

# LEGAL NOTICE

## Summary of Proposed Rulemakings

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### PUBLIC NOTICE OF INTENT TO PROPOSE OR PROMULGATE NEW OR CHANGED AGENCY RULES

The following agencies of the state of Idaho have published the complete text and all related, pertinent information concerning their intent to change or make the following rules in the latest publication of the state Administrative Bulletin.

*The proposed rule public hearing request deadline is July 17, 2019, unless otherwise posted.  
The proposed rule written comment submission deadline is July 24, 2019, unless otherwise posted.  
(Temp & Prop) indicates the rulemaking is both Temporary and Proposed.  
(\*PH) indicates that a public hearing has been scheduled.*

#### **IDAPA 07 – DIVISION OF BUILDING SAFETY 1090 W. Watertower St, Ste. 150, Meridian, ID 83642**

**07-0202-1901, Rules Governing Plumbing Permits.** Consolidates provisions from IDAPA 07.02.03, 07.02.04, and 07.02.07, which are being repealed in this Bulletin, into IDAPA 07.02.02; eliminates obsolete provisions and simplifies provisions of the consolidated rules.

**07-0203-1902, Rules Governing Permit Fee Schedule.** Chapter Repeal.

**07-0204-1901, Rules Governing Plumbing Safety Inspections.** Chapter Repeal.

**07-0205-1901, Rules Governing Plumbing Safety Licensing.** Aligns rule with the statute, allowing revival of a lapsed plumbing license without examination within two years of the lapse; eliminates obsolete rules and simplifies certain provisions.

**07-0207-1901, Rules Governing Civil Penalties.** Chapter Repeal.

**07-0701-1901, Rules Governing Installation of Heating, Ventilation, and Air Conditioning Systems.** Updates incorporation by reference parts V and VI of the International Residential Code and the International Fuel Gas Code, with amendments; allows an out-of-state applicant to meet work experience requirement for license by providing satisfactory proof of 24 months of work experience as an HVAC journeyman in another jurisdiction or 48 months of work experience equivalent work experience of an Idaho HVAC journeyman; requires applicant to obtain an Idaho HVAC journeyman license, pay applicable fees, and pass the Idaho exam.

#### **IDAPA 16 – DEPARTMENT OF HEALTH AND WELFARE PO Box 83720, Boise, ID 83720-0036**

**\*16-0208-1901, Vital Statistics Rules.** (Temp & Prop) An application for a change of sex designation on a minor's birth certificate requires an attestation from a medical or mental health professional confirming that the requested change of sex designation is the gender to which the minor identifies. (7-1-19)T

**16-0309-1803, Medicaid Basic Plan Benefits.** (Temp & Prop) Changes children's intervention services from waiver to state plan and moves services from 16.03.10 to this chapter. (7-1-19)T

**16-0310-1806, Medicaid Enhanced Plan Benefits.** (Temp & Prop) Changes children's intervention services from waiver to state plan and moves services from this chapter to 16.03.09. (7-1-19)T

**IDAPA 39 – IDAHO STATE TAX COMMISSION  
PO Box 36, Boise, ID 83722-0410**

**35-0101-1903, Income Tax Administrative Rules.** Adds 2019 calendar year tax brackets; adds the amount of guaranteed payments that are sourced as compensation for services for calendar year 2019.

**IDAPA 39 – IDAHO TRANSPORTATION DEPARTMENT  
Po Box 7129, Boise, ID 83707-1129**

**39-0349-1901, Rules Governing Ignition Interlock Breath Alcohol Devices.** Requires the addition of a camera to accompany all ignition interlock devices and provides for a diversion program coordinated and run by county prosecuting attorneys. The prosecuting attorney, diversion program administrator or its designee were added as contacts for receiving documentation and notifications.

***NOTICES OF ADOPTION OF TEMPORARY RULE*****IDAPA 02 – DEPARTMENT OF AGRICULTURE**

**02-0301-1901,** Rules Governing Pesticide Management Plans for Ground Water Protection (7-1-19)T

**02-0303-1901,** Idaho Department of Agriculture Rules Governing Pesticide and Chemigation Use and Application (eff. 7-1-19)T

**02-0414-1901,** Rules Governing Dairy Byproduct (7-1-19)T

**02-0415-1901,** Rules Governing Beef Cattle Animal Feeding Operations (7-1-19)T

**02-0416-1901,** Rules Governing Agriculture Odor Management (7-1-19)T

**02-0417-1901,** Rules Governing Dead Animal Movement and Disposal (7-1-19)T

**02-0423-1901,** Rules Governing Commercial Livestock Truck Washing Facilities (7-1-19)T

**02-0430-1902,** Rules Governing Nutrient Management (7-1-19)T

**02-0431-1901,** Rules Governing the Stockpiling of Agricultural Waste (7-1-19)T

**02-0432-1901,** Rules Governing Poultry Operations (7-1-19)T

**IDAPA 39– IDAHO TRANSPORTATION DEPARTMENT**

**39-0306-1901,** Rules Governing Special Permits for Extra-Length/Excess Weight, Up to 129,000 Pound Vehicle Combinations (7-1-19)T

