's employer. To address this concern, the Commissioners amended the subsection to clarify that the Commission simply expects the surety or self-insured employer to respond to the Commission's request for information within the seven-day timeline. Therefore, the Commission amended Rule 17.01.01.601.07 by striking the following language "provide the requested information promptly" and replacing it with "respond."

FEE SUMMARY: Pursuant to Section 67-5224(2)(d), Idaho Code, a pending fee rule shall not become final and effective unless affirmatively approved by concurrent resolution of the Legislature. The following is a description of the fee or charge imposed or increased in this rulemaking:

As authorized in Section 72-301, Idaho Code, mandates the Idaho Industrial Commission to adopt rules governing the qualifications of self-insured employers. The pending rule 17.01.01.301.02b imposes a \$250 application fee for an employer to self-insure. This is not an increase of the current application fee. Nor does the proposed rule impose any new or additional fees.

FISCAL IMPACT: The following is a specific description, if applicable, of any negative fiscal impact on the state General Fund greater than ten thousand dollars (\$10,000) during the fiscal year: There is no anticipated fiscal impact.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this pending rule, contact Kamerron Slay, 208-334-6017 or Kamerron.slay@iic.idaho.gov.

DATED this 20th day of November, 2024.

George Gutierrez, Director
Industrial Commission
11321 W. Chinden Blvd.
P.O. Box 83720
Boise, Idaho 83720-0041
Phone: 208-334-6000; Fax: 208-334-2321

DOCKET NO. 17-0101-2301 – ADOPTION OF PENDING RULE

Substantive changes have been made in the pending rule.
Italicized red text that is double underscored indicates
amendments to the proposed text as adopted in the pending rule.

The text of the proposed rule was published in the Idaho Administrative Bulletin,
Volume 24-10, October 2, 2024, pages 212 through 244.

This rule has been adopted as a pending rule by the Agency and is now awaiting
review and final approval by the 2025 Idaho State Legislature.

THE FOLLOWING IS UPDATED TEXT IN THE PENDING RULE FOR ZBR DOCKET NO. 17-0101-2301
(Only those sections or subsections that have changed from the original proposed
text are printed in this Bulletin following this notice.)

17.01.01 – ADMINISTRATIVE RULES UNDER THE WORKER'S COMPENSATION LAW

601. SUBMISSION OF FROI AND SROI.

~~01. Purpose. Pursuant to Sections 72-602(1)-(2), Idaho Code, employers must submit a FROI and/or SROI in accordance with these rules. (3-23-22)~~

021. EDI Reporting. The Commission ~~requires electronic submission of FROIs and SROIs in accordance with the most current versions of the~~ adopts the IAIABC EDI Claims Release 3.0, or release 3.1 after September 14, 2023, and the Commission's EDI Guides and Tables's electronic claims record layout and transaction standards as the required reporting mechanism for all initial claim filings and subsequent reports from any employer not otherwise exempt by these rules. ~~Each FROI and SROI must comply with formatting requirements and must contain the information identified as mandatory or mandatory conditional, as applicable. The Commission's EDI Claims Guides and Tables are available on the website. (4-6-23)()~~

032. Trading Partner Agreements. Before commencing ~~with~~ electronic reporting, Trading Partners shall electronically submit a Trading Partner Agreement ~~with the Commission~~, which the Commission must approve prior to submitting reports. ~~This agreement must provide the effective date to send and receive electronic reports, the acceptable data to be sent and received, the method of transmission to be used, and other pertinent elements.~~ This agreement will identify the insurance carrier, the Claims Administrator, the sender of the electronic files, and the electronic filing method. To ensure the accuracy of reported data, the Trading Partner must maintain their profile to reflect changes as they occur and the Commission may make periodic audits of Trading Partner files. ~~In the event that~~ If a Trading Partner Agreement is entered into by a Claims Administrator, notice to the Trading Partner of a FROI shall be deemed to be notice to the underlying insurance carrier or self-insured employer. (3-23-22)()

043. Report Form and Content for Parties Exempt from EDI Requirements. (3-23-22)

a. Individual ~~injured workers claimants, injured worker's claimant's~~ legal counsel, and employers that are not insured are not required to comply with EDI requirements for FROIs and SROIs. (3-23-22)()

b. Parties exempt from EDI requirements must submit FROIs on a form 1A-1 and SROIs on a form

IC-8, or in a format substantially similar. Both forms are available on the Commission's website. (3-23-22)

054. Retaining Claims Files. Upon request of the Commission, insurance carriers, Claims Administrators, or employers shall provide to the Commission, in whole or in part according to the request, a copy of the claim file at no cost to the Commission. All insurance carriers, Claims Administrators, or employers shall retain complete copies of claims files for the life of the Claim and a minimum of five (5) years from the date of closure. (3-23-22)

065. Filing Not an Admission. Filing a FROI is not an admission of liability and is not conclusive evidence of any fact stated therein. ~~If a Claim is submitted electronically, no signatures are required. (3-23-22)()~~

076. Filing Considered Authorization. Filing of a Claim shall be considered an authorization for the release of medical records that are relevant to or bearing upon the particular injury or occupational disease for which the Claimant is seeking compensation. (3-23-22)

087. Timely Response Requirement. When the Commission requests additional information ~~in order~~ to process the Claim, the ~~Claimant or employer surety or self-insured employer~~ shall ~~provide the requested information promptly~~ respond within seven (7) days. The Commission's request may be ~~either~~ in writing or telephonic. ~~(3-23-22)()~~

IDAPA 21 – DIVISION OF VETERANS SERVICES
21.01.04 – RULES GOVERNING IDAHO STATE VETERANS CEMETERIES
DOCKET NO. 21-0104-2402 (FEE RULE)
NOTICE OF RULEMAKING – ADOPTION OF PENDING RULE

EFFECTIVE DATE: This rule has been adopted by the agency and is now pending review by the 2025 Idaho State Legislature and must be approved by concurrent resolution of the Legislature to go into effect, in accordance with Section 67-5224(2)(c), Idaho Code. Should the pending rule be approved, it will become final and effective on July 1 following the First Regular Session of the Sixty-eighth Idaho Legislature, unless the concurrent resolution states a different effective date.

AUTHORITY: In compliance with Section 67-5224, Idaho Code, notice is hereby given that this agency has adopted a pending rule. The action is authorized pursuant to Sections 65-108 and 65-202, Idaho Code.

DESCRIPTIVE SUMMARY: The following is a concise explanatory statement of the reasons for adopting the pending rule and a statement of any change between the text of the proposed rule and the text of the pending rule with an explanation of the reasons for the change:

This pending rule will expand eligibility for interment at Idaho State Veterans Cemeteries to non-retiree Guard and Reservists who completed an enlistment of service honorably but are otherwise ineligible because they were never activated federally or did not complete enough service time to retire out of the Guard or Reserves.

There are no changes to the pending rule, and it is being adopted as originally proposed. The complete text of the proposed rule was published in the June 5, 2024, Idaho Administrative Bulletin, [Vol. 24-6, pages 37-40](#).

FEE SUMMARY: Pursuant to Section 67-5224(2)(d), Idaho Code, a pending fee rule shall not become final and effective unless affirmatively approved by concurrent resolution of the Legislature. The following is a description of the fee or charge imposed or increased in this rulemaking:

This rule change imposes a charge for burial in the State Veterans Cemeteries on non-retiree Guard and Reservists who completed a term of service honorably but are ineligible for a VA burial benefit.

As authorized in Section 65-202(8), Idaho Code, the fees in this rulemaking are equal to the then current USDVA reimbursement for opening and closing an interment site containing a pre-placed crypt and \$400 for the cost of a Casket/Upright Marker or \$250 for all other interment/memorial marker types.

FISCAL IMPACT: The following is a specific description, if applicable, of any negative fiscal impact on the state General Fund greater than ten thousand dollars (\$10,000) during the fiscal year:

This change will not have a negative fiscal impact on the state General Fund greater than ten thousand dollars (\$10,000) during the fiscal year.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this pending rule, contact Kevin Wallior, 208-780-1308.

DATED this 6th day of December, 2024.

Kevin R. Wallior
Management Assistant
Idaho Division of Veterans Services
351 N. Collins Road
Boise, ID 83702
Ph: 208-780-1308; fax: 208-780-1301
Email: kevin.wallior@veterans.idaho.gov

IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES

24.26.01 – RULES OF THE IDAHO BOARD OF MIDWIFERY

DOCKET NO. 24-2601-2501

NOTICE OF RULEMAKING – ADOPTION OF TEMPORARY RULE

EFFECTIVE DATE: The effective date of the temporary rule is January 1, 2025.

AUTHORITY: In compliance with Sections 67-5226, Idaho Code, notice is hereby given this agency has adopted a temporary rule. The action is authorized pursuant to Section 67-2604, Idaho Code, as well as Section 54-5503, Idaho Code.

DESCRIPTIVE SUMMARY: The following is the required finding and concise statement of its supporting reasons for adopting a temporary rule:

This temporary rule is in response to intent language found in the Division of Occupational and Professional Licenses' FY2025 appropriation bill (Senate Bill 1442) directing the Division and Boards to address cash balances that are lower than thirty five percent (35%) and higher than one hundred and twenty five percent (125%) of the five-year rolling average of expenditures. The amendment to the fee table found in Rule 400 will allow the Board to quickly adjust fees downwards to address the currently high cash balance, while reducing the cost of licensure for licensees.

TEMPORARY RULE JUSTIFICATION: Pursuant to Section 67-5226(1)(c), Idaho Code, the Governor has found that temporary adoption of the rule is appropriate for the following reasons:

Decreasing licensing fees under the Midwifery Advisory Committee reduces a barrier to licensure specifically for midwives seeking to enter the workforce. Reducing the cost of obtaining and maintaining a license in Idaho will ensure constituents have options for midwife services throughout the state.

FEE SUMMARY: Pursuant to Section 67-5226(2), Idaho Code, the Governor has found that the fee or charge being imposed or increased is justified and necessary to avoid immediate danger and the fee is described herein:

Fees can be found in Rule 400 pursuant to Section 54-5503, Idaho Code. There are no newly imposed or increased fees in this temporary rule. Instead, the initial application, initial licensure, renewal and reinstatement fees were decreased and “not more than” language was added to all items on the fee table, capping fees at the reduced level while allowing the Board greater flexibility in reducing fees.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning the temporary rule, contact Krissy Veseth, Bureau Chief, at (208) 577-2491.

DATED this 29th day of November, 2024.

Krissy Veseth
Bureau Chief
11341 W. Chinden Blvd., Bldg. #4
Boise, ID 83714
Phone: (208) 577-2491
Email: krissy.veseth@dopl.idaho.gov

THE FOLLOWING IS THE TEXT OF THE TEMPORARY RULE FOR DOCKET NO. 24-2601-2501
(Only Those Sections With Amendments Are Shown.)

24.26.01 – RULES OF THE IDAHO BOARD OF MIDWIFERY

400. FEES.

Unless otherwise provided for, all fees are non-refundable. fees are as follows:

APPLICATION	FEE (Not to Exceed)
Initial Application	\$200 <u>Not more than \$90</u>
Initial License	\$800 (amount will be refunded if license not issued) <u>Not more than \$90</u>
Renewal	\$850 (amount will be refunded if license not renewed) <u>Not more than \$90</u>
Reinstatement	\$50 <u>Not more than \$35, in addition to renewal fees.</u>

~~(3-28-23)~~ (1-1-25)T

IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES

24.31.01 – RULES OF THE IDAHO STATE BOARD OF DENTISTRY

DOCKET NO. 24-3101-2501

NOTICE OF RULEMAKING – ADOPTION OF TEMPORARY RULE

EFFECTIVE DATE: The effective date of the temporary rule is January 1, 2025.

AUTHORITY: In compliance with Sections 67-5226, Idaho Code, notice is hereby given this agency has adopted a temporary rule. The action is authorized pursuant to Section 67-2604, Idaho Code, as well as Sections 54-916 and 54-920, Idaho Code.

DESCRIPTIVE SUMMARY: The following is the required finding and concise statement of its supporting reasons for adopting a temporary rule:

This temporary rule is in response to intent language found in the Division of Occupational and Professional Licenses' FY2025 appropriation bill (Senate Bill 1442) directing the Division and Boards to address cash balances that are lower than thirty five percent (35%) and higher than one hundred and twenty five percent (125%) of the five-year rolling average of expenditures. The amendment to the fee table found in Rule 400 will allow the Board to quickly adjust fees downwards to address the currently high cash balance, while reducing the cost of licensure for licensees.

TEMPORARY RULE JUSTIFICATION: Pursuant to Section 67-5226(1)(c), Idaho Code, the Governor has found that temporary adoption of the rule is appropriate for the following reasons:

Decreasing license and permit fees for all licensees under the Board of Dentistry reduces a barrier to licensure specifically for new graduates seeking to enter the workforce. Reducing cost of obtaining and maintaining a license in Idaho will ensure Idaho patients have options for their oral health care throughout the state.

FEE SUMMARY: Pursuant to Section 67-5226(2), Idaho Code, the Governor has found that the fee or charge being imposed or increased is justified and necessary to avoid immediate danger and the fee is described herein:

Fees can be found in Rule 400 pursuant to Sections 54-916 and 54-920, Idaho Code. There are no newly imposed or increased fees in this temporary rule. Instead “Not more than” language was added to all items on the fee table, capping fees at their current level while allowing the Board greater flexibility in reducing fees.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning the temporary rule, contact Krissy Veseth, Bureau Chief, at (208) 577-2491.

DATED this 29th day of November, 2024.

Krissy Veseth
Bureau Chief
11341 W. Chinden Blvd., Bldg. #4
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Email: krissy.veseth@dopl.idaho.gov

THE FOLLOWING IS THE TEXT OF THE TEMPORARY RULE FOR DOCKET NO. 24-3101-2501
(Only Those Sections With Amendments Are Shown.)

24.31.01 – RULES OF THE IDAHO STATE BOARD OF DENTISTRY

400. FEES.

01. Application and License Fees. Fees are as follows:

License/Permit Type	Application Fee	License/Permit Fee
Dentist/Dental Specialist	<u>Not more than</u> \$300	Active Status: <u>Not more than</u> \$375 Inactive Status: \$160
Dental Hygienist	<u>Not more than</u> \$150	Active Status: <u>Not more than</u> \$175 Inactive Status: \$85
Dental Therapist	<u>Not more than</u> \$200	Active Status: <u>Not more than</u> \$250 Inactive Status: \$125
Sedation Permit	<u>Not more than</u> \$300	\$300

~~(7-1-24)~~(1-1-25)T

IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES

24.34.01 – RULES OF THE IDAHO BOARD OF NURSING

DOCKET NO. 24-3401-2501

NOTICE OF RULEMAKING – ADOPTION OF TEMPORARY RULE

EFFECTIVE DATE: The effective date of the temporary rule is January 1, 2025.

AUTHORITY: In compliance with Sections 67-5226, Idaho Code, notice is hereby given this agency has adopted a temporary rule. The action is authorized pursuant to Section 67-2604, Idaho Code, as well as Sections 54-1406A, 54-1407, 54-1408, 54-1409, 54-1410, 54-1410A, and 54-1411, Idaho Code.

DESCRIPTIVE SUMMARY: The following is the required finding and concise statement of its supporting reasons for adopting a temporary rule:

This temporary rule is in response to intent language found in the Division of Occupational and Professional Licenses' FY2025 appropriation bill (Senate Bill 1442) directing the Division and Boards to address cash balances that are lower than thirty five percent (35%) and higher than one hundred and twenty five percent (125%) of the five-year rolling average of expenditures. The amendment to the fee table found in Rule 400 will allow the Board to quickly adjust fees downwards to address the currently high cash balance, while reducing the cost of licensure for licensees.

TEMPORARY RULE JUSTIFICATION: Pursuant to Section 67-5226(1)(c), Idaho Code, the Governor has found that temporary adoption of the rule is appropriate for the following reasons:

Decreasing fees for all licensees under the Board of Nursing reduces a barrier to licensure specifically for health care workers seeking to enter the workforce. Reducing the cost of obtaining and maintaining a license in Idaho will ensure Idaho patients have options for their health care throughout the state.

FEE SUMMARY: Pursuant to Section 67-5226(2), Idaho Code, the Governor has found that the fee or charge being imposed or increased is justified and necessary to avoid immediate danger and the fee is described herein:

Fees can be found in Rule 400 pursuant to Sections 54-1406A, 54-1407, 54-1408, 54-1409, 54-1410, 54-1410A, and 54-1411, Idaho Code. There are no newly imposed or increased fees in this temporary rule. Instead “Not more than” language was added to all items on the fee table, capping fees at their current level while allowing the Board greater flexibility in reducing fees.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning the temporary rule, contact Krissy Veseth, Bureau Chief, at (208) 577-2491.

