

LEGAL NOTICE

Summary of Proposed Rulemakings

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 required information concerning their intent to change or make new the following rules in the latest publication of the state Administrative Bulletin.

*The proposed rule public hearing request deadline is October 15, 2025, unless otherwise posted.
The proposed rule written comment submission deadline is October 22, 2025, unless otherwise posted.
(Temp & Prop) indicates the rulemaking is both Temporary and Proposed.
(*PH) indicates that a public hearing has been scheduled.*

IDAPA 02 – DEPARTMENT OF AGRICULTURE PO Box 7249, Boise, ID 83707

02-0108-2501, Rules Governing Grizzly Bear and Wolf Depredation. New Chapter governs distribution from the Depredation of Livestock and Prevention Fund to compensate livestock owners that have experienced depredation of livestock by grizzly bear and/or wolves.

02-0205-2501, Rules Governing Stone Fruit Grades. Zero-Based Regulation (ZBR) Chapter Rewrite specifies general requirements for the inspection and grading of plums, prunes, sweet cherries, and apricots in the state of Idaho.

02-0207-2501, Rules Governing Bulk Permits and Retail Sale of Potatoes. ZBR Chapter Rewrite governs the application for a permit to ship bulk potatoes, permit fees, and marketing order requirements and specifies the inspection, grading, marking, and retail sales of potatoes in the state.

02-0214-2501, Rules for Weights and Measures. ZBR Chapter Rewrite regulates the checking, testing, and examination of weighing and measuring devices, packages, and labels for consumer, non-consumer, and commercial applications to ensure the accuracy of consumers' commodities.

02-0303-2501, Rules Governing Pesticide and Chemigation Use and Application. Proposed changes consider the option of a five-year license term, separating new license categories for potato cellar and wood preservation licenses, adding a new category for applicators using aerial unmanned drones, and lengthening the sunset provisions on commercial apprentices.

02-0420-2501, Rules Governing Brucellosis. ZBR Chapter Rewrite governs prevention, surveillance, diagnosis, control, management, and eradication of brucellosis in the state to minimize market restrictions on Idaho cattle.

02-0424-2501, Rules Governing Tuberculosis. ZBR Chapter Rewrite oversees procedures for the prevention, surveillance, control, management, and eradication of tuberculosis in all cattle, bison, domestic cervidae, goats, and other susceptible animals in the state of Idaho.

02-0426-2501, Rules Governing the Public Exchange of Livestock. ZBR Chapter Rewrite regulates the record keeping of livestock dealers and facilities, and the record keeping, identification, quarantine, and movement of livestock through buying stations, trader lots, and livestock markets.

02-0601-2501, Rules Governing the Production and Distribution of Seed. ZBR Chapter Rewrite governs the sale or distribution of seed in Idaho, including restrictions to protect rapeseed and bluegrass, and also establish service testing fees for purity, germination, tetrazolium, and special tests.

02-0602-2501, Rules Governing Registrations and Licenses. Rulemaking makes annual updates to Incorporated by Reference documents that include refinements to definitions, technical terms, and other standards vital for meeting both statutory and national cooperation product regulation.

02-0606-2501, Rules Governing the Planting of Beans. Proposed change clarifies the seed imported to Idaho to be planted to produce edible beans.

02-0633-2501, Organic Food Products Rules. Changes update the National Organic Program Regulations document

Incorporated by Reference and amend the application period for organic certification to more align with crop production years which will assist with certification management.

02-0701-2501, Rules of the Idaho Hop Growers' Commission. ZBR Chapter Repeal recommended due to prescriptive nature of authorizing statute.

IDAPA 08 – STATE BOARD OF EDUCATION

PO Box 83720, Boise, ID 83720-0037

08-0202-2501, Rules Governing Uniformity. Proposed changes to the Code of Ethics for Idaho Professional Educators aim to reduce unethical interactions by: limiting educator/student communications to district approved devices and platforms; prohibiting use of a district device or network to engage in any sexually explicit activity; and by restricting co-mingling public funds with any personal account.