**IDAPA 58– DEPARTMENT OF ENVIRONMENTAL QUALITY**

**58-0101-1904,** Rules for the Control of Air Pollution in Idaho (6-30-19)T

**58-0103-1902,** Individual/Subsurface Sewage Disposal Rules (6-30-19)T

**58-0109-1901,** Individual/Subsurface Sewage Disposal Rules (6-30-19)T

**58-0111-0901,** Ground Water Quality Rule (6-30-19)T

**58-0115-1901,** Rules Governing the Cleaning of Septic Tanks (6-30-19)T

**58-0117-1901,** Recycled Water Rules (6-30-19)T

***NOTICES OF INTENT TO PROMULGATE – NEGOTIATED RULEMAKING***

(Please see the Administrative Bulletin for dates and times of scheduled meeting and other participant information)

**IDAPA 02 – DEPARTMENT OF AGRICULTURE**

**02-0205-1901,** Prune Standards

**02-0214-1901,** Rules for Weights and Measures (2nd Notice)

**IDAPA 07 – DIVISION OF BUILDING SAFETY**

**07-0701-1902,** Rules Governing Installation of Heating, Ventilation, and Air Conditioning Systems, Division of Building Safety

**IDAPA 09 – DEPARTMENT OF LABOR**

**09-0130-1902,** Unemployment Insurance Benefits Administration Rules (2nd Notice)

**09-0130-1903,** Unemployment Insurance Benefits Administration Rules(2nd Notice)

**IDAPA 11 – STATE POLICE / STATE BRAND BOARD**

**11-0201-1902,** Rules of the Idaho State Brand Board

**IDAPA 16 – DEPARTMENT OF HEALTH AND WELFARE**

*16-0201-1901*, Rules of the Idaho Time Sensitive Emergency System Council

*16-0322-1901*, Residential Care or Assisted Living Facilities in Idaho

*16-0504-1901*, Rules of the Idaho Council on Domestic Violence and Victim Assistance Grant Funding

**IDAPA 19 – IDAHO STATE BOARD OF DENTISTRY**

*19-0101-1901*, Rule of the State Board of Dentistry

**IDAPA 26 – DEPARTMENT OF PARKS AND RECREATION**

*26-0120-1901*, Rules Governing the Administration of Park and Recreation Areas and Facilities

*26-0136-1901*, Rules Governing the Winter Recreational Parking Permit Program

**IDAPA 27 – IDAHO BOARD OF PHARMACY**

*27-0101-1901*, Rules of the Idaho Board of Pharmacy

**IDAPA 35 – IDAHO STATE TAX COMMISSION**

*35-0102-1907*, Idaho Sales and Use Tax Administrative Rules

*35-0103-1908*, Property Tax Administrative Rules

*35-0109-1901*, Idaho County Option Kitchen and Table Wine Tax Administrative Rules

*35-0112-1901*, Idaho Beer Tax Administrative Rules

*35-0115-1901*, Idaho Beer and Wine Tax Administrative Rules

**IDAPA 39 – IDAHO TRANSPORTATION DEPARTMENT**

*39-0200-1901*, Omnibus Negotiated - Vehicles Titles Rules: 39.02.05; 39.02.07; 39.02.11; 39.02.12; 39.02.24

*39-0242-1901*, Temporary Vehicle Registration When Proof of Ownership Is Insufficient

*39-0275-1901*, Rules Governing Names on Drivers' Licenses and Identification Cards

*39-0276-1901*, Rules Governing Driver's License Renewal-By-Mail and Electronic Renewal Process

*39-0300-1901*, Omnibus Negotiated - Vehicles Permits and Registration Rules: 39.02.22; 39.03.01; 39.03.05; 39.03.06

*39-0300-1902*, Omnibus Negotiated - Traffic Signs and Right-of-Way Rules: 39.03.41, 39.03.60, 39.03.61, 39.03.62, 39.03.63, 39.03.64

**IDAPA 61 – STATE PUBLIC DEFENSE COMMISSION**

*61-0108-1901 & 61-0108-1902*, Rules Governing the Administration of Idaho's Indigent Defense Delivery System – Rule Definitions

Please refer to the Idaho Administrative Bulletin **July 3, 2019, Volume 19-7**, for the notices and text of all rulemakings, proclamations, negotiated rulemaking and public hearing information and schedules, executive orders of the Governor, and contact information.

*Issues of the Idaho Administrative Bulletin can be viewed at [www.adminrules.idaho.gov/](http://www.adminrules.idaho.gov/)*

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