DATED this 29th day of November, 2024.

Krissy Veseth
Bureau Chief
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THE FOLLOWING IS THE TEXT OF THE TEMPORARY RULE FOR DOCKET NO. 24-3401-2501
(Only Those Sections With Amendments Are Shown.)

24.34.01 – RULES OF THE IDAHO BOARD OF NURSING

400. INITIAL LICENSE, RENEWAL AND REINSTATEMENT FEES.

01. Assessed Fees. Fees will be assessed for issuance, renewal of licensure or for reinstatement of a lapsed, disciplined, limited, or emeritus license. Fees are due at the time of submission. Any person submitting the renewal application and fee dated later than August 31 is considered delinquent, and the license lapsed and therefore invalid:

Initial Licensure, Renewal & Reinstatement Fees				
	Registered Nurse	Practical Nurse	Advanced Practice Nurse	Medication Assistant - Certified
Temporary License Fee	<u>Not more than \$25</u>	<u>Not more than \$25</u>	<u>Not more than \$25</u>	
Initial Application Fee			<u>Not more than \$90</u>	
License by Exam Fee	<u>Not more than \$90</u>	<u>Not more than \$75</u>	<u>Not more than \$90</u>	
License by Endorsement	<u>Not more than \$110</u>	<u>Not more than \$110</u>		
License Renewal	<u>Not more than \$90</u>	<u>Not more than \$90</u>	<u>Not more than \$90</u>	<u>Not more than \$35</u>
Expiration Date	Aug 31-odd years	Aug 31-even years	Aug 31-odd years	Aug 31-even years

~~(3-28-23)~~(1-1-25)T

02. Reinstatement Fee. Nurses requesting reinstatement of a lapsed, disciplined, or restricted license, or reinstatement of an emeritus license to active status, will be assessed the ~~records verification and renewal fees~~ thirty-five dollar (\$35) reinstatement fee provided for in Section 67-2614(9), Idaho Code, in addition to renewal fees.

~~(3-28-23)~~(1-1-25)T

03. Other Fees:

Records Verification Fee	\$35
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~~(3-28-23)~~

IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES

24.38.01 – RULES OF THE STATE OF IDAHO BOARD OF VETERINARY MEDICINE

DOCKET NO. 24-3801-2501

NOTICE OF RULEMAKING – ADOPTION OF TEMPORARY RULE

EFFECTIVE DATE: The effective date of the temporary rule is January 1, 2025.

AUTHORITY: In compliance with Sections 67-5226, Idaho Code, notice is hereby given this agency has adopted a temporary rule. The action is authorized pursuant to Section 67-2604, Idaho Code, as well as Section 54-2105, Idaho Code.

DESCRIPTIVE SUMMARY: The following is the required finding and concise statement of its supporting reasons for adopting a temporary rule:

This temporary rule is in response to intent language found in the Division of Occupational and Professional Licenses' FY2025 appropriation bill (Senate Bill 1442) directing the Division and Boards to address cash balances that are lower than thirty five percent (35%) and higher than one hundred and twenty five percent (125%) of the five-year rolling average of expenditures. The amendment to the fee table found in Rule 400 will allow the Board to quickly adjust fees downwards to address the currently high cash balance, while reducing the cost of licensure for licensees.

TEMPORARY RULE JUSTIFICATION: Pursuant to Section 67-5226(1)(c), Idaho Code, the Governor has found that temporary adoption of the rule is appropriate for the following reasons:

Decreasing fees under the Board of Veterinary Medicine reduces a barrier to licensure specifically for veterinarians seeking to enter the workforce. Reducing the cost of obtaining and maintaining a license in Idaho will ensure constituents have options for animal care in Idaho.

FEE SUMMARY: Pursuant to Section 67-5226(2), Idaho Code, the Governor has found that the fee or charge being imposed or increased is justified and necessary to avoid immediate danger and the fee is described herein:

Fees can be found in Rule 400 pursuant to Section 54-2105, Idaho Code. There are no newly imposed or increased fees in this temporary rule. Instead “Not more than” language was added to all items on the fee table, capping fees at their current level while allowing the Board greater flexibility in reducing fees.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning the temporary rule, contact Krissy Veseth, Bureau Chief, at (208) 577-2491.

DATED this 29th day of November, 2024.

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THE FOLLOWING IS THE TEXT OF THE TEMPORARY RULE FOR DOCKET NO. 24-3801-2501
(Only Those Sections With Amendments Are Shown.)

24.38.01 – RULES OF THE STATE OF IDAHO BOARD OF VETERINARY MEDICINE

400. FEE SCHEDULE.

01. Fees Are As Follows:

	New	Active Renewal	Inactive- Renewal	Late/ Reinstatement	Inactive-to Active-Fee
Veterinary License	<u>Not more than \$275</u>	<u>Not more than \$175</u>	\$50	<u>Not more than \$200</u>	\$150
Certified Veterinary Technician	<u>Not more than \$125</u>	<u>Not more than \$75</u>	\$25	<u>Not more than \$50</u>	\$50
Certified Euthanasia Agency	<u>Not more than \$100</u>	<u>Not more than \$200</u>	-	<u>Not more than \$50</u>	-
Certified Euthanasia Technician	<u>Not more than \$100</u>	<u>Not more than \$100</u>	-	<u>Not more than \$50</u>	-
Duplicate Wall License/ Certificate	\$25				
Veterinary License Verification	<u>Not more than \$20</u>				

~~(7-1-24)~~(1-1-25)T

IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES

24.39.30 – RULES OF BUILDING SAFETY (BUILDING CODE RULES)

DOCKET NO. 24-3930-2501

NOTICE OF RULEMAKING – ADOPTION OF TEMPORARY RULE

EFFECTIVE DATE: The effective date of the temporary rule is January 1, 2025.

AUTHORITY: In compliance with Sections 67-5226, Idaho Code, notice is hereby given this agency has adopted a temporary rule. The action is authorized pursuant to Section 67-2604, Idaho Code, as well as Section 39-4112, Idaho Code.

DESCRIPTIVE SUMMARY: The following is the required finding and concise statement of its supporting reasons for adopting a temporary rule:

This temporary rule is in response to intent language found in the Division of Occupational and Professional Licenses' FY2025 appropriation bill (Senate Bill 1442) directing the Division and Boards to address cash balances that are lower than thirty five percent (35%) and higher than one hundred and twenty five percent (125%) of the five-year rolling average of expenditures. The permitting fees found in Rule 400 have been decreased by thirty percent (30%).

TEMPORARY RULE JUSTIFICATION: Pursuant to Section 67-5226(1)(c), Idaho Code, the Governor has found that temporary adoption of the rule is appropriate for the following reasons:

Decreasing permit fees for the Idaho Building Code Board reduces additional costs on industry and licensees. These reductions in fees will be a benefit to construction projects and industry in the state of Idaho.

FEE SUMMARY: Pursuant to Section 67-5226(2), Idaho Code, the Governor has found that the fee or charge being imposed or increased is justified and necessary to avoid immediate danger and the fee is described herein:

Fees can be found in Rule 500 pursuant to Section 39-4112, Idaho Code. There are no newly imposed or increased fees in this temporary rule. Instead, all permitting fees were decreased by thirty percent (30%).

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning the temporary rule, contact Krissy Veseth, Bureau Chief, at (208) 577-2491.

DATED this 29th day of November, 2024.

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THE FOLLOWING IS THE TEXT OF THE TEMPORARY RULE FOR DOCKET NO. 24-3930-2501
(Only Those Sections With Amendments Are Shown.)

24.39.30 – RULES OF BUILDING SAFETY (BUILDING CODE RULES)

500. PERMITS AND PLAN REVIEW.

01. Annual Permit. In lieu of an individual permit for each minor alteration to an already approved building, the Division may issue an annual permit upon application therefor to any state agency or state governmental organization regularly employing one (1) or more qualified trade persons in the building, structure or on the premises or campus owned or operated by the applicant for the permit. The agency to whom an annual permit is issued shall keep a detailed record of alterations made under such annual permit. The Division shall be allowed access to such records upon request or such records shall be filed with the Division as designated. The permit holder shall request inspections and make the work accessible for inspection as required by the adopted codes and herein. (7-1-24)

02. Plans Not Required. Plans are not required for group U occupancies of Type V conventional light-frame wood construction. (7-1-24)

03. Fees. (7-1-24)

a. Technical Service Fee. One hundred dollars (\$100) per hour. (7-1-24)

b. Building Permit Fees. The determination of value or valuation will be made by the administrator and includes the total value of all construction work for which a permit is issued.

TABLE 3-b - BUILDING PERMIT FEES	
Total Valuation	Fee
\$1 to \$500	= \$23.50 <u>16.45</u>
\$501 to \$2,000	= \$23.50 <u>16.45</u> for the first \$500 plus \$3.05 <u>2.14</u> for each additional \$100, or fraction thereof, to and including \$2,000
\$2,001 to \$25,000	= \$69.25 <u>48.48</u> for the first \$2,000 plus \$14.9 <u>8.80</u> for each additional \$1,000, or fraction thereof, to and including \$25,000
\$25,001 to \$50,000	= \$391.75 <u>274.23</u> for the first \$25,000 plus \$40.10 <u>7.07</u> for each additional \$1,000, or fraction thereof, to and including \$50,000
\$50,001 to \$100,000	= \$643.75 <u>450.63</u> for the first \$50,000 plus \$7.4 <u>9.90</u> for each additional \$1,000, or fraction thereof, to and including \$100,000
\$100,001 to \$500,000	= \$993.75 <u>695.63</u> for the first \$100,000 plus \$5.60 <u>3.92</u> for each additional \$1,000, or fraction thereof, to and including \$500,000
\$500,001 to \$1,000,000	= \$3,233.75 <u>2,263.63</u> for the first \$500,000 plus \$4.75 <u>3.33</u> for each additional \$1,000, or fraction thereof, to and including \$1,000,000
\$1,000,001 to \$5,000,000	= \$5,608.75 <u>3,926.13</u> for the first \$1,000,000 plus \$3.65 <u>2.56</u> for each additional \$1,000, or fraction thereof, to and including \$5,000,000

TABLE 3-b - BUILDING PERMIT FEES	
Total Valuation	Fee
\$5,000,001 to \$10,000,000	= \$20,298.75 14,146.13 for the first \$5,000,000 plus \$2,751.93 2,751.93 for each additional \$1,000, or fraction thereof, to and including \$10,000,000
\$10,000,001 and up	= \$33,958.75 23,771.13 for the first \$10,000,000 plus \$2,140 2,140 for each additional \$1,000, or fraction thereof

~~(7-1-24)~~ **(1-1-25)T**

c. Fees for Annual Permits. A fee for inspections performed on annual permits shall be charged at the rate of one hundred dollars (\$100) per inspection. The Division shall bill the applicant for annual permits and failure of the applicant to pay the fee within sixty (60) days may result in cancellation of the annual permit. (7-1-24)

d. Plan Review Fees. Plan review fees shall be charged at an hourly rate of one hundred dollars (\$100) per hour up to a maximum of sixty-five percent (65%) of the calculated building permit fee with a minimum required fee of forty percent (40%) of the calculated building permit fee. All requests for plan review services shall be accompanied by a payment in the amount of at least forty percent (40%) of the calculated building permit fee. Upon completion of the plan review, any additional fees, above the minimum required, are due to the Division by the requesting party. (7-1-24)

IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES

24.39.31 – RULES FOR FACTORY BUILT STRUCTURES

DOCKET NO. 24-3931-2501

NOTICE OF RULEMAKING – ADOPTION OF TEMPORARY RULE

EFFECTIVE DATE: The effective date of the temporary rule is January 1, 2025.

AUTHORITY: In compliance with Sections 67-5226, Idaho Code, notice is hereby given this agency has adopted a temporary rule. The action is authorized pursuant to Section 67-2604, Idaho Code, as well as Section 39-4303, Idaho Code.

DESCRIPTIVE SUMMARY: The following is the required finding and concise statement of its supporting reasons for adopting a temporary rule:

This temporary rule is in response to intent language found in the Division of Occupational and Professional Licenses' FY2025 appropriation bill (Senate Bill 1442) directing the Division and Boards to address cash balances that are lower than thirty five percent (35%) and higher than one hundred and twenty five percent (125%) of the five-year rolling average of expenditures. The permitting fees found in Rule 500 have been decreased by twenty percent (20%).

TEMPORARY RULE JUSTIFICATION: Pursuant to Section 67-5226(1)(c), Idaho Code, the Governor has found that temporary adoption of the rule is appropriate for the following reasons:

Decreasing permit fees for Factory Built Structures reduces additional costs on industry and licensees. These reductions in fees will be a benefit to construction projects and industry in the state of Idaho.

FEE SUMMARY: Pursuant to Section 67-5226(2), Idaho Code, the Governor has found that the fee or charge being imposed or increased is justified and necessary to avoid immediate danger and the fee is described herein:

Fees can be found in Rule 500 pursuant to Section 39-4303, Idaho Code. There are no newly imposed or increased fees in this temporary rule. Instead, all permitting fees were decreased by twenty percent (20%).

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning the temporary rule, contact Krissy Veseth, Bureau Chief, at (208) 577-2491.

DATED this 29th day of November, 2024.

Krissy Veseth
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THE FOLLOWING IS THE TEXT OF THE TEMPORARY RULE FOR DOCKET NO. 24-3931-2501
(Only Those Sections With Amendments Are Shown.)

24.39.31 – RULES FOR FACTORY BUILT STRUCTURES

500. PERMITS, PLAN REVIEWS, AND INSPECTIONS.

01. Modular Building Permit Fees. Permits must be obtained from the Division prior to the construction of structures governed by 39-4303, Idaho Code. Other than as specified in this section, the permit fee schedule for Modular Buildings is as provided in Table 1-A plus ninety dollars (\$90) and two and one-half percent (2.5%) of the plumbing, electrical, and HVAC installation costs. The determination of value or valuation is based on the total value of all construction work for which a permit is issued.