08-0203-2501, Rules Governing Thoroughness. Proposed change updates the Special Education Manual Incorporated by Reference to clarify: specific learning disability (SLD) eligibility requirements; guidance related to charter school, private school, and home-school students; and guidance related to graduation requirements and discipline.

08-0203-2502, Rules Governing Thoroughness. Proposed amendments update the Social Studies K-12 content standards Incorporated by Reference as a result of prior rule rejection via legislative action and per the request of the legislature.

08-0205-2501, Rules Governing Pay for Success Contracting. ZBR Chapter Repeal determined by nonutilization of rule provisions by agency.

IDAPA 11 – IDAHO STATE POLICE

700 S Stratford Dr, Meridian, ID 83642

11-0501-2501, Rules Governing Alcohol Beverage Control. Proposed changes provide greater clarity and lessen regulatory requirements for Idaho businesses by revising a definition, determining food requirements, removing items from operating/security plan, and exempting certain premises.

IDAPA 13 – IDAHO DEPARTMENT OF FISH AND GAME

PO Box 25, Boise, ID 83707

13-0103-2501, Public Use of Lands Owned or Controlled by the Department of Fish and Game. ZBR Chapter Rewrite governs use of lands owned or controlled by the Department by adding clarifying language around prohibited activities; adding a definition for ‘camping’ and modifying the ‘watercraft’ definition for consistency; and adding language that provides the agency more flexibility in posting camping stay limits.

13-0104-2401, Rules Governing Licensing. ZBR Chapter Rewrite governs licensing and, after evaluation, moves out relevant content that specifically addresses big game to 13.01.08 and moves in content that addresses general licensing topics from 13.01.08 to help streamline both chapters. Additional changes address multiple Landowner Programs and Hunts and provide more opportunities for Hells Canyon hunters.

13-0108-2401, Rules Governing Taking of Big Game Animals. ZBR Chapter Rewrite governs the taking of big game animals and, after evaluation, moves in relevant content that specifically addresses big game from 13.01.04 and moves out content that addresses general licensing topics to 13.01.04 to help streamline both chapters.

13-0116-2401, Trapping of Wildlife and Taking of Furbearing Animals. ZBR Chapter Rewrite regulates the trapping of wildlife and taking of furbearing animals and: clarifies definition for ‘bait’; increases accidental take reimbursement to \$25 for bobcat, otter, or fisher; allows for discretion to authorize use of certain snow-covered routes; and refines restrictions and clarifications on trapping.

13-0117-2401, Rules Governing Use of Bait for Hunting Big Game Animals. ZBR Chapter Repeal moves vital provisions to dkt. 13-0108-2401.

13-0119-2501, Rules for Selecting, Operating, Discontinuing, and Suspending Vendors. ZBR Chapter Rewrite establishes standards for license vendors and related administration and: removes vendor classifications to simplify the process; adds a ‘community benefit’ component allowing for applicants to qualify; adds structured language for vendor application disqualification or contract cancellations; removes eligibility for out-of-state applicants; and allows vendors to collect a credit card fee.

IDAPA 15 – OFFICE OF THE GOVERNOR, IDAHO COMMISSION ON AGING

6305 W Overland Rd, Ste 110, Boise, ID 83709

***15-0101-2501, Rules Governing Senior Services and Older Americans Act Programs.** (*PH) ZBR Chapter Rewrite provides minimum requirements for aging services funded under both state and federal authority related to Idaho’s aging programs and services.

15-0120-2501, Rules Governing Area Agency on Aging (AAA) Operations. ZBR Chapter Repeal due to duplicative federal law and contract terms.

IDAPA 20 – IDAHO DEPARTMENT OF LANDS

PO Box 83720, Boise, ID 83720-0050

***20-0302-2401, Rules Governing Mined Land Reclamation.** (*PH) ZBR Chapter Rewrite enables responsible mineral extraction while protecting public health, safety, and welfare by ensuring that lands disturbed by exploration and mining operations are operated and reclaimed properly.

IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES

11341 W Chinden Blvd, Bldg. 4, Boise, ID 83714

24-0201-2501, Rules of the State Athletic Commission. Proposed changes would decrease fees for several forms of licensees and create a fee for Amateur Athletic Sanctioning Organizations, as well as update a document Incorporated by Reference.

24-0501-2501, Rules of the Board of Drinking Water and Wastewater Professionals. Proposed changes update the calculation of continuing education and limit the number of managerial units required; eliminate the responsible charge requirements and decrease system classifications; clarify completions for apprenticeship programs; streamline the process for acquiring a higher level of license; and increase fees.

24-0601-2501, Rules for the Licensure of Occupational Therapists and Occupational Therapy Assistants. Amendments address statutory expectations and compliance with the Board's cash balance through fee increases, remaining at or below costs in comparable states.

24-0901-2501, Rules of the Board of Examiners of Nursing Home Administrators. Chapter repeal merges key provisions into dkt. 24-4101-2501.

24-1301-2501, Rules Governing the Physical Therapy Licensure Board. Licensure fee increases address statutory expectations and compliance with the Board's cash balance, however remaining at or below costs in comparable states.

24-1701-2501, Rules of the State Board of Acupuncture. Licensure and renewal fee increases address statutory expectations and compliance with the Board's cash balance, however remaining competitive or lower than in comparable states.

24-1901-2501, Rules of the Board of Examiners of Residential Care Facility Administrators. Chapter repeal consolidates and merges necessary substance and essential provisions into dkt. 24-4101-2501.

24-2101-2501, Rules of the Idaho State Contractors Board. To ensure sustainability of the Board, increased fees address the statutory requirements regarding the Board's cash balance.

24-2201-2501, Rules of the Idaho State Liquefied Petroleum Gas Safety Board. Proposed amendments increase fees to address the Board's cash balance and decrease the amount collected for Bulk Storage Facilities.

24-2301-2501, Rules of the Speech, Hearing, and Communication Services Licensure Board. Rulemaking adds a license type for Sign Language Video Interpreting, and accompanying fee, as required by law.

24-2801-2501, Rules of the Barber and Cosmetology Services Licensing Board. Changes address compliance with the statutory expectations and the Board's cash balance via a 10%-20% fee increase and also add necessary definitions and provisions for Mobile Establishment Licensure.

24-3201-2501, Rules of the Idaho Board of Licensure of Professional Engineers and Professional Land Surveyors. This rulemaking moves the Board's official fee table from its website into rule, as required by law, without making changes to any of the current fee amounts.

24-3501-2501, Rules of the Outfitters and Guides Licensing Board. Definitions duplicative of statute have been removed, changes requested to tag calculations have been made, and operating boundaries in three river sections have been adjusted as a result of this rulemaking.

24-3930-2502, Rules of Building Safety (Building Code Rules). As support for current building codes is phased out, the Building Code Board aims to update relevant versions of Codes Incorporated by Reference for better access to tools and documentation inspectors rely on for enforcement.

24-4101-2501, Rules of the Long-Term Care Administrators Board. Legislative action merged two previous Boards into a single new one, thus consolidating necessary provisions from IDAPAs 24.09.01 and 24.19.01 into this New Chapter regarding long-term care facility administration.

IDAPA 28 – DEPARTMENT OF COMMERCE

700 W State St, Boise, ID 83702

***28-0203-2501, Department of Commerce Grant Program Rules.** (*PH) ZBR Chapter Rewrite implements the Department's grant programs, e.g., Idaho Regional Travel and Convention Grant Program; Idaho Gem Grant

Program; Rural Community Investment Fund; IGEM Grant Program; Idaho Opportunity Fund; and Idaho Community Development Block Grant Program.