TABLE 1-A – MODULAR BUILDING PERMIT FEES	
TOTAL VALUATION	FEE
\$1 to \$500	= \$23.50 <u>18.80</u>
\$501 to \$2,000	= \$23.50 <u>18.80</u> for the first \$500 plus \$3.05 <u>2.44</u> for each additional \$100, or fraction thereof, to and including \$2,000
\$2,001 to \$25,000	= \$69.25 <u>55.40</u> for the first \$2,000 plus \$4.11 <u>1.20</u> for each additional \$1,000, or fraction thereof, to and including \$25,000
\$25,001 to \$50,000	= \$391.75 <u>313.40</u> for the first \$25,000 plus \$40.10 <u>8.09</u> for each additional \$1,000, or fraction thereof, to and including \$50,000
\$50,001 to \$100,000	= \$643.75 <u>515</u> for the first \$50,000 plus \$7.50 <u>6.60</u> for each additional \$1,000, or fraction thereof, to and including \$100,000
\$100,001 to \$500,000	= \$993.75 <u>795</u> for the first \$100,000 plus \$5.60 <u>4.48</u> for each additional \$1,000, or fraction thereof, to and including \$500,000
\$500,001 to \$1,000,000	= \$3,233.75 <u>2,587</u> for the first \$500,000 plus \$4.75 <u>3.80</u> for each additional \$1,000, or fraction thereof, to and including \$1,000,000
\$1,000,001 and up	= \$5,608.75 <u>4,487</u> for the first \$1,000,000 plus \$3.65 <u>2.92</u> for each additional \$1,000, or fraction thereof

~~(7-1-24)~~(1-1-25)T

02. Modular Plan Review. The Modular Building fee includes an additional amount equal to sixty-five percent (65%) of the permit fee calculated in accordance with Table 1-A. A fee of sixty-five dollars (\$65) per hour applies to additional plan review required by changes, additions, or revisions to plans. (7-1-24)

03. Manufactured/Mobile Home Installation Permit Fees. Permits must be obtained from the Division prior to the site installation governed by 44-2202, and 39-4004, Idaho Code in accordance with the following schedule: (7-1-24)

- a. Single Section Unit. The permit fee is one hundred ~~forty~~twenty dollars (~~\$150~~20). ~~(7-1-24)~~(1-1-25)T

- b. Double Section Unit. The permit fee is ~~two~~ one hundred ~~sixty~~ dollars (\$~~200~~160). (7-1-24)(1-1-25)T
- c. More Than Two Sections. The permit fee for a home consisting of more than two (2) sections is two hundred ~~fifty~~ dollars (\$~~250~~00). (7-1-24)(1-1-25)T
- 04. In-Plant Inspection Agency Fees.** In-plant inspection fees for manufactured homes produced by Idaho Manufactures as per 39-4003A and 39-4004 of Idaho Code is set at forty-five dollars (\$45) per floor. (7-1-24)
- 05. Inspections at Manufacturing Plants.** The Division conducts inspections at the manufacturing plant to determine compliance with codes adopted by Title 39, Chapters 40 and 41, Idaho Code, and Title 54, Chapters 10, 26, and 50, Idaho Code. (7-1-24)
- 06. Manufactured Home Site Installation Inspections.** Installation permits must be obtained from the Division for installations in areas where there is no approved local program, or from a city or county that has by ordinance adopted building codes pursuant to Section 39-4116, Idaho Code, and whose installation program has been approved by the Division. All installations must be inspected and approved by the authority having jurisdiction before the manufactured home is occupied. (7-1-24)
- a. Installation inspections shall be conducted in accordance with the Idaho Manufactured Home Installation Standard or the Design Approval Primary Inspection Agency of the manufactured home. (7-1-24)
- 07. Modular Site Installation Inspection.** In order to complete the installation of an Idaho approved Modular Building, approval and inspection of the installation by the enforcement agency having jurisdiction over the site location is required. (7-1-24)
- 08. Qualifications of Inspectors.** All inspectors must be properly certified for the type of inspection being conducted. The Factory Built Structures Board recognizes certifications granted through the National Certification Program Construction Code Inspector program (NCPCCI), the National Inspection Testing Certification program (NITC), the International Association of Electrical Inspectors (IAEI), and the International Code Council (ICC). (7-1-24)
- 09. Minimum Training Requirements for Inspectors.** All manufactured home installation inspectors must complete eight (8) hours of training or instruction germane to the profession. (7-1-24)
- 10. Rights and Limitations of Local Enforcement Agencies for Modular Buildings.** (7-1-24)
- a. A local enforcement agency has the right to require a complete set of plans and specifications approved by the Division for each Modular Building to be installed within its jurisdiction, to require that all permits be obtained before delivery of any unit. (7-1-24)
- b. A local enforcement agency does not have the right to: open for inspection any Modular Building or component bearing an Insignia to determine compliance with any codes or ordinances; require by ordinance or otherwise that Modular Buildings meet any requirements not equally applicable to on-site construction; or to charge permit or plan review fees for any portion of the structure prefabricated or assembled at a place other than the Building Site. (7-1-24)
- 11. Division Approval.** A city or county that has by ordinance adopted a building code pursuant to Section 39-4116, Idaho Code, is eligible to participate in the inspection of manufactured and mobile homes. Such local installation inspection program must be approved by the Division to provide inspection services if the following minimum criteria is met: (7-1-24)
- a. Inspections are conducted by the city or county employing inspectors holding a valid certification as residential building inspector from the International Code Council; (7-1-24)
- b. Inspectors attended training sessions provided or approved by the Division and receive a certificate evidencing successful completion thereof. (7-1-24)

c. Voluntary Withdrawal. A city or county may voluntarily withdraw from participation in the program to inspect manufactured homes upon providing to the Administrator of the Division thirty (30) days written notice of its intention to do so. (7-1-24)

d. Quality Assurance. Any inspected installation is subject to quality assurance reviews by Division of Occupational and Professional Licenses. Findings made by the Division pursuant to such reviews will be forwarded to the inspection authority having jurisdiction. (7-1-24)

i. All inspectors and approved programs are subject to review. (7-1-24)

12. Modular Insignia and Serial Number. (7-1-24)

a. Assigned Insignia are not transferable and are void when not affixed as assigned. (7-1-24)

b. Each Modular Building must bear a legible identifying serial number. Each section of a multiple Modular Building must have the same identifying serial number followed by a numerical sequence identifier or a letter suffix, or both. (7-1-24)

IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES

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

DOCKET 24-3940-2401 (ZBR CHAPTER REWRITE)

NOTICE OF RULEMAKING – ADOPTION OF PENDING RULE

EFFECTIVE DATE: This rule has been adopted by the agency and is now pending review by the 2025 Idaho State Legislature and must be approved by concurrent resolution of the Legislature to go into effect, in accordance with Section 67-5224(2)(c), Idaho Code. Should the pending rule be approved, it will become final and effective on July 1 following the First Regular Session of the Sixty-eighth Idaho Legislature, unless the concurrent resolution states a different effective date.

AUTHORITY: In compliance with Section 67-5224, Idaho Code, notice is hereby given that this agency has adopted a pending rule. This rulemaking action is authorized pursuant to Section 67-2604, Idaho Code, as well as Sections 67-9404, 67-9405, 67-9406, 67-9409, 67-9413, Title 39, Chapter 86, Idaho Code, and 39-8605, Idaho Code.

DESCRIPTIVE SUMMARY: The following is a concise explanatory statement of the reasons for adopting the pending rule and a statement of any change between the text of the proposed rule and the text of the pending rule with an explanation of the reasons for the change:

Under [Executive Order 2020-01, Zero-Based Regulation](#), the Idaho Elevator Program is striving to prevent the accumulation of costly, ineffective, and outdated regulations and reduce regulatory burden to achieve a more efficient operation of government. There are no changes to the pending rule, and it is being adopted as originally proposed.

The complete text of the proposed rule was published in the November 6, 2024, Idaho Administrative Bulletin, [Vol. 24-11, pages 185-188](#).

FEE SUMMARY: Pursuant to Section 67-5224(2)(d), Idaho Code, a pending fee rule shall not become final and effective unless affirmatively approved by concurrent resolution of the Legislature. The following is a description of the fee or charge imposed or increased in this rulemaking:

The fees are set pursuant to 39-8616, Idaho Code and were not changed during this rulemaking.

FISCAL IMPACT: The following is a specific description, if applicable, of any negative fiscal impact on the state General Fund greater than ten thousand dollars (\$10,000) during the fiscal year:

This rulemaking is not anticipated to have any negative fiscal impact on the state General Fund.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this pending rule, contact Krissy Veseth, Bureau Chief, at (208) 577-2491. Materials pertaining to the pending rulemaking, including any available preliminary rule drafts, can be found on the following DOPL website: <https://dopl.idaho.gov/rulemaking/>.

DATED this 29th day of November, 2024.

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IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES

24.39.50 – RULES OF THE PUBLIC WORKS CONTRACTORS LICENSE BOARD

DOCKET NO. 24-3950-2501

NOTICE OF RULEMAKING – ADOPTION OF TEMPORARY RULE

EFFECTIVE DATE: The effective date of the temporary rule is January 1, 2025.

AUTHORITY: In compliance with Sections 67-5226, Idaho Code, notice is hereby given this agency has adopted a temporary rule. The action is authorized pursuant to Section 67-2604, Idaho Code, as well as Section 54-1904, Idaho Code.

DESCRIPTIVE SUMMARY: The following is the required finding and concise statement of its supporting reasons for adopting a temporary rule:

This temporary rule is in response to intent language found in the Division of Occupational and Professional Licenses' FY2025 appropriation bill (Senate Bill 1442) directing the Division and Boards to address cash balances that are lower than thirty five percent (35%) and higher than one hundred and twenty five percent (125%) of the five-year rolling average of expenditures. The amendment to the fee table found in Rule 400 will allow the Board to quickly adjust fees downwards to address the currently high cash balance, while reducing the cost of licensure for licensees.

TEMPORARY RULE JUSTIFICATION: Pursuant to Section 67-5226(1)(c), Idaho Code, the Governor has found that temporary adoption of the rule is appropriate for the following reasons:

Decreasing fees for the Idaho Public Works Contractors Board reduces additional costs on industry and licensees. These reductions in fees will be a benefit to licensees and industry in the state of Idaho.

FEE SUMMARY: Pursuant to Section 67-5226(2), Idaho Code, the Governor has found that the fee or charge being imposed or increased is justified and necessary to avoid immediate danger and the fee is described herein:

Fees can be found in Rule 400 pursuant to Section 54-1904, Idaho Code. There are no newly imposed or increased fees in this temporary rule. Instead “Not more than” language was added to all items on the fee table, capping fees at their current level while allowing the Board greater flexibility in reducing fees.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning the temporary rule, contact Krissy Veseth, Bureau Chief, at (208) 577-2491.

DATED this 29th day of November, 2024.

Krissy Veseth
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THE FOLLOWING IS THE TEXT OF THE TEMPORARY RULE FOR DOCKET NO. 24-3950-2501
(Only Those Sections With Amendments Are Shown.)

24.39.50 – RULES OF THE PUBLIC WORKS CONTRACTORS LICENSE BOARD

400. FEES.

01. Public Works Contractor.

License Class	Initial Fee (Not to exceed)	Renewal Fee (Not to exceed)
Unlimited	\$550	\$440
AAA	\$450	\$360
AA	\$350	\$280
A	\$250	\$160
B	\$150	\$120
CC	\$125	\$100
C	\$100	\$80
D	\$50	\$40

~~(7-1-24)~~(1-1-25)T

02. Construction Manager:

License Activity	Fee (Not to exceed)
Initial Licensing	\$200
License Renewal	\$200
Inactive License	\$50
License Reinstatement	\$200
Certificate of Authority	\$100

~~(7-1-24)~~(1-1-25)T

IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES

24.39.60 – RULES GOVERNING UNIFORM SCHOOL BUILDING SAFETY

DOCKET 24-3960-2401 (ZBR CHAPTER REWRITE)

NOTICE OF RULEMAKING – ADOPTION OF PENDING RULE

EFFECTIVE DATE: This rule has been adopted by the agency and is now pending review by the 2025 Idaho State Legislature and must be approved by concurrent resolution of the Legislature to go into effect, in accordance with Section 67-5224(2)(c), Idaho Code. Should the pending rule be approved, it will become final and effective on July 1 following the First Regular Session of the Sixty-eighth Idaho Legislature, unless the concurrent resolution states a different effective date.

AUTHORITY: In compliance with Section 67-5224, Idaho Code, notice is hereby given that this agency has adopted a pending rule. This rulemaking action is authorized pursuant to Section 67-2604, Idaho Code, as well as Sections 67-9404, 67-9405, 67-9406, 67-9409, 67-9413, as well as Title 39, Chapter 80, Idaho Code, and Section 39-8007, Idaho Code.

DESCRIPTIVE SUMMARY: The following is a concise explanatory statement of the reasons for adopting the pending rule and a statement of any change between the text of the proposed rule and the text of the pending rule with an explanation of the reasons for the change:

Under [Executive Order 2020-01, Zero-Based Regulation](#), the Idaho Uniform School Building Safety Program is striving to prevent the accumulation of costly, ineffective, and outdated regulations and reduce regulatory burden to achieve a more efficient operation of government. There are no changes to the pending rule, and it is being adopted as originally proposed.

The complete text of the proposed rule was published in the November 6, 2024, Idaho Administrative Bulletin, [Vol. 24-11, pages 189-193](#).

FEE SUMMARY: Pursuant to Section 67-5224(2)(d), Idaho Code, a pending fee rule shall not become final and effective unless affirmatively approved by concurrent resolution of the Legislature. The following is a description of the fee or charge imposed or increased in this rulemaking:

N/A. This rulemaking does not impose or increase fees.

FISCAL IMPACT: The following is a specific description, if applicable, of any negative fiscal impact on the state General Fund greater than ten thousand dollars (\$10,000) during the fiscal year:

This rulemaking is not anticipated to have any negative fiscal impact on the state General Fund.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this pending rule, contact Krissy Veseth, Bureau Chief, at (208) 577-2491. Materials pertaining to the pending rulemaking, including any available preliminary rule drafts, can be found on the following DOPL website: <https://dopl.idaho.gov/rulemaking/>.

DATED this 29th day of November, 2024.

Krissy Veseth
Bureau Chief
11341 W. Chinden Blvd., Bldg. #4
Boise, ID 83714
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IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES

24.39.80 – IDAHO MINIMUM SAFETY STANDARDS AND PRACTICES FOR LOGGING

DOCKET 24-3980-2401 (ZBR CHAPTER REWRITE)

NOTICE OF RULEMAKING – ADOPTION OF PENDING RULE

EFFECTIVE DATE: This rule has been adopted by the agency and is now pending review by the 2025 Idaho State Legislature and must be approved by concurrent resolution of the Legislature to go into effect, in accordance with Section 67-5224(2)(c), Idaho Code. Should the pending rule be approved, it will become final and effective on July 1 following the First Regular Session of the Sixty-eighth Idaho Legislature, unless the concurrent resolution states a different effective date.

AUTHORITY: In compliance with Section 67-5224, Idaho Code, notice is hereby given that this agency has adopted a pending rule. This rulemaking action is authorized pursuant to Section 67-2604, Idaho Code, Sections 67-9404, 67-9405, 67-9406, 67-9409, and 67-9413, Idaho Code, as well as well as 67-2605(5), Idaho Code.

DESCRIPTIVE SUMMARY: The following is a concise explanatory statement of the reasons for adopting the pending rule and a statement of any change between the text of the proposed rule and the text of the pending rule with an explanation of the reasons for the change:

The pending rule is being adopted under [Executive Order 2020-01, Zero Based Regulation](#). Text amended since these rules were published as proposed is as follows:

- Employee’s Responsibility: Addition of required accident reporting.
- Rule 052.04.b.: Addition of traction and ankle support for footwear.
- Rule 301.01.f.: Clarifying language to include all persons on a job site.
- Rule 402.06: Clarifying language to include equipment that can be remotely started.
- Rule 652.08.b.: The requirement to report injuries within ten (10) days was removed in the proposed rules, but due to public comment, this was added back for the pending rules.
- Rule 652.[20]18: The subsections regarding safety orders by the Administrator were removed within the proposed rules, but due to public comment, they were added back for the pending rules.

The text of the pending rule has been amended in accordance with Section 67-5227, Idaho Code. Only those sections that have changes that differ from the proposed text are printed in this bulletin. The complete text of the proposed rule was published in the November 6, 2024, Idaho Administrative Bulletin, [Vol. 24-11, pages 194-262](#).

FEE SUMMARY: Pursuant to Section 67-5224(2)(d), Idaho Code, a pending fee rule shall not become final and effective unless affirmatively approved by concurrent resolution of the Legislature. The following is a description of the fee or charge imposed or increased in this rulemaking:

N/A. This rulemaking does not impose or increase fees.

FISCAL IMPACT: The following is a specific description, if applicable, of any negative fiscal impact on the state General Fund greater than ten thousand dollars (\$10,000) during the fiscal year:

This rulemaking is not anticipated to have any negative fiscal impact on the state General Fund.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this pending rule, contact Krissy Veseth, Bureau Chief, at (208) 577-2491. Materials pertaining to the pending rulemaking, including any available preliminary rule drafts, can be found on the following DOPL website: <https://dopl.idaho.gov/rulemaking/>.

DATED this 29th day of November, 2024.

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DOCKET NO. 24-3980-2401 – ADOPTION OF PENDING RULE

Substantive changes have been made in the pending rule.
Italicized red text that is *double underscored* indicates
amendments to the proposed text as adopted in the pending rule.

The text of the proposed rule was published in the Idaho Administrative Bulletin,
Volume 24-11, November 6, 2024, pages 194 through 262.

This rule has been adopted as a pending rule by the Agency and is now awaiting
review and final approval by the 2025 Idaho State Legislature.

THE FOLLOWING IS UPDATED TEXT IN THE PENDING RULE FOR ZBR DOCKET NO. 24-3980-2401
(Only those sections or subsections that have changed from the original proposed
text are printed in this Bulletin following this notice.)

24.39.80 – IDAHO MINIMUM SAFETY STANDARDS AND PRACTICES FOR LOGGING

013. EMPLOYEE'S RESPONSIBILITY.

01. General Requirements. (3-31-22)

a. Employees shall not indulge in activities that create or constitutes a hazard while on the employer's property or at any time when being transported from or to work in facilities furnished by the employer. (3-31-22)

b. Employees who are assigned to, or engaged in the operation of any machinery or equipment, shall ensure that all guards, hoods, safety devices, etc., that are provided by the employer are in proper place and properly adjusted. (3-31-22)

02. Employee Accidents. Each employee shall make it his individual responsibility to keep himself, his coworkers, and his machine or equipment free from accidents to the best of his ability. (3-31-22)

03. ~~Study Requirements.~~ So that each worker may be better qualified to cooperate with his fellow workmen in preventing accidents, he shall study and observe these and any other safety standards governing his work. (3-31-22)

043. Employee Responsibilities. Additional responsibilities of an employee insofar as industrial safety is concerned shall be as follows: (3-31-22)

a. Report immediately, preferably in writing, to his foreman or safety coordinator for the logging operation, all known unsafe conditions and practices. (3-31-22)

b. Ascertain from the foreman where medical help may be obtained if it is needed. (3-31-22)

c. *Prompt reporting of every accident regardless of severity to the foreman, first aid attendant, or person in charge. Such reports are required and are necessary in order that there may be a record of his injuries.* (3-31-22)

dc. The employee shall at all times apply the principles of accident prevention in his daily work and shall use proper safety devices and protective equipment. No employee shall remove, displace, damage, destroy, or carry off any safety device or safeguard furnished and provided for use in any employment, or interfere in any way with the use thereof by any other person, or interfere with the use of any method or process adopted for the protection of any employee in such employment, or fail or neglect to do every other thing reasonably necessary to protect the life and safety of himself and fellow employees, and by observing safe practice rules shall set a good example for his fellow workmen. (3-31-22)

ed. The employee shall not report to the job impaired by intoxicants or legal or illegal drugs and shall not use intoxicants or such drugs while on the job. The employer shall prohibit any employee from working on or being in the vicinity of any job while under the influence of or impaired by intoxicants or drugs. Employers shall be responsible for the actions of any employee known to be in an intoxicated or impaired condition while on the job. (3-31-22)

fe. The employee shall wear, use and properly care for personal protective safety equipment issued to him. (3-31-22)

gf. Workers exposed to head hazards shall wear approved head protection. (3-31-22)

hg. Proper eye protection shall be worn while performing work where a known eye hazard exists. (3-31-22)

~~**i.** The employee should consider the benefits of accident prevention to himself and to his job. (3-31-22)~~

~~**j.** The employee should make an effort to understand his job. (3-31-22)~~

kh. The employee should anticipate every way in which a person might be injured on the job, and conduct the work to avoid accidents. (3-31-22)

li. The employee should be on the alert constantly for any unsafe condition or practice. (3-31-22)

~~**m.** The employee shall learn first aid. (3-31-22)~~

~~**n.** The employee should keep physically fit, and obtain sufficient rest. (3-31-22)~~

oj. The employee should be certain that all instructions received are understood completely before starting the work. (3-31-22)

pk. The employee should actively participate in safety programs. (3-31-22)

ql. The employee should study the safety educational material posted on the bulletin boards and distributed by the employer or safety committee. (3-31-22)

~~r. The employee should advise inexperienced fellow employees of safe ways to perform their work and warn them of dangers to be guarded against. (3-31-22)~~

~~m. It is the employer's responsibility to ensure compliance with the foregoing provisions. (3-31-22)~~

(BREAK IN CONTINUITY OF SECTIONS)

052. SAFETY EQUIPMENT AND PERSONAL PROTECTIVE EQUIPMENT.

01. General Requirements. (3-31-22)

a. Special protective equipment or apparel required for safe employment, other than clothing or equipment customarily supplied by employees, shall be furnished by the employer where necessary for the safety of employees. (3-31-22)

b. Employees are required to utilize all prescribed safety equipment and special protective equipment or apparel, and they shall exercise due care in maintaining it in safe, efficient and sanitary conditions. (3-31-22)

c. Employers are required to provide, at no cost to employees, appropriate eye, face, head, hand, and leg protection. (3-31-22)

d. Defective safety equipment shall not be used. Where the need for their use is indicated, protective covering, ointments, gloves or other effective protection shall be provided for and used by persons exposed to materials that are irritating to the skin. (3-31-22)

02. Inspection, Maintenance and Sanitizing. (3-31-22)

a. Each employer shall maintain a regular system of inspection and maintenance of personal protective equipment furnished to workers. (3-31-22)

b. Airline equipment shall have a necessary regulator and shall be inspected before each use. (3-31-22)

c. Workers shall check their equipment at the beginning of each shift. (3-31-22)

03. Eye Protection. (3-31-22)

a. Where workers are subject to eye hazards (~~flying particles, dusts, hazardous liquids, gases, mists or vapors, or injurious light rays~~) they shall be furnished with and shall wear eye protection suitable for the hazards involved. Such eye protection shall conform to the American National Standard Institute standards for Head, Eyes and Respiratory protection. (3-31-22)()

~~b. Face shields may be used in lieu of other forms of eye protection where the nature of the operation is such that they will furnish equivalent protection. (3-31-22)~~

~~eb. Clean water in ample quantities shall be immediately available where materials are handled that are caustic or corrosive to the eyes. (3-31-22)~~

04. Foot and Leg Protection. (3-31-22)

a. Employees shall wear footwear suitable for the work conditions. (3-31-22)

~~b. Employees shall wear sharp caulk soled boots or other footwear which will afford maximum protection from slipping. Anyone working in the woods shall wear footwear that provides adequate traction and ankle support. (3-31-22)()~~

eb. Special types or designs of shoes, such as sharp caulk-soled boots, or foot guards, shall be required to be worn where conditions exist that make their use necessary for the safety of the workers. (3-31-22)()

dc. Leggings or high boots of leather, rubber or other suitable material shall be worn by climbers, persons exposed to hot substances, or caustic solutions, etc., or where poisonous snakes may be encountered. (3-31-22)

ed. Each employee who operates a chain saw shall wear leg protection, which meets the requirements of ASTM F 1897 and covers the full length of the thigh to the top of the boot on each leg, except when working as a climber. (3-31-22)

05. Hand Protection. (3-31-22)

a. Hand protection suitable for the required usage shall be worn wherever the nature of the work requires extra protection for the hands. (3-31-22)

b. Gloves shall not be worn where their use would create a hazard. (3-31-22)

06. Head Protection. (3-31-22)

a. Persons required to work where falling or flying objects, overhead structures, exposed electrical conductors, equipment or material create a hazard shall wear approved safety hard hats or caps at all times while exposed to such hazards. (3-31-22)

b. Employees working in locations which present a catching or fire hazard to hair shall wear caps or other head protection that completely covers the hair. (3-31-22)

~~**07. Life Jackets, Vests and Life Rings.**~~

~~Where personal buoyancy equipment is provided, it shall be of a design and shall be worn in a manner that will maintain the wearer's face above water. It shall be capable of floating a sixteen (16) pound weight for three (3) hours in fresh water. Such equipment shall not be dependent upon manual or mechanical manipulation or chemical action to secure the buoyant effect. (3-31-22)~~

~~**a.** Employees shall be provided with, and shall wear, approved buoyant protective equipment at all times while working on or over water, as follows: (3-31-22)~~

~~**i.** On floating pontoons, rafts and floating stages. (3-31-22)~~

~~**ii.** On open decks of floating plants (such as dredges, pile drivers, cranes, pond saws, and similar types of equipment) which are not equipped with bulwarks, guardrails or life lines. (3-31-22)~~

~~**iii.** During the construction, alteration or repair of structures extending over or adjacent to water, except when guardrails, safety nets, or safety belts and life lines are provided and used. (3-31-22)~~

~~**iv.** Working alone at night where there are potential drowning hazards regardless of other safeguards provided. (3-31-22)~~

~~**v.** On floating logs, boom sticks or unguarded walkways. (3-31-22)~~

~~**b.** Life rings with sufficient line attached to meet conditions shall be located at convenient points along exposed sides of work areas adjacent to water. Such rings, if used at night where a person might be beyond illuminated areas, shall be provided with a means of rendering them visible.~~

~~NOTE: Consult U.S. Coast Guard requirements for operations in navigable waters. (3-31-22)~~

~~**087. Life Lines -- Safety Belts.** (3-31-22)~~

a. Each life line and safety belt shall be of sufficient strength to support, without breaking, a weight of ~~two five~~ thousand ~~five four~~ hundred (~~2,500~~5,400) pounds. (3-31-22)()

b. All life lines and safety belts shall be periodically inspected by the supervisor in charge. Employees shall inspect their belts and lines daily. Any defective belts or life lines shall be discarded or repaired before use. (3-31-22)

c. Life lines shall be safely secured to strong stable supports and maintained with minimum slack. (3-31-22)

~~098.~~ Work Clothing. (3-31-22)

a. Clothing shall be worn which is appropriate to work performed and conditions encountered. (3-31-22)

b. Loose sleeves, cuffs or other loose or ragged clothing shall not be worn near moving machinery. (3-31-22)

c. Clothing saturated or impregnated with flammable liquids, corrosive substances, irritants or oxidizing agents shall be removed immediately and not worn again until properly cleaned. (3-31-22)

d. When it is necessary for workers to wear aprons or similar clothing near moving machines or hazardous materials, such clothing shall be so arranged that it can be instantly removed. (3-31-22)

e. Clothing with exposed metal buttons, metal visors or other conductive materials shall not be worn around exposed electrical conductors. (3-31-22)

~~102.~~ Respiratory Equipment. (3-31-22)

a. When filter or cartridge-type respirators are required to be used regularly, each employee shall have one such respirator for his own exclusive use. (3-31-22)

b. Employers and employees shall familiarize themselves with the use, sanitary care and limitations of such respiratory equipment as they may have occasion to use. (3-31-22)

c. Whenever practical, harmful dusts, fumes, mists, vapors and gases shall be suppressed by water, oil or other means which will minimize harmful exposure and permit employees to work without the use of respiratory equipment. (3-31-22)

d. Whenever compressed air from an oil-lubricated compressor is used to supply respiratory equipment, a filter shall be inserted in the supply line to remove any oil, sediment or condensation that it may contain. Such filter shall be maintained in efficient working condition. (3-31-22)

e. When self-contained respiratory equipment is used in hazardous locations, a standby unit shall be maintained for rescue purposes. (3-31-22)

~~110.~~ Hearing Protection. Where workers are subject to hazardous noise levels, they shall be furnished with and shall wear hearing protection suitable for the level of hazard involved. (3-31-22)

~~1211.~~ Additional Information and Requirements. Additional information and requirements for the use of safety equipment and personal protective equipment may be found in the Safety and Health Standards established in IDAPA 07.09.01, "Safety and Health Rules for Places of Public Employment." (3-31-22)

(BREAK IN CONTINUITY OF SECTIONS)

301. FALLING AND BUCKING.

01. General Requirements. (3-31-22)

a. There shall be an established method of checking-in workers from the woods. Each supervisor shall be responsible for their crew being accounted for at the end of each shift. (3-31-22)

b. Cutters not in sight of another employee shall have radio communications with crew members on that job site. (3-31-22)

c. Common sense and good judgment must govern the safety of cutters as effected by weather conditions. At no time shall they work if wind is strong enough to prevent the falling of trees in the desired direction, or when vision is impaired by weather conditions or darkness. (3-31-22)

~~**d.** All cutters shall have a current first aid certification. Employers shall provide an opportunity for cutters to take a standard first aid course. (3-31-22)~~

ed. Tools of cutters such as axes, sledges, wedges, saws, etc., must be maintained in safe condition. Battered sledges, and wedges shall not be used. When power saws are used, wedges shall be made of soft material, such as wood or plastic. (3-31-22)

fe. Cutters shall not be placed on hillsides immediately below each other or below other operations where there is possible danger. (3-31-22)

gf. Trees shall not be felled if a falling tree endangers any worker, line, or any unit in operation. A two (2) tree length distance shall be maintained between cutters and any other person working on the same unit unless they work directly together and only one (1) cutter is sawing at a time. (3-31-22)()

hg. Before starting to fall or buck any tree or snag, the cutter must survey the area for possible hazards and proceed according to safe practices. Snags, which are unsafe to cut, shall be blown down with explosives, or felled by other methods. (3-31-22)

ih. Dangerous or hazardous snags shall be felled prior to or in the course of cutting a strip. No danger tree shall be felled by one (1) cutter where and when the assistance of a fellow employee is necessary to minimize the danger or hazards involved. In the case that any danger tree or snag cannot be safely felled and must remain standing or unattended, such tree or snag shall be clearly identified and suitably marked, including all surrounding impact area, and the employee's supervisor shall be notified as soon as possible. (3-31-22)

ji. In falling timber, adjacent brush and snow shall be cleared away from and around the tree to be felled to provide sufficient room to use saws and axes and provide an adequate escape path. (3-31-22)

kj. Cutters shall not fall into another strip; leaners on the line shall be traded. Trees shall be felled into the open whenever conditions permit. (3-31-22)

lk. Undercuts and side cuts shall be large enough to safely guide the trees and eliminate the possibility of splitting and barber chairing. Particular care shall be taken to hold enough wood to prevent the tree from prematurely slipping or twisting from the stump. Undercuts shall be cleaned out to the full depth of the saw cut. Especially large undercuts are necessary in heavy leaners. When required to safely fell a tree, mechanical or other means shall be employed to accomplish this objective. Pre-cutting of trees for the purpose of ~~production logging~~ domino falling is prohibited.

NOTE: Trees with no perceptible lean having an undercut to a depth of one quarter (1/4) of the diameter of the tree with an undercut height equal to one fifth (1/5) of the diameter of the tree will be assumed to be in reasonable compliance with this rule. (3-31-22)()

ml. Back-cuts shall be above the level of the upper horizontal cut of the undercut. (3-31-22)

nm. While wedging, fallers shall watch for limbs or other material which might be jarred loose. Cutting

- of holding wood in lieu of using wedges is prohibited. (3-31-22)
- on.** When falling or bucking a tree is completed the power saw motor should be stopped. The power saw motor shall be stopped while the operator is traveling to the next tree. (3-31-22)
 - po.** Cutters shall not work on the downhill side of the log being bucked unless absolutely unavoidable and only when the log is blocked or otherwise secured to prevent rolling when cut is completed. (3-31-22)
 - qp.** Cutters must give timely warning to all persons within range of any log which may have a tendency to roll or slide after being cut off. (3-31-22)
 - rq.** Logs shall be completely bucked-through whenever possible. If it becomes hazardous to complete a cut, then the log shall be marked and identified by a predetermined method. Rigging crews shall be instructed to recognize such marks and when possible cutters shall warn rigging crew of locations where such unfinished cuts remain. (3-31-22)
 - si.** A competent person properly experienced in this type of work shall be placed in charge of falling and bucking operations. Inexperienced workers shall not be allowed to fall timber or buck logs unless under the direction of experienced workers. (3-31-22)
 - ts.** Power saws shall be kept in good repair at all times. All exhaust parts on power chain saws shall be constructed and maintained so the operator is exposed to a minimum amount of fumes and noise. (3-31-22)
 - ut.** Combustion engine driven power saws shall be equipped with an automatic throttle which will return the motor to idling speed upon release of the throttle. (3-31-22)
 - vu.** Power saw motors shall be stopped while being fueled. (3-31-22)
 - w.** ~~All personnel shall wear approved head protection, proper clothing and footwear.~~ (3-31-22)
 - *y.** Each employee who operates a chain saw shall wear leg protection, which meets the requirements of ASTM F 1897 and covers the full length of the thigh to the top of the boot on each leg, except when working as a climber. (3-31-22)

(BREAK IN CONTINUITY OF SECTIONS)

402. TRACTORS AND SIMILAR LOGGING EQUIPMENT.

- 01. Operating Condition.** (3-31-22)
 - a.** The general operating condition of a tractor or equipment shall be sufficient to ensure the safety of the driver and other workmen. (3-31-22)
 - b.** An operating manual shall be readily available in either print or electronic format for each piece of machinery. (3-31-22)
- 02. Guards.** All guards shall be kept in place and in good repair at all times when the tractor or similar equipment is used. (3-31-22)
- 03. Repairs or Adjustments.** Repairs or adjustments to clutches, frictions, or other parts of equipment which may cause hazardous movement of equipment shall not be done while engines are running. (3-31-22)
- 04. Blades or Similar Equipment.** (3-31-22)
 - a.** Blades or similar equipment shall be blocked or otherwise securely supported when making repairs