IDAPA 31 – IDAHO PUBLIC UTILITIES COMMISSION

PO Box 83720, Boise, ID 83720-0074

***31-2701-2501, Rules Governing Pole Attachments.** (*PH) New Chapter applies to all pole attachments by a provider of telecommunications service, broadband, or cable services company.

IDAPA 37 – IDAHO DEPARTMENT OF WATER RESOURCES

PO Box 83720, Boise, ID 83720-0098

37-0204-2501, Shoshone Bannock Tribal Water Supply Bank Rules. ZBR Chapter Rewrite sets order for the Shoshone-Bannock Water Bank to provide for rental of tribal stored water outside the reservation pursuant to state law and operated under administrative rule and Tribal Agreement.

37-0307-2501, Stream Channel Alteration Rules. ZBR Chapter Rewrite governs the permitting of common-type stream channel alterations that will not be a hazard to the stream channel and its environment and establishes the collection of associated statutory filing fees.

37-0312-2501, Idaho Department of Water Resources Water Distribution Rules – Water District 34. ZBR Chapter Rewrite establishes standards for the distribution of surface and ground water within Water District 34, the Big Lost River Basin.

IDAPA 39 – IDAHO TRANSPORTATION DEPARTMENT

PO Box 7129, Boise, ID 83707-1129

39-0260-2501, Rules Governing License Plate Provisions. ZBR Chapter Rewrite clarifies rule provisions related to proof of registration, custom vehicle program fees, plates sizes, and exempt personalized plates.

39-0349-2501, Rules Governing Ignition Interlock Devices. As required by law, this ZBR Chapter Rewrite regarding the certification, installation, repair, and removal of ignition interlock devices was reviewed by the agency that is proposing nonsubstantive clarifying edits to several provisions.

IDAPA 55 – DIVISION OF CAREER TECHNICAL EDUCATION

PO Box 83720, Boise, ID 83720-0037

55-0103-2501, Rules of Career Technical Centers. Proposed amendment removes the definition ‘concentrator’ and reference to that term from the definition of ‘participation’ because students in a capstone course already meet the federally defined definition as part of the Perkins V program.

IDAPA 57 – SEXUAL OFFENDER MANAGEMENT BOARD

1299 N Orchard St Ste#110, Boise, ID 83706

57-0101-2501, Rules of the Sexual Offender Management Board. Proposed changes reduce the number of continuing education hours required of both SOMB certified provisional level and certified senior and associate level psychosexual evaluators and sexual offender treatment providers which mirrors related licensing boards, and also updates Incorporation by Reference documents which, consequently, allows for the removal of rule sections due to the material being presented in the updated incorporated standards.

IDAPA 58 – DEPARTMENT OF ENVIRONMENTAL QUALITY

1410 N Hilton St, Boise, ID 83706

58-0108-2502, Idaho Rules for Public Drinking Water Systems. Proposed rule seeks to remedy unintended impacts from previous rulemaking to existing water systems by reverting the psi requirement to its previous level to reduce the cost and regulatory burden impacting Idaho businesses.

IDAPA 62 – OFFICE OF ADMINISTRATIVE HEARINGS

350 N 9th St Ste 300, Boise, ID 83702

62-0101-2501, Idaho Rules of Administrative Procedure. Proposed rule provides updates, revisions, and clean-ups to IDAPA 62.01.01 necessitated by passage of HB9a and HB36 to include: definition revisions, provisions on artificial intelligence (AI), a disqualification timeline, application of a court’s precedent, sealed orders, adverse inference, viewing evidence, and contents of recommended and preliminary orders.

NOTICE OF ADOPTION OF TEMPORARY RULES ONLY

IDAPA 02 – DEPARTMENT OF AGRICULTURE

02-0609-2501, Rules Governing Invasive Species and Noxious Weeds

IDAPA 08 – STATE BOARD OF EDUCATION

08-0203-2503, Rules Governing Thoroughness

Please refer to the Idaho Administrative Bulletin **October 1, 2025, Volume 25-10**, 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/

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