- or performing other work around such equipment when they are elevated from the ground. (3-31-22)
- b.** Equipment under repair or adjustment should be tagged out. (3-31-22)
- 05. Brakes and Steering.** (3-31-22)
- a.** All equipment shall be equipped with a braking system capable of stopping and holding the maximum load on all grades at all times. (3-31-22)
- b.** Any defect found in the braking system or steering devices of any equipment used in skidding or yarding operations shall not be used until repaired or replaced. (3-31-22)
- 06. Starting of Equipment.** Equipment shall be started (cranked) only by the operator or other experienced persons when they are sitting in the operators seat, unless the equipment can be remotely started. (3-31-22)()
- 07. Seatbelts.** (3-31-22)
- a.** Seatbelts shall be installed on all tractors and mobile equipment having roll-over protection or in accordance with a design by a professional engineer which offers equivalent employee protection. (3-31-22)
- b.** Seatbelts shall be used when operating any machine equipped with Roll Over Protection Structure (ROPS), Falling Object Protection Structure (FOPS), or overhead guards. (3-31-22)
- ~~**08. Pin Connections.** (3-31-22)~~
- ~~**a.** Pin connections are recommended for joints in the structural frame and especially at connections to the tractor frame or similar equipment frame. (3-31-22)~~
- ~~**b.** Gusset plates shall be installed at each place where individual pieces of pipe are joined. (3-31-22)~~
- ~~**09.** Sideguards.~~ When practical, sideguards shall be installed to protect the operator from hazards. (3-31-22)

(BREAK IN CONTINUITY OF SECTIONS)

652. FIRE AND SAFETY POLICY.

- 01. Elements.** The basic elements or management responsibility for fire and safety policy are enumerated in this section. (3-31-22)
- 02. Management Leadership.** The establishment of the safety policy should be made clear to all ~~levels of supervision, purchasing, engineering, industrial and construction; and communicated to all~~ employees that top management has approved the operation's safety program. (3-31-22)()
- 03. Planning.** The program should be based on the following: accounting record of safety cost, accident recording system, accident investigation recommendations, operation inspection recommended corrections, employee suggestions, and job analysis to determine the work hazards. The hazard appraisal can be summarized as follows: mechanical and physical hazards; environmental hazards; and work procedure and practices. (3-31-22)
- 04. Management Discharge of Duty.** (3-31-22)
- a.** If management is to discharge its duty in proper directing of the fire and safety program, it must organized a definite planned program of continuous supervision and leadership by all facets of the management organization. The very fact that safety must be woven into all operations and activities should not require extra

managerial time beyond the ordinary to operate a business successfully, i.e., if the entire management team will assume their safety responsibility. (3-31-22)

b. The first task of management is to determine the operational hazards. Once these are ascertained and appraised, suitable corrective action can be initiated. If the working unit is operating, the following specific activities should be carried out to find the hazards. These are: job inspection; job analysis; accident investigation (near accident, non-disabling injuries) to determine necessary remedial action to prevent reoccurrence of the accident. (3-31-22)

05. Hazard Appraisal. The partial list of terms covered by appraisals are summarized briefly as follows: mechanical and physical hazards; adequacy of mechanical guarding of machines and equipment; preventing the use of inferior manufactured and unsafe supplies, equipment, chain, cables, sheaves, tires, power saws, tractor canopy guards, approved head protection, fire extinguishers, solvents, mill saws, etc.; and physical exhaustion such as may be caused by excessive work hours by truck drivers and mill maintenance employees. (3-31-22)

06. Environmental Hazards Inherent to the Operation. (3-31-22)

a. Personal protection devices (approved head protection, ear plugs, knee pads, proper eye protection, respirators, etc.) (3-31-22)

b. Storage and use of flammable liquids and gases (gasoline, diesel, acetone, acetylene, acids, etc.) (3-31-22)

c. All employees should be familiar with proper work signals (falling, blasting, high lead signals, loading, mill signals, operation fire signal, etc.) (3-31-22)

d. Noise and fatigue hazards that are inherent to the industry (planers, cutoff saws, jack hammers, etc.). (3-31-22)

07. Work Procedures and Practices. (3-31-22)

a. Hazards directly related to work practices should be carefully observed and evaluated. (3-31-22)

b. Work practices that should be investigated include, but are not necessarily limited to: use, care and maintenance of hand and portable power tools; degree of supervision given the worker; the extent of job training provided; the safety indoctrination and training of new or transferred employees; the proper use of fire extinguishers; the use of personal protective devices (approved head protection, shoes, etc.); and the repair and maintenance of equipment with respect to machines, mechanical handling equipment, log loaders, yarding equipment, tractors, fork lifts, overhead cranes, headrigs, etc.; (3-31-22)

08. Reporting of Injuries. (3-31-22)

a. The employer shall instruct all employees to report all job injuries to the supervisor at the time injuries occur. The employer shall check specifications for new machines, processes and equipment for compliance with existing safety standards, laws and safety requirements, and shall have such equipment fully inspected before it is placed in use. (3-31-22)

b. *The employer is required to report all industrial injuries to their surety (work comp carrier) within ten (10) days.* (3-31-22)

c. The employer is responsible for reporting all in-patient hospitalization, amputation, or the loss of an eye for any employee to the Occupational Safety and Health Administration (OSHA) and the Division of ~~Building Safety~~ Occupational and Professional Licenses Logging Safety Program within twenty-four (24) hours. (3-31-22)()

09. Fatalities. All work fatalities should be immediately reported to the County Sheriff or Coroner, the Division of ~~Building Safety~~ Occupational and Professional Licenses Logging Safety Program, and OSHA in

accordance with the Code of Federal Regulations, 29 CFR 1904.39.

(3-31-22)()

10. Management of Personnel.

(3-31-22)

a. The recruiting and placing of a new worker on the job is a major responsibility of the management organization. Every effort should be made to match the qualifications of the worker with the demands of the job.

(3-31-22)

b. The furnishing of first aid services, treatment of injuries, and inspection of working conditions is the employer's responsibility.

(3-31-22)

11. Assignment of Responsibilities.

(3-31-22)

a. Supervisors, ~~purchasing agents, engineering personnel, safety directors, personnel directors,~~ and employees have responsibilities to ensure conformance with the organization's fire and safety objectives in every operation.

(3-31-22)()

b. Management must accept the normal obligation for preventing accidents. ~~In many operations it is a practice to delegate the actual administration of the safety program to a person who can devote full time to it. In smaller operations, safety administration may be a collateral duty carried on in conjunction with some other duties. The safety director should function in a staff capacity. Because the safety director operates in a consultant capacity, ultimate responsibility for accident prevention rests with the workers' supervisor, the foreman and line production organization. There is no doubt that the foreman is the key person in every safety program. Safety is not something separate and apart from production. If the job is done right, it is done safely.~~

(3-31-22)()

c. Safety is an integral and important part of production, just as is quality and quantity, or meeting production schedules.

(3-31-22)

~~d. All these duties are foreman or project superintendent duties, and the most important part of the line production organization. This obligation cannot be delegated. As the person in charge of production, the foreman is responsible for the safety of his people. This fact must be made clear and should be included in the statement of policy.~~

(3-31-22)

~~**12. Safety Director (Part-Time or Full-Time):**~~

(3-31-22)

~~a. Makes periodic inspections of the operations and suggests corrective measures to eliminate hazards.~~

(3-31-22)

~~b. Should assist in investigation of all types of accidents to determine the cause, so as to prevent like accidents in the future.~~

(3-31-22)

~~c. Aids foremen in developing safe work procedures and practices and assists foremen in training their workers.~~

(3-31-22)

~~d. Keeps accident records and makes periodic reports to the proper official on the progress being made. Reports and records; report of accidents; accident investigation report; performance report (injury frequency and severity); accident cost report; safety committee reports; report on degree of corrective action taken on different recommendations.~~

(3-31-22)

~~e. Conducts or initiates safety training courses including first aid and fire fighting, where appropriate, and any other course inherent to the job (truck driver courses, power saw courses, welding, grinder usage, fork lift truck operator, etc.).~~

(3-31-22)

~~f. Establishes safety committee.~~

(3-31-22)

~~g. Ensures that recommendations are promptly and properly implemented.~~

(3-31-22)

~~h.~~ Checks specifications for new machines, processes and equipment for compliance with existing safety standards, laws and safety requirements, and shall have such equipment fully inspected before it is placed in use. (3-31-22)

~~i.~~ He shall assist the safety committee in developing agendas for their meetings. (3-31-22)

~~13. Foreman Responsibilities.~~ It is widely accepted that the foreman is the key man in attaining proper work habits in any operation. It is the obligation of management to give the most careful attention to the selection, education, and training of foremen and train them in the proper way to train employees in correct and safe work methods to attain the best production in the safest way. (3-31-22)

142. First Aid Training. It shall be the responsibility of management to ~~arrange to have~~ **ensure** all ~~supervisors and~~ employees ~~take a full course in first aid training. It is required that supervisory personnel shall take an approved first aid course, and~~ have a current first-aid card. (3-31-22)()

~~153.~~ **Injury Record and Reporting System.** (3-31-22)

a. If an employer had ten (10) or fewer employees at all times during the last calendar year, it does not need to keep OSHA injury and illness records unless OSHA or the Bureau of Labor Statistics (BLS) informs the employer in writing that it must keep records under OSHA regulations. However, as required by such regulations, all employers covered by the OSH Act must report to OSHA and the Division of ~~Building Safety~~ **Occupational and Professional Licenses** Logging Safety Program any workplace incident that results in a fatality or the hospitalization, the amputation of a limb, or the loss of an eye for any employee. (3-31-22)()

b. For those employers subject to the injury and illness recording requirements under OSHA, the employer shall establish in its main Idaho office an injury record and reporting system which is consistent with reporting, record, and statistical requirements of the Occupational Safety and Health Administration (OSHA). (3-31-22)

c. Injury frequency rates shall be calculated annually commencing the first of January each year. These rates shall be kept on file in the office of the employer for at least four (4) years after the date of entry thereof, and shall be made available to the Division of ~~Building Safety~~, upon request. (3-31-22)()

~~d.~~ ~~The injury frequency rate shall be the number of lost time injuries to all employees per one million (1,000,000) man hours of exposure. The frequency rate is computed by multiplying the number of lost time injuries by one million (1,000,000) (the standard of measurement) and dividing the product by the total number of man hours worked during the period. The formula is expressed as follows: Frequency equals the number of lost time injuries times one million (1,000,000) total man hours of exposure.~~ (3-31-22)

ed. A lost time injury shall be the term applied to any injury, arising out of, and in the course of employment which makes it impossible for the injured person to return to an established regular job at the beginning of the next regular shift following the shift during which the injury occurred, or some future shift. (3-31-22)

fe. Man hours of exposure shall be the total number of man hours actually worked by all personnel in the industrial unit during the period for which the rate is being computed. (3-31-22)

164. Training and Education. (3-31-22)

a. Training and education includes: (3-31-22)

i. Establishment of effective job training methods and safety education. (3-31-22)

ii. First aid courses, proper work signals and job hazard warnings. (3-31-22)

iii. Pamphlets, bulletin boards, safety meetings, posters, etc. (3-31-22)

b. The employer shall establish an adequate job training and safety education program. The

relationship of safety to job quality and modern quantity production methods should be clearly understood. Good work production is governed by careful planning and accurate control of all phases of the operation. Accidents are the result of inadequate planning of faulty operation. (3-31-22)

c. Safety must be made an essential and integral part of every operation and integrated into the activity if the most successful quantity production is to be attained. ~~The soundness of this statement has been proven many times by comparing the accident cost with the day by day curve of production.~~ (3-31-22)()

d. It is the responsibility of management to train employees in all phases of the work they are assigned. The worker training should begin at the time of employment with a careful presentation of the general safety information the employee must have to work on and in logging and ~~lumbering or woods~~ working operations. When the worker is placed on the job, the worker must be given detailed training on proper work methods for accomplishment of the job. ~~The correct way is the safe way. Telling is not training.~~ (3-31-22)()

e. ~~People learn to do things primarily through action. The employee's job training should be given using the five (5) step job training method:~~ (3-31-22)

i. ~~Tell the employee;~~ (3-31-22)

ii. ~~Show the employee;~~ (3-31-22)

iii. ~~Have the employee do it;~~ (3-31-22)

iv. ~~Correct until the employee does it right; and~~ (3-31-22)

v. ~~Supervise to see that the employee keeps doing it right.~~ (3-31-22)

f. Education and promotion are a supplemental means of reducing injuries. ~~This device employs any number of methods to accomplish results. A good program may use but will not overemphasize emotional appeal to the workers using such devices as scholarships, stamps, posters, safety meetings, contests, and awards.~~ It is management's responsibility to integrate education and training program and balance its effectiveness to employee training. Unsafe acts or unsafe work practices are the result of failure to train workers in safe work procedures. In establishing or operating a safe and quality work program, an appraisal of unsafe work procedures and poor quality of work is called for, and job training methods initiated to correct these practices. (3-31-22)()

175. Employer, and Employee, and Labor Representative Cooperation. (3-31-22)

a. The workers have a responsibility to obey the units safety rules, smoking rules, report unsafe conditions, to serve on the different safety committees, perform their work in a safe way, and to help fellow workers by showing them how to do their job safely. (3-31-22)()

b. ~~Many safety programs fail because the worker has not been made to feel that it is their program; or that they can contribute as well as benefit from the program. It often fails because it lacks employee participation and interest. The fact that employees are given the opportunity to participate and to contribute to the program not only opens a reservoir of valuable information on practical experience in accident prevention, it also gives the employee a feeling of being a part of the organization.~~ (3-31-22)

c. ~~The committee on safety should be made up of personnel selected from management and workers. Management members are supervisors and worker members may be selected by the union or by the employees.~~ (3-31-22)

d. ~~The labor unions should help develop a safe behavior among the workers.~~ (3-31-22)

186. Maintenance of Safe Working Conditions. (3-31-22)

a. The employer shall provide a safe and healthy work area in which to work, including purchasing of safe equipment and tools and provide proper maintenance of such equipment. (3-31-22)

b. Since a safe and healthy place to work is the very foundation of the safety program, the mechanical, physical, and environmental conditions should be given first consideration. (3-31-22)

~~e. For almost every accident there are typically two (2) contributing causes—an unsafe condition and an unsafe act. A safe and healthy place to work will diminish or eliminate the first cause, the unsafe condition; but unless the unsafe act is corrected, accidents will continue to occur. Unsafe acts may stem from a number of factors, such as improper selection of the worker for the job, lack of job training, physical or mental limitations or inadequate supervision. When a safety program is first established or a new project with a new crew is started, this may necessitate a thorough periodic survey of the entire operation to determine hazards. (3-31-22)~~

197. Remedial Measures of Corrective Action. (3-31-22)

a. The employees shall support and correct the findings of job analysis, inspections, accident investigations, employee suggestions, etc. (3-31-22)

b. The assumption of responsibility for fire and accident prevention by management carries with it the continuing responsibility to assess the progress being made on the program, and where progress is unsatisfactory to take necessary steps to bring about improvement. Inspection alone is primarily a means of finding and eliminating fire and physical hazards, particularly in connection with enforcement. All educational ~~and promotional~~ activities should be integrated with inspection activities, and should be based on the specific needs of the establishment or operation. Inspection and educational ~~and promotional~~ programs are sometimes looked upon as entirely unrelated activities rather than a single integrated program. (3-31-22)()

c. None of the foregoing activities are of value unless followed by effective corrective action. The responsible executive within top management must establish specific procedures to effect proper and complete corrective action in each area for problems that occur. In well-managed organizations the areas of responsibility are clearly defined. ~~The activities are well coordinated, supervision is adequate and proactive, employees' safety behavior is excellent, and policies are well defined to permit smooth organization. This is not difficult; the corrective measures are applied as part of the day to day operating procedure. (3-31-22)()~~

2018. Safety Order By the Administrator. *In accordance with the provisions of section 67-2601A (3), Idaho Code, the administrator may issue a safety order requiring an owner, operator or other party responsible for ensuring safe logging operations to immediately stop work or close any work site, or portion thereof where an inspection has revealed evidence of a condition that poses an immediate threat of bodily harm or loss of life to any person. The process governing the issuance of a safety order is contained herein this section. (3-31-22)*

a. *Upon receiving information evidencing an unsafe condition or unsafe practices at any logging workplace or place of employment, the administrator shall inspect or cause to be inspected such place of employment unless such information was obtained by previous inspection of the Division. If upon such inspection the administrator determines that an unsafe condition or unsafe practice exists which may pose an immediate threat of bodily harm or loss of life, the administrator may issue a safety order requiring the employer to immediately stop work or close any work site, or portion thereof. Any safety order issued by the administrator shall specifically identify the unsafe condition or practice, as well as the safety risks associated therewith. Written notice of such order shall immediately be provided by the administrator to the owner or operator of the business, or any other appropriate party responsible for abating the unsafe condition or practice. (3-31-22)*

b. *Upon receiving such notice from the administrator, such owner, operator or responsible party shall immediately comply with such, and may notify the administrator in writing of their objection to the notice and request to contest such at a hearing. The owner, operator or responsible party shall provide the administrator with information, documentation, or other evidence supporting their objection. (3-31-22)*

c. *Upon receipt and review of such information from the owner, operator, or responsible party, the administrator may reconsider the matter and issue appropriate findings to the owner, operator, or party responsible for abating the unsafe condition or practice, including rescission of the order. (3-31-22)*

d. *If after review it is the determination of the administrator to keep the safety order in place, he shall*

so notify the owner, operator or responsible party and designate a time and place for hearing, and may assign the matter for hearing by a hearing officer. The hearing shall be afforded at such time not to exceed five (5) business days from the date the administrator received the notice of objection unless additional time is requested by the owner, operator, or responsible party. The hearing proceedings shall be governed by the provisions of Title 67, Chapter 52, Idaho Code. The hearing officer shall issue an order in accordance with Section 67-5243, Idaho Code. The hearing may be held at such location or by such means as the administrator determines most convenient for the parties.

(3-31-22)

e. The safety order shall remain in effect, and shall not be rescinded until the administrator has determined that the safety threat has been corrected or removed from the workplace. Upon verification by the administrator that the safety threat has been corrected or otherwise removed from the worksite, the administrator shall immediately notify the owner, operator or responsible party of the rescission of the safety order. Any party aggrieved by the final order of the administrator shall be entitled to judicial review thereof in accordance with the provisions of Title 67, Chapter 52, Idaho Code.

(3-31-22)

f. Any person who knowingly fails or refuses to comply with the provisions of a safety order issued by the administrator shall be guilty of a misdemeanor, and the administrator may seek criminal prosecution of any such violations.

(3-31-22)

(BREAK IN CONTINUITY OF SECTIONS)

703. OPERATION AND SAFETY REQUIREMENTS.

01. General. Cable-assisted logging systems shall be operated, inspected and maintained in accordance with the manufacturer's recommendations and specifications. Inspections shall be documented in writing.

(3-31-22)

02. Planning. All cable-assisted logging operations shall be planned by the operator and a competent person who has the knowledge, training or experience to identify existing and predictable hazards in the work site surroundings or working conditions, which could be hazardous to employees, and has been authorized by the employer or employer representative to eliminate the hazard or take corrective action therefrom. Items to consider during site-specific planning must include, but are not limited to, the following:

(3-31-22)

- a. Experience of the operator; (3-31-22)
- b. Limitations of the equipment; (3-31-22)
- c. Soil and terrain conditions; (3-31-22)
- d. Environmental conditions; (3-31-22)
- e. Poor visibility and lighting conditions; (3-31-22)
- f. Weather conditions; (3-31-22)
- g. Direction of travel; (3-31-22)
- h. Requirements for turning the machine on slopes; (3-31-22)
- i. Load sizes; (3-31-22)
- j. Method and adequacy of anchorage; and (3-31-22)
- k. Any other condition that may adversely affect operations. (3-31-22)

03. Operator Qualifications. Cable-assisted logging operators shall have documented training or adequate experience to safely operate the equipment on slopes. (3-31-22)

~~**04. Operating Plans.** A cable-assisted logging system operator shall have a written operating plan on site detailing the following: (3-31-22)~~

~~**a.** Tether line replacement criteria; (3-31-22)~~

~~**b.** Cable size, type and breaking strength, and method of assurance that tensions do not exceed one-third (1/3) of breaking strength to maintain a 3:1 safety factor or greater; (3-31-22)~~

~~**c.** Inspection and maintenance to be performed on tether lines, end connectors, machines and winches; (3-31-22)~~

~~**d.** How the operator will use tension limiting controls to maintain desired tension; (3-31-22)~~

~~**e.** How the winch cable tension and machine travel are synchronized; (3-31-22)~~

~~**f.** How the operator will monitor machine slope, anchor movement, winch tension, amount of line on and off drum, and winch function; (3-31-22)~~

~~**g.** How the tether line attachment points to the harvesting machine are engineered to withstand potential loads; (3-31-22)~~

~~**h.** All harvesting machine modifications that allow it to operate on steep slopes, including operator harness or restraint system; (3-31-22)~~

~~**i.** How pre-operations planning and daily assessments will identify hazards for soil and terrain conditions; (3-31-22)~~

~~**j.** How the operator will determine if soil and terrain conditions are unsafe during operations; (3-31-22)~~

~~**k.** How operators will report new hazards identified during operations; (3-31-22)~~

~~**l.** Operating guidance given to the operator; and (3-31-22)~~

~~**m.** How emergencies are handled by the system, including line failure, machine failure, winch failure, anchor failure, winch machine movement or anchor movement, and whether there is an emergency stop for the operator or at the anchor. (3-31-22)~~

05.4. Unsafe Conditions. *The employer shall establish and use procedures for operators to report unsafe conditions to a supervisor or qualified person. Such conditions must be corrected prior to resuming cable-assisted logging operations. Procedures shall also include steps to take in the event of equipment breakdown and for upset conditions.* (3-31-22)

06.5. Warning Signs. Effective signage shall be affixed to all remotely operated equipment warning employees and others that lines and machines may start, stop, or move without warning. All employees working in close proximity of cable-assisted logging operations must receive training that enables them to recognize the potential hazards involved and to maintain safe distances. (3-31-22)

IDAPA 26 – DEPARTMENT OF PARKS AND RECREATION
26.01.37 – RULES GOVERNING TEST PROCEDURES AND INSTRUMENTS
FOR NOISE ABATEMENT OF OFF HIGHWAY VEHICLES
DOCKET NO. 26-0137-2401 (ZBR CHAPTER REPEAL)
NOTICE OF RULEMAKING – ADOPTION OF PENDING RULE

EFFECTIVE DATE: This rule has been adopted by the agency and is now pending review by the 2025 Idaho State Legislature and must be approved by concurrent resolution of the Legislature to go into effect, in accordance with Section 67-5224(2)(c), Idaho Code. Should the pending rule be approved, it will become final and effective on July 1 following the First Regular Session of the Sixty-eighth Idaho Legislature, unless the concurrent resolution states a different effective date.

AUTHORITY: In compliance with Section 67-5224, Idaho Code, notice is hereby given that this agency has adopted a pending rule. The action is authorized pursuant to Sections 67-4223, 67-4249, and 67-7125, Idaho Code.

DESCRIPTIVE SUMMARY: The following is a concise explanatory statement of the reasons for adopting the pending rule and a statement of any change between the text of the proposed rule and the text of the pending rule with an explanation of the reasons for the change:

The Idaho Department of Parks and Recreations is proposing to repeal this chapter and place it in Idaho statute.

There are no changes to the pending rule, and it is being adopted as originally proposed. The complete text of the proposed rule was published in the October 2, 2024, Idaho Administrative Bulletin, [Vol. 24-10, page 281](#).

FEE SUMMARY: Pursuant to Section 67-5224(2)(d), Idaho Code, a pending fee rule shall not become final and effective unless affirmatively approved by concurrent resolution of the Legislature. The following is a description of the fee or charge imposed or increased in this rulemaking: None.

FISCAL IMPACT: The following is a specific description, if applicable, of any negative fiscal impact on the state General Fund greater than ten thousand dollars (\$10,000) during the fiscal year: None.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this pending rule, contact Seth Hobbs, (208) 514-2427, seth.hobbs@idpr.idaho.gov.

DATED this 6th day of December, 2024.

Seth Hobbs
Idaho Department of Parks and Recreation
5657 Warm Springs Ave.
Boise, ID 83716
Phone: (208) 514-2427

IDAPA 38 – DEPARTMENT OF ADMINISTRATION
38.05.01 – RULES OF THE DIVISION OF PURCHASING
DOCKET NO. 38-0501-2401 (ZBR CHAPTER REWRITE)
NOTICE OF RULEMAKING – ADOPTION OF PENDING RULE

EFFECTIVE DATE: This rule has been adopted by the agency and is now pending review by the 2025 Idaho State Legislature and must be approved by concurrent resolution of the Legislature to go into effect, in accordance with Section 67-5224(2)(c), Idaho Code. Should the pending rule be approved, it will become final and effective on July 1 following the First Regular Session of the Sixty-eighth Idaho Legislature, unless the concurrent resolution states a different effective date.

AUTHORITY: In compliance with Section 67-5224, Idaho Code, notice is hereby given that this agency has adopted a pending rule. The action is authorized pursuant to Sections 67-9204, 67-9205, 67-9206, 67-9215, 67-9219, and 67-9226, Idaho Code.

DESCRIPTIVE SUMMARY: The following is a concise explanatory statement of the reasons for adopting the pending rule and a statement of any change between the text of the proposed rule and the text of the pending rule with an explanation of the reasons for the change:

This rulemaking removes, as agreed to with the legislature, all references and processes related to the invitation to negotiate. The Department is, pursuant to the Governor’s zero-based regulation initiative, also utilizing this rulemaking to perform another comprehensive review of the purchasing rules to make several updates to the rule chapter, simplify and streamline the rules, and ensure alignment between the rule chapter and the governing statutes.

There are no changes to the pending rule, and it is being adopted as originally proposed. The complete text of the proposed rule was published in the November 6, 2024, Idaho Administrative Bulletin, [Vol. 24-11, pages 264-282](#).

FEE SUMMARY: Pursuant to Section 67-5224(2)(d), Idaho Code, a pending fee rule shall not become final and effective unless affirmatively approved by concurrent resolution of the Legislature. The following is a description of the fee or charge imposed or increased in this rulemaking:

There are no fees associated with this rulemaking.

FISCAL IMPACT: The following is a specific description, if applicable, of any negative fiscal impact on the state General Fund greater than ten thousand dollars (\$10,000) during the fiscal year:

There is no fiscal impact anticipated from this rulemaking.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this pending rule, contact Kim Rau, (208) 332-1824.

DATED this 6th day of December, 2024.

Steve Bailey, Deputy Director
Department of Administration
650 W. State Street
Room 100
Boise, Idaho 83720
steven.bailey@adm.idaho.gov
(208) 332-1824

IDAPA 43 – IDAHO OILSEED COMMISSION
43.01.01 – RULES GOVERNING THE IDAHO OILSEED COMMISSION
DOCKET NO. 43-0101-2401 (ZBR CHAPTER REWRITE)
NOTICE OF RULEMAKING – ADOPTION OF PENDING RULE

EFFECTIVE DATE: This rule has been adopted by the agency and is now pending review by the 2025 Idaho State Legislature and must be approved by concurrent resolution of the Legislature to go into effect, in accordance with Section 67-5224(2)(c), Idaho Code. Should the pending rule be approved, it will become final and effective on July 1 following the First Regular Session of the Sixty-eighth Idaho Legislature, unless the concurrent resolution states a different effective date.

AUTHORITY: In compliance with Section 67-5224, Idaho Code, notice is hereby given that this agency has adopted a pending rule. This rulemaking action is authorized pursuant to Sections 22-4710, 22-4717, and 22- 4718, Idaho Code.

DESCRIPTIVE SUMMARY: The following is a concise explanatory statement of the reasons for adopting the pending rule and a statement of any change between the text of the proposed rule and the text of the pending rule with an explanation of the reasons for the change:

Based on public comments received, the Commission has updated the pending rule in Subsection 010.01 to clarify the language for deadlines on tax payments and documents due by and submitted to the Commission.

The text of the pending rule has been amended in accordance with Section 67-5227, Idaho Code. Only those sections that have changes that differ from the proposed text are printed in this bulletin. The complete text of the proposed rule was published in the October 2, 2024, Idaho Administrative Bulletin, [Vol. 24-10, pages 461-463](#).

FEE SUMMARY: Pursuant to Section 67-5224(2)(d), Idaho Code, a pending fee rule shall not become final and effective unless affirmatively approved by concurrent resolution of the Legislature. The following is a specific description of the fee or charge imposed or increased:

There is not a fee associated with this rulemaking.

FISCAL IMPACT: The following is a specific description, if applicable, of any negative fiscal impact on the state General Fund greater than ten thousand dollars (\$10,000) during the fiscal year as a result of this rulemaking:

There is no fiscal impact associated with this rulemaking.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this pending rule, contact Patxi Larrocea-Phillips at patxi@amgidaho.com.

DATED this 26th day of November, 2024.

Patxi Larrocea-Phillips
Administrator
55 SW 5th Ave, Suite 100
Meridian, ID 83642
Phone: 208-888-0988
Email: patxi@amgidaho.com

DOCKET NO. 43-0101-2401 – ADOPTION OF PENDING RULE

Substantive changes have been made in the pending rule.
Italicized red text that is *double underscored* indicates amendments to the proposed text as adopted in the pending rule.

The text of the proposed rule was published in the Idaho Administrative Bulletin, Volume 24-10, October 2, 2024, pages 461 through 463.

This rule has been adopted as a pending rule by the Agency and is now awaiting review and final approval by the 2025 Idaho State Legislature.

THE FOLLOWING IS UPDATED TEXT IN THE PENDING RULE FOR ZBR DOCKET NO. 43-0101-2401
(Only those sections or subsections that have changed from the original proposed text are printed in this Bulletin following this notice.)

43.01.01 – RULES GOVERNING THE IDAHO OILSEED COMMISSION

010. FIRST PURCHASER RULES.

01. Designated Quarters. ~~In accordance with Section 22-4716, Idaho Code, the Commission has designated the quarters (three (3) month periods) for the purpose of collecting the tax imposed by such statute as follows All tax payments and completed documents are due on or before the fifteenth of the month that immediately follows the end of the previous quarter. The quarters for payment of tax are:~~ *(3-15-22)()*

a. ~~The Commission's first quarter will begin on the first day of July and end the thirtieth day of September. The first quarter tax is due on or before the fifteenth day of October~~ *First Quarter: July 1 through September 30.* *(3-15-22)()*

b. ~~The Commission's second quarter will begin on the first day of October and end the thirty-first day of December. The second quarter tax is due on or before the fifteenth day of January~~ *Second Quarter: October 1 through December 31.* *(3-15-22)()*

c. ~~The Commission's third quarter will begin on the first day of January and end the thirty-first day of March. The third quarter tax is due on or before the fifteenth day of April~~ *Third Quarter: January 1 through March 31.* *(3-15-22)()*

d. ~~The Commission's fourth quarter will begin on the first day of April and end the thirtieth day of June. The fourth quarter tax is due on or before the fifteenth day of July~~ *Fourth Quarter: April 1 through June 30.* *(3-15-22)()*

02. Oilseed Tax Invoice (Form Number 1). ~~Pursuant to Section 22-4719, Idaho Code, the first purchaser of oilseed is required to complete and send the Oilseed Tax Invoice (Form Number 1) to the Commission office each and every quarter on or before the dates specified in these rules. Form Number 1 shall be on official forms as prescribed by the Commission and be provided to the first purchaser by the Commission and, at a minimum, require the following legible information:~~ *(3-15-22)*

IDAPA 47 – DIVISION OF VOCATIONAL REHABILITATION
47.01.01 – RULES GOVERNING VOCATIONAL REHABILITATION SERVICES
DOCKET NO. 47-0101-2401
NOTICE OF RULEMAKING – ADOPTION OF PENDING RULE

EFFECTIVE DATE: This rule has been adopted by the agency and is now pending review by the 2025 Idaho State Legislature and must be approved by concurrent resolution of the Legislature to go into effect, in accordance with Section 67-5224(2)(c), Idaho Code. Should the pending rule be approved, it will become final and effective on July 1 following the First Regular Session of the Sixty-eighth Idaho Legislature, unless the concurrent resolution states a different effective date.

AUTHORITY: In compliance with Section 67-5224, Idaho Code, notice is hereby given that this agency has adopted a pending rule. The action is authorized pursuant to Sections 33-2303 and 33-6306, Idaho Code.

DESCRIPTIVE SUMMARY: The following is a concise explanatory statement of the reasons for adopting the pending rule and a statement of any change between the text of the proposed rule and the text of the pending rule with an explanation of the reasons for the change:

During the spring and summer of 2024, the Division of Vocational Rehabilitation has been engaged in a federal compliance review. As part of this review, it was identified that IDAPA 47.01.01 is in need of minor revisions.

The removal of language specifying that services must be related to a primary individual plan in Subsections 203.01.c. and 203.02.c. and removal of Subsection 206.04, regarding employment maintenance, serves to ensure that the rule is again compliant with federal regulations. Section 33-2303, Idaho Code, and the Rehabilitation Act of 1973, as amended by the Workforce Innovation and Opportunity Act (WIOA). (Public Law 113-128).

There are no changes to the pending rule, and it is being adopted as originally proposed. The complete text of the proposed rule was published in the October 2, 2024, Idaho Administrative Bulletin, [Vol. 24-10 pages 464-466](#).

FEE SUMMARY: Pursuant to Section 67-5224(2)(d), Idaho Code, a pending fee rule shall not become final and effective unless affirmatively approved by concurrent resolution of the Legislature. The following is a description of the fee or charge imposed or increased in this rulemaking: NA.

FISCAL IMPACT: The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year: NA.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this pending rule, contact Nicholas Wagner at rules@edu.idaho.gov or (208)-488-7586.

DATED this 21st day of November, 2024.

Nicholas Wagner
Administrative Rules Coordinator
Idaho State Board of Education
650 W State St.
PO Box 83720
Boise, Idaho 83720-0037
Phone: (208)488-7586
fax: (208)334-2632

IDAPA 52 – IDAHO STATE LOTTERY

52.01.03 – RULES GOVERNING OPERATIONS OF THE IDAHO STATE LOTTERY

DOCKET NO. 52-0103-2401

NOTICE OF RULEMAKING – ADOPTION OF PENDING RULE

EFFECTIVE DATE: This rule has been adopted by the agency and is now pending review by the 2025 Idaho State Legislature and must be approved by concurrent resolution of the Legislature to go into effect, in accordance with Section 67-5224(2)(c), Idaho Code. Should the pending rule be approved, it will become final and effective on July 1 following the First Regular Session of the Sixty-eighth Idaho Legislature, unless the concurrent resolution states a different effective date.

AUTHORITY: In compliance with Section 67-5224, Idaho Code, notice is hereby given that this agency has adopted a pending rule. The action is authorized pursuant to Section 67-7408(1), Idaho Code.

DESCRIPTIVE SUMMARY: The following is a concise explanatory statement of the reasons for adopting the pending rule and a statement of any change between the text of the proposed rule and the text of the pending rule with an explanation of the reasons for the change:

Statute requires Lottery retailers to pay winning ticket prizes up to \$599. However, staffing challenges and increasing threats of robbery create concerns over employee safety. Retailers are often unable to pay prizes under \$600 when presented winning tickets because safety concerns necessitate keeping no more than \$100 in the cash drawer. The retail industry has offered solutions. They have requested the ability to pay lottery prizes up to \$599 with no-fee prepaid prize payment cards. Lottery Administrative Rules allow only for prize payment by cash, money order, or check. Retailers will not pay by check and money orders are obsolete. The problem cannot be solved by non-regulatory measures.

There are no changes to the pending rule, and it is being adopted as originally proposed. The complete text of the proposed rule was published in the June 5, 2024, Idaho Administrative Bulletin, [Vol. 24-6, pages 84-98](#).

FEE SUMMARY: Pursuant to Section 67-5224(2)(d), Idaho Code, a pending fee rule shall not become final and effective unless affirmatively approved by concurrent resolution of the Legislature. The following is a description of the fee or charge imposed or increased in this rulemaking: N/A.

FISCAL IMPACT: The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year: N/A.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this pending rule, contact Director Andrew Arulanandam, listed below.

DATED this 6th day of December, 2024.

Andrew Arulanandam
Director
Idaho State Lottery Commission
1199 Shoreline Lane, Suite 100
Boise, ID 83702
aarulanandam@lottery.idaho.gov
Ph: 208-334-2600

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LEGAL NOTICE

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*THERE ARE NO PROPOSED RULES PUBLISHED IN
THE JANUARY 1, 2025, IDAHO ADMINISTRATIVE BULLETIN, VOL. 25-1*

Please refer to the Idaho Administrative Bulletin [January 1, 2025, Volume 25-1](#), for the notices and text of all rulemakings, proclamations, negotiated rulemaking and public hearing information and schedules, executive orders of the Governor, and agency contact information.

Electronic issues of the Idaho Administrative Bulletin can be viewed at www.adminrules.idaho.gov/

Office of the Administrative Rules Coordinator, Division of Financial Management
P.O. Box 83720, Boise, ID 83720-0032
Phone: 208-334-3900; Email: adminrules@dfm.idaho.gov

CUMULATIVE RULEMAKING INDEX OF IDAHO ADMINISTRATIVE RULES

*Office of the Administrative Rules Coordinator
Division of Financial Management
Office of the Governor*

July 1, 1993 – Present

CUMULATIVE RULEMAKING INDEX OF IDAHO ADMINISTRATIVE RULES

This index provides a history of all agency rulemakings beginning with the first Administrative Bulletin in July 1993 to the most recent Bulletin publication. It tracks all rulemaking activities on each chapter of rules by the rulemaking docket numbers and includes negotiated, temporary, proposed, pending and final rules, public hearing notices, vacated rulemaking notices, notice of legislative actions taken on rules, and executive orders of the Governor.

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*Office of the Administrative Rules Coordinator
Division of Financial Management*

April 10, 2024 – January 1, 2025

(PLR 2025) – Final Effective Date Is Pending Legislative Review in 2025

(eff. date)L – Denotes Adoption by Legislative Action

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02-0108-2401 Adoption of Temporary Rule, Bulletin Vol. 24-12 (eff. 11-12-24)T

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02-0212-2401 Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 25-1 (PLR 2025)

02-0212-2401 Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 24-10

02-0212-2401 Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-7

02.02.14, Rules for Weights and Measures

02-0214-2401 Adoption of Pending Rule, Bulletin Vol. 25-1 (PLR 2025)

02-0214-2401 Notice of Proposed Rulemaking, Bulletin Vol. 24-10

02.03.01, Rules Governing Pesticide Management Plans for Ground Water Protection

02-0301-2401 Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 25-1 (PLR 2025)

02-0301-2401 Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 24-10

02-0301-2401 Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-7

02.03.03, Rules Governing Pesticide and Chemigation Use and Application

02-0303-2402 Adoption of Pending Rule, Bulletin Vol. 25-1 (PLR 2025)

02-0303-2402 Notice of Temporary and Proposed Rule, Bulletin Vol. 24-7 (eff. 7-1-24)T

02-0303-2401 *Adoption of Temporary Rule, Bulletin Vol. 24-5 (eff. 4-22-24)T [expires 7-1-24]*

02.04.03, Rules Governing Animal Industry

02-0403-2401 Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 25-1 (PLR 2025)

02-0403-2401 Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 24-10

02-0403-2401 Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-7

02.04.05, Rules Governing Grade A Milk and Manufacture Grade Milk

02-0405-2401 Adoption of Pending Rule, Bulletin Vol. 25-1 (PLR 2025)

02-0405-2401 Notice of Proposed Rulemaking, Bulletin Vol. 24-10

02.04.15, Rules Governing Beef Cattle Animal Feeding Operations

02-0415-2401 Adoption of Pending Rule, Bulletin Vol. 25-1 (PLR 2025)

02-0415-2401 Notice of Proposed Rulemaking, Bulletin Vol. 24-10

02-0415-2401 Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 24-7

02.04.19, Rules Governing Domestic Cervidae

02-0419-2401 Adoption of Pending Rule, Bulletin Vol. 25-1 (PLR 2025)

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02-0419-2401 Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 24-7

02.05.01, Rules Governing Produce Safety

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02-0501-2401 Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 24-10

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02.06.09, Rules Governing Invasive Species and Noxious Weeds

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02-0609-2405 Adoption of Temporary Rule, Bulletin Vol. 24-11 (eff. 10-7-24)T

02-0609-2404 Adoption of Temporary Rule, Bulletin Vol. 24-10 (eff. 9-26-24)T

- 02-0609-2403 Adoption of Temporary Rule, Bulletin Vol. 24-8 (eff. 6-28-24)T
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- 02-0609-2402 Notice of Proposed Rulemaking, Bulletin Vol. 24-10
- 02-0609-2402 Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 24-7
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- 02-0633-2401 Adoption of Pending Rule, Bulletin Vol. 25-1 (PLR 2025)
- 02-0633-2401 Notice of Proposed Rulemaking, Bulletin Vol. 24-10

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- 02-0801-2401 Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 25-1 (PLR 2025)
- 02-0801-2401 Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 24-10
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AND STATE DEPARTMENT OF EDUCATION**

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- 08-0111-2401 Adoption of Pending Rule, Bulletin Vol. 25-1 (PLR 2025)
- 08-0111-2401 Notice of Temporary and Proposed Rule, Bulletin Vol. 24-7 (eff. 7-1-24)T

08.01.13, Rules Governing the Opportunity Scholarship Program

- 08-0113-2401 Adoption of Pending Rule, Bulletin Vol. 25-1 (PLR 2025)
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- 08-0113-2401 Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 24-6

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- 08-0201-2401 Adoption of Pending Rule, Bulletin Vol. 25-1 (PLR 2025)
- 08-0201-2401 Notice of Temporary and Proposed Rule, Bulletin Vol. 24-7 (eff. 7-1-24)T

08.02.02, Rules Governing Uniformity

- 08-0202-2401 Adoption of Pending Rule, Bulletin Vol. 25-1 (PLR 2025)
- 08-0202-2401 Notice of Proposed Rulemaking, Bulletin Vol. 24-10
- 08-0202-2401 Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 24-6

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- 08-0203-2403 Adoption of Temporary Rule, Bulletin Vol. 24-10 (eff. 8-21-24)T
- 08-0203-2402 Adoption of Temporary Rule, Bulletin Vol. 24-7 (eff. 7-1-24)T
- 08-0203-2401 Adoption of Pending Rule, Bulletin Vol. 25-1 (PLR 2025)
- 08-0203-2401 Notice of Proposed Rulemaking, Bulletin Vol. 24-10
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- 09-0101-2401** Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 24-10
- 09-0101-2401** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-7

09.01.08, Rules on Disclosure of Employment Security Information

- 09-0108-2401** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-8

09.01.30, Unemployment Insurance Benefits Administration Rules

- 09-0130-2401** Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 25-1 (PLR 2025)
- 09-0130-2401** Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 24-10
- 09-0130-2401** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-7

09.01.35, Unemployment Insurance Tax Administration Rules

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- 09-0135-2401** Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 24-10
- 09-0135-2401** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-7

09.05.03, Rules for Determining Bargaining Representatives

- 09-0503-2401** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-8

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11.03.01, Rules Governing Alcohol Testing

- 11-0301-2401** Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 25-1 (PLR 2025)
- 11-0301-2401** Notice of Public Hearing and Extension of Written Comment Period, Bulletin Vol. 24-11
- 11-0301-2401** Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 24-10
- 11-0301-2401** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-8

Idaho State Racing Commission

11.04.01, Rules Governing the Idaho State Racing Commission

- 44-0000-2400** Notice of Omnibus Rulemaking – Revocation of Final Rule – Certain provisions rendered null and void pertaining to IDAPA 11.04.01 – Bulletin Vol. 24-7

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- 11-0501-2403** Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 24-9
- 11-0501-2403** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-7

- 11-0501-2402** Adoption of Temporary Rule, Bulletin Vol. 24-7 (eff. 7-1-24)T

- 11-0501-2401** Adoption of Temporary Rule, Bulletin Vol. 24-4 (eff. sine die 2024)T [expires 7-1-24]

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- 11-1101-2401** Adoption of Pending Rule, Bulletin Vol. 24-10 (PLR 2025)
- 11-1101-2401** Notice of Temporary and Proposed Rule, Bulletin Vol. 24-7 (eff. 6-7-24)T

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11.13.01, The Motor Carrier Rules

- 11-1301-2401** Notice of Rescission of Temporary Rule and Vacation of Proposed Rulemaking, Bulletin Vol. 24-11
- 11-1301-2401** Notice of Temporary and Proposed Rule, Bulletin Vol. 24-8 (eff. 7-1-24)T

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- 13-0000-2400P5** Notice of Adopted / Amended Proclamations for Calendar Year 2024, Bulletin Vol. 24-8
- 13-0000-2400P4** Notice of Adopted / Amended Proclamations for Calendar Year 2024, Bulletin Vol. 24-7
- 13-0000-2400P3** Notice of Adopted / Amended Proclamations for Calendar Year 2024, Bulletin Vol. 24-6
- 13-0000-2400P2** Notice of Adopted / Amended Proclamations for Calendar Year 2024, Bulletin Vol. 24-5
- 13-0000-2400P1** Notice of Adoption of Proclamation for Calendar Year 2024, Bulletin Vol. 24-2

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- 13-0102-2401** Adoption of Pending Rule, Bulletin Vol. 24-12 (PLR 2025)
- 13-0102-2401** Notice of Temporary and Proposed Rule, Bulletin Vol. 24-10 (eff. 1-1-25)T

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- 13-0104-2401** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-5

13.01.07, Rules Governing Taking of Wildlife

- 13-0107-2401** Adoption of Pending Rule, Bulletin Vol. 24-12 (PLR 2025)
- 13-0107-2401** Notice of Proposed Rulemaking, Bulletin Vol. 24-10

13.01.08, Rules Governing Taking of Big Game Animals

- 13-0108-2401** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-5

13.01.11, Rules Governing Fish

- 13-0111-2401** Adoption of Pending Rule, Bulletin Vol. 24-12 (PLR 2025)
- 13-0111-2401** Notice of Proposed Rulemaking, Bulletin Vol. 24-10
- 13-0111-2401** Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 24-7

13.01.16, Trapping of Wildlife and Taking of Furbearing Animals

- 13-0116-2401** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-5

13.01.17, Rules Governing Use of Bait for Hunting Big Game Animals

- 13-0117-2402** Adoption of Temporary Rule, Bulletin Vol. 24-10 (eff. 9-1-24)T
- 13-0117-2401** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-5

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- Executive Order No. **2024-10** Continuing the Idaho Strategic Energy Alliance Repealing and Replacing Executive Order 2020-18, Bulletin Vol. 24-11
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15.02.30, Business Enterprise Program

- [15-0230-2401](#) Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 24-11
- [15-0230-2401](#) Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-9

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- [44-0000-2401](#) Notice of Omnibus Rulemaking – Revocation of Final Rule – Certain provisions rendered null and void pertaining to IDAPA 15.04.01 – Bulletin Vol. 24-8

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15.06.05, Hazardous Substance Response Rules

- [15-0605-2401](#) Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-8-terminated

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- [16-0101-2401](#) Adoption of Pending Rule (New Chapter), Bulletin Vol. 24-11 (PLR 2025)
- [16-0101-2401](#) Notice of Proposed Rulemaking (New Chapter), Bulletin Vol. 24-9

16.01.02, Emergency Medical Services (EMS) – Rule Definitions

- [16-0102-2401](#) Adoption of Pending Rule (Chapter Repeal), Bulletin Vol. 24-11 (PLR 2025)
- [16-0102-2401](#) Notice of Proposed Rulemaking (Chapter Repeal), Bulletin Vol. 24-9

16.01.03, Emergency Medical Services (EMS) -- Agency Licensing Requirements

- [16-0103-2401](#) Adoption of Pending Rule (Chapter Repeal), Bulletin Vol. 24-11 (PLR 2025)
- [16-0103-2401](#) Notice of Proposed Rulemaking (Chapter Repeal), Bulletin Vol. 24-9

16.01.05, Emergency Medical Services (EMS) -- Education, Instructor, & Examination Requirements

- [16-0105-2401](#) Adoption of Pending Rule (Chapter Repeal), Bulletin Vol. 24-11 (PLR 2025)
- [16-0105-2401](#) Notice of Proposed Rulemaking (Chapter Repeal), Bulletin Vol. 24-9

16.01.07, Emergency Medical Services (EMS) – Personnel Licensing Requirements

- [16-0107-2401](#) Adoption of Pending Rule (Chapter Repeal), Bulletin Vol. 24-11 (PLR 2025)
- [16-0107-2401](#) Notice of Proposed Rulemaking (ZBR Chapter Repeal), Bulletin Vol. 24-9
- [16-0107-2401](#) Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-4

16.01.12, Emergency Medical Services (EMS) -- Complaints, Investigations, and Disciplinary Actions

- [16-0112-2401](#) Adoption of Pending Rule (Chapter Repeal), Bulletin Vol. 24-11 (PLR 2025)

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16.02.01, Idaho Time Sensitive Emergency System Council

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16-0201-2401 Notice of Proposed Rulemaking (Chapter Repeal), Bulletin Vol. 24-9

16.02.02, Idaho Emergency Medical Services (EMS) Physician Commission

16-0202-2401 Adoption of Pending Rule (Chapter Repeal), Bulletin Vol. 24-11 (PLR 2025)

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16.02.12, Newborn Screening

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16-0212-2401 Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 24-9

16.02.13, State of Idaho Drinking Water Laboratory Certification Program

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**Changes chapter name from: "State of Idaho Drinking Water Laboratory Certification Program"*

16-0213-2401* Notice of Public Hearing and Extension of Written Comment Period, Bulletin Vol. 24-10

16-0213-2401* Notice of Proposed Rulemaking (ZBR Chapter Rewrite, Fee Rule), Bulletin Vol. 24-9

16-0213-2401 Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-5

16.03.09, Medicaid Basic Plan Benefits

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16-0309-2401 Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 24-9

16-0309-2401 Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-5

16.03.11, Intermediate Care Facilities for People with Intellectual Disabilities (ICFs/IID)

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16-0314-2401 Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-5

16-0314-2301 OARC Corrected Omnibus Notice of Legislative Action – Extension of Temporary Rule, Bulletin Vol. 24-9 (eff. 7-1-24)

16-0314-2301 OARC Omnibus Notice of Legislative Action – Extension of Temporary Rule, Bulletin Vol. 24-8 (eff. 11-14-23)T

16-0314-2301 Adoption of Temporary Rule, Bulletin Vol. 23-12 (eff. 11-14-23)T

16.04.07, Fees for State Hospital North and State Hospital South

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16-0407-2401 Notice of Proposed Rulemaking (Chapter Repeal), Bulletin Vol. 24-9

16.04.18, Children's Agencies and Residential Licensing

16-0418-2401 Adoption of Pending Rule, Bulletin Vol. 24-9 (PLR 2025)

16-0418-2401 Notice of Temporary and Proposed Rule, Bulletin Vol. 24-7 (eff. 7-1-24)T

16.05.01, Use and Disclosure of Department Records

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16-0501-2401 Notice of Temporary and Proposed Rule, Bulletin Vol. 24-9 (eff. 8-6-24)T

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- 16-0504-2400** IDAPA 16.05 – IDAHO COUNCIL ON DOMESTIC VIOLENCE AND VICTIM ASSISTANCE – Notice of Assignment of New IDAPA Designation Number – Redesignated from *IDAPA 16, Title 05, Chapter 04* to *IDAPA 63, Title 05, Chapter 04* – Bulletin Vol. 24-6 (eff. 7-1-24)

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16-0601-2405 Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 24-12
- 16-0601-2404** Adoption of Temporary Rule, Bulletin Vol. 24-9 (eff. 8-6-24)T
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- 16-0601-2402** Notice of Vacation of Proposed Rulemaking, Bulletin Vol. 24-9
16-0601-2402 Notice of Temporary and Proposed Rule, Bulletin Vol. 24-6 (eff. 4-17-24)T
- 16-0601-2401** *Vacation of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 24-12*
16-0601-2401 *Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 24-11 (PLR 2025)*
16-0601-2401 *Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 24-9*
16-0601-2401 *Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-4*

16.06.02, Foster Care Licensing

- 16-0602-2403** Adoption of Pending Rule, Bulletin Vol. 25-1 (PLR 2025)
16-0602-2403 Notice of Temporary and Proposed Rule, Bulletin Vol. 24-9 (eff. 8-15-24)T
- 16-0602-2402** Adoption of Pending Rule (Chapter Rewrite), Bulletin Vol. 24-9 (PLR 2025)
16-0602-2402 Notice of Temporary and Proposed Rule (Chapter Rewrite), Bulletin Vol. 24-7 (eff. 7-1-24)T
- 16-0602-2401** Adoption of Pending Rule (Chapter Repeal), Bulletin Vol. 24-9 (PLR 2025)
16-0602-2401 Notice of Temporary and Proposed Rule (Chapter Repeal), Bulletin Vol. 24-7 (eff. 7-1-24)T

16.06.03, Daycare Licensing

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16.06.05, Alleged Medical Neglect of Handicapped Infants

- 16-0605-2401** Adoption of Pending Rule (Chapter Repeal), Bulletin Vol. 24-11 (PLR 2025)
16-0605-2401 Notice of Proposed Rulemaking (Chapter Repeal), Bulletin Vol. 24-9

16.07.17, Substance Use Disorders Services

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16.07.33, Adult Mental Health Services

- 16-0733-2401** Adoption of Pending Rule, Bulletin Vol. 25-1 (PLR 2025)
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16.07.37, Children's Mental Health Services

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16-0737-2401 Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 24-9
16-0737-2401 (Second) Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-3
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17-0101-2401 Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 24-10
17-0101-2301 (Second) Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-5
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18-0101-2401 Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 24-9

18-ZBRR-2401 *Rules of the Idaho Department of Insurance* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 01, Chapter 01 – Bulletin Vol. 24-7

18.03.02, Life Settlements

18-0302-2401 Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 24-11 (PLR 2025)

18-0302-2401 Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 24-9

18-ZBRR-2401 *Rules of the Idaho Department of Insurance* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 03, Chapter 02 – Bulletin Vol. 24-7

18.03.03, Variable Contracts

18-ZBRR-2401 *Rules of the Idaho Department of Insurance* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 03, Chapter 03 – Bulletin Vol. 24-7

18.03.04, Replacement of Life Insurance and Annuities

18-ZBRR-2401 *Rules of the Idaho Department of Insurance* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 03, Chapter 04 – Bulletin Vol. 24-7

18.04.03, Advertisement of Disability (Accident and Sickness) Insurance

18-ZBRR-2401 *Rules of the Idaho Department of Insurance* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 04, Chapter 03 – Bulletin Vol. 24-7

18.04.15, Rules Governing Short-Term Health Insurance Coverage

18-0415-2401 Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 24-7

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18-0501-2401 Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 24-11 (PLR 2025)

18-0501-2401 Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 24-9

18-ZBRR-2401 *Rules of the Idaho Department of Insurance* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 05, Chapter 01 – Bulletin Vol. 24-7

18.06.06, Surplus Lines Rules

18-0606-2401 Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 24-11 (PLR 2025)

18-0606-2401 Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 24-9

18-ZBRR-2401 *Rules of the Idaho Department of Insurance* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 06, Chapter 06 – Bulletin Vol. 24-7

18.07.04, Annual Financial Reporting

18-ZBRR-2401 *Rules of the Idaho Department of Insurance* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 07, Chapter 04 – Bulletin Vol. 24-7

18.07.05, Director's Authority for Companies Deemed to be in Hazardous Financial Condition

18-ZBRR-2401 *Rules of the Idaho Department of Insurance* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 07, Chapter 05 – Bulletin Vol. 24-7

18.08.01, Adoption of the International Fire Code

18-0801-2401 Adoption of Pending Rule, Bulletin Vol. 24-12 (PLR 2025)

18-0801-2401 Notice of Proposed Rulemaking, Bulletin Vol. 24-9

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20.01.01, Rules of Practice and Procedure Before the State Board of Land Commissioners

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20-0302-2401 Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-4

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20.03.13, Administration of Cottage Site Leases on State Lands

20-0313-2401 Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 24-10 (PLR 2025)

20-0313-2401 Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 24-7

20-0313-2401 Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-3

20.03.14, Rules Governing Grazing, Farming, and Conservation Leases

20-0314-2401* Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 24-10 (PLR 2025)

**Changes chapter name from: “Rules Governing Grazing, Farming, Conservation, Noncommercial Recreation, and Communication Site Leases”*

20-0314-2401* Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 24-7

20-0314-2401 Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-3

20.03.15, Rules Governing Geothermal Leasing on Idaho State Lands

20-0315-2401 Adoption of Pending Rule (ZBR Chapter Rewrite, Fee Rule), Bulletin Vol. 24-10 (PLR 2025)

20-0315-2401 Notice of Proposed Rulemaking (ZBR Chapter Rewrite, Fee Rule), Bulletin Vol. 24-7

20-0315-2401 Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-3

20.03.16, Rules Governing Oil and Gas Leasing on Idaho State Lands

20-0316-2401 Adoption of Pending Rule (ZBR Chapter Rewrite, Fee Rule), Bulletin Vol. 24-10 (PLR 2025)

20-0316-2401 Notice of Proposed Rulemaking (ZBR Chapter Rewrite, Fee Rule), Bulletin Vol. 24-7

20-0316-2401 Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-3

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20-0401-2301 Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 24-12 (PLR 2025)

20-0401-2301 Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 24-7

20-0401-2301 Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 23-10

20.04.02, Rules Pertaining to the Idaho Forestry Act and Fire Hazard Reduction Laws

20-0402-2301 Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 24-12 (PLR 2025)

20-0402-2301 Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 24-7

20-0402-2301 Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 23-10

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20-0702-2401 Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 24-12 (PLR 2025)

20-0702-2401 Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 24-8

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21.01.01, Rules Governing Admission, Residency, and Maintenance Charges in Idaho State Veterans Homes and Division of Veterans Services Administrative Procedure

44-0000-2400 Notice of Omnibus Rulemaking – Revocation of Final Rule – Certain provisions rendered null and void pertaining to IDAPA 21.01.01 – Bulletin Vol. 24-7

21.01.04, Rules Governing Idaho State Veterans Cemeteries

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21-0104-2401 Adoption of Temporary Rule (Fee Rule), Bulletin Vol. 24-5 (eff. 4-10-24)T

IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES

24-ZBRR-2401 *Rules of the Division of Occupational and Professional Licenses* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 02, Chapter 01; Title 03, Chapter 01; Title 08, Chapter 01; Title 09, Chapter 01; Title 19, Chapter 01; Title 24, Chapter 01; Title 29, Chapter 01; Title 33, Chapters 01-07; and Title 36, Chapter 01 – Bulletin Vol. 24-4

24.02.01, Rules of the State Athletic Commission

24-0201-2402 Adoption of Pending Rule (ZBR New Chapter, Fee Rule), Bulletin Vol. 24-11 (PLR 2025)

24-0201-2402 Notice of Proposed Rulemaking (ZBR New Chapter), Bulletin Vol. 24-8

24-ZBRR-2401 *Rules of the Division of Occupational and Professional Licenses* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 02, Chapter 01 – Bulletin Vol. 24-4

24-0201-2401 Adoption of Temporary Rule (New Chapter, Fee Rule), Bulletin Vol. 24-6 (eff. 6-1-24)T

24.03.01, Rules of the State Board of Chiropractic Physicians

24-0301-2401 Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 24-10 (PLR 2025)

24-0301-2401 Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 24-7

24-ZBRR-2401 *Rules of the Division of Occupational and Professional Licenses* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 03, Chapter 01 – Bulletin Vol. 24-4

24.04.01, Rules of the Board of Registration for Professionals Geologists

24-0401-2401 Adoption of Pending Rule (ZBR Chapter Rewrite, Fee Rule), Bulletin Vol. 24-12 (PLR 2025)

24-0401-2401 Notice of Proposed Rulemaking (ZBR Chapter Rewrite, Fee Rule), Bulletin Vol. 24-10

24-0401-2401 Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-6

24.08.01, Rules of the State Board of Morticians

24-0801-2401 Adoption of Pending Rule (ZBR Chapter Rewrite, Fee Rule), Bulletin Vol. 24-11 (PLR 2025)

24-0801-2401 Notice of Proposed Rulemaking (ZBR Chapter Rewrite, Fee Rule), Bulletin Vol. 24-9

24-ZBRR-2401 *Rules of the Division of Occupational and Professional Licenses* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 08, Chapter 01 – Bulletin Vol. 24-4

24.09.01, Rules of the Board of Examiners of Nursing Home Administrators

24-0901-2401 Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 24-10 (PLR 2025)

24-0901-2401 Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 24-7

24-ZBRR-2401 *Rules of the Division of Occupational and Professional Licenses* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 09, Chapter 01 – Bulletin Vol. 24-4

24.19.01, Rules of the Board of Examiners of Residential Care Facility Administrators

24-1901-2401 Adoption of Pending Rule (ZBR Chapter Rewrite, Fee Rule), Bulletin Vol. 24-10 (PLR 2025)

24-1901-2401 Notice of Proposed Rulemaking (ZBR Chapter Rewrite, Fee Rule), Bulletin Vol. 24-7

24-ZBRR-2401 *Rules of the Division of Occupational and Professional Licenses* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 19, Chapter 01 – Bulletin Vol. 24-4

24.21.01, Rules of the Idaho State Contractors Board

24-2101-2401 Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 24-12 (PLR 2025)

24-2101-2401 Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 24-10

24-2101-2401 Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-6

24.22.01, Rules of the Idaho State Liquefied Petroleum Gas Safety Board

24-2201-2401 Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 24-12 (PLR 2025)

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24-2201-2401 Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-7

24.24.01, Rules of the Genetic Counselors Licensing Board

24-2401-2401 Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 24-10 (PLR 2025)

24-2401-2401 Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 24-7

24-ZBRR-2401 *Rules of the Division of Occupational and Professional Licenses* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 24, Chapter 01 – Bulletin Vol. 24-4

24.26.01, Rules of the Idaho Board of Midwifery

24-2601-2501 Adoption of Temporary Rule, Bulletin Vol. 25-1 (eff. 1-1-25)T

24.29.01, Rules of Procedure of the Idaho Certified Shorthand Reporters Board

- 24-2901-2401** Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 24-11 (PLR 2025)
24-2901-2401 Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 24-8
24-ZBRR-2401 *Rules of the Division of Occupational and Professional Licenses* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 29, Chapter 01 – Bulletin Vol. 24-4

24.30.01, Idaho Accountancy Rules

- 24-3001-2401** Adoption of Pending Rule, Bulletin Vol. 24-12 (PLR 2025)
24-3001-2401 Notice of Proposed Rulemaking, Bulletin Vol. 24-9
24-3001-2401 Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 24-6

24.31.01, Rules of the Idaho State Board of Dentistry

- 24-3101-2501** Adoption of Temporary Rule, Bulletin Vol. 25-1 (eff. 1-1-25)T

24.32.01, Rules of the Idaho Board of Licensure of Professional Engineers and Professional Land Surveyors

- 24-3201-2401** Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 24-11 (PLR 2025)
24-3201-2401 Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 24-9
24-3201-2401 Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-6

24.33.01, Rules of the Board of Medicine for the Practice of Medicine and Osteopathic Medicine in Idaho

- 24-3301-2401*** Adoption of Pending Rule (ZBR Chapter Rewrite, Fee Rule), Bulletin Vol. 24-10 (PLR 2025)
**Changes chapter name from: “Rules of the Board of Medicine for the Licensure to Practice Medicine and Osteopathic Medicine in Idaho”*
24-3301-2401* Notice of Proposed Rulemaking (ZBR Chapter Rewrite, Fee Rule), Bulletin Vol. 24-7
24-ZBRR-2401 *Rules of the Division of Occupational and Professional Licenses* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 33, Chapter 01 – Bulletin Vol. 24-4

24.33.02, Rules for the Licensure of Physician Assistants

- 24-3302-2401** Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 24-10 (PLR 2025)
24-3302-2401 Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 24-7
24-ZBRR-2401 *Rules of the Division of Occupational and Professional Licenses* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 33, Chapter 02 – Bulletin Vol. 24-4

24.33.03, General Provisions of the Board of Medicine

- 24-3303-2401** Adoption of Pending Rule (ZBR Chapter Repeal), Bulletin Vol. 24-10 (PLR 2025)
24-3303-2401 Notice of Proposed Rulemaking (ZBR Chapter Repeal), Bulletin Vol. 24-7
24-ZBRR-2401 *Rules of the Division of Occupational and Professional Licenses* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 33, Chapter 03 – Bulletin Vol. 24-4

24.33.04, Rules for the Licensure of Naturopathic Medical Doctors

- 24-3304-2401** Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 24-10 (PLR 2025)
24-3304-2401 Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 24-7
24-ZBRR-2401 *Rules of the Division of Occupational and Professional Licenses* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 33, Chapter 04 – Bulletin Vol. 24-4

24.33.05, Rules for the Licensure of Athletic Trainers to Practice in Idaho

- 24-3305-2401** Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 24-10 (PLR 2025)
24-3305-2401 Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 24-7
24-ZBRR-2401 *Rules of the Division of Occupational and Professional Licenses* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 33, Chapter 05 – Bulletin Vol. 24-4

24.33.06, Rules for Licensure of Respiratory Therapists and Permitting of Polysomnographers in Idaho

- 24-3306-2401** Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 24-10 (PLR 2025)
24-3306-2401 Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 24-7
24-ZBRR-2401 *Rules of the Division of Occupational and Professional Licenses* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 33, Chapter 06 – Bulletin Vol. 24-4

24.33.07, Rules for the Licensure of Dietitians

- 24-3307-2401** Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 24-10 (PLR 2025)
24-3307-2401 Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 24-7
24-ZBRR-2401 *Rules of the Division of Occupational and Professional Licenses* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 33, Chapter 07 – Bulletin Vol. 24-4

24.34.01, Rules of the Idaho Board of Nursing

24-3401-2501 Adoption of Temporary Rule, Bulletin Vol. 25-1 (eff. 1-1-25)T

24.35.01, Rules of the Outfitters and Guides Licensing Board

24-3501-2401 Adoption of Pending Rule, Bulletin Vol. 24-11 (PLR 2025)

24-3501-2401 Notice of Proposed Rulemaking, Bulletin Vol. 24-8

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