

# **PENDING FEE RULES**

## **COMMITTEE RULES**

### **REVIEW BOOK**

Submitted for Review Before  
**House Business Committee**  
64th Idaho Legislature  
Second Regular Session – 2018



*Prepared by:*

*Office of the Administrative Rules Coordinator  
Department of Administration*

*January 2018*

**HOUSE BUSINESS COMMITTEE**

**ADMINISTRATIVE RULES REVIEW**

**Table of Contents**

**2018 Legislative Session**

**IDAPA 24 – BUREAU OF OCCUPATIONAL LICENSES**

**24.01.01 – Rules of the Board of Architectural Examiners**  
Docket No. 24-0101-1701 .....3

**24.07.01 – Rules of the Idaho State Board of Landscape Architects**  
Docket No. 24-0701-1701 .....6

**24.08.01 – Rules of the State Board of Morticians**  
Docket No. 24-0801-1701 .....9

**24.18.01 – Rules of the Real Estate Appraiser Board**  
Docket No. 24-1801-1701 .....13

**24.25.01 – Rules of the Idaho Driving Businesses Licensure Board**  
Docket No. 24-2501-1701 .....17

**IDAPA 24 – BUREAU OF OCCUPATIONAL LICENSES**  
**24.01.01 – RULES OF THE BOARD OF ARCHITECTURAL EXAMINERS**  
**DOCKET NO. 24-0101-1701**  
**NOTICE OF RULEMAKING – ADOPTION OF PENDING FEE RULE**

**EFFECTIVE DATE:** This rule has been adopted by the agency and is now pending review by the 2018 Idaho State Legislature for final approval. Pursuant to Section 67-5224(5)(c), Idaho Code, this pending fee rule will not become final and effective until it has been approved by concurrent resolution of the legislature because of the fee being imposed or increased through this rulemaking. The pending fee rule becomes final and effective upon adoption of the concurrent resolution or upon the date specified in the concurrent resolution unless the rule is rejected.

**AUTHORITY:** In compliance with Section 67-5224, Idaho Code, notice is hereby given that this agency has adopted a pending fee rule. The action is authorized pursuant to Sections 54-304 and 54-312, Idaho Code.

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

The Board of Architectural Examiners operates primarily on fees collected from licensees. It is recommended that boards maintain a balance equivalent to 100-150% of their annual budget. The Board of Architectural Examiners' balance exceeds that amount. Accordingly, the rule lowers fees and leaves more money in the hands of licensees.

There are no changes to the pending fee rule and it is being adopted as originally proposed. The complete text of the proposed rule was published in the October 4, 2017 Idaho Administrative Bulletin, [Vol. 17-10, pages 342-343](#).

**FEE SUMMARY:** The following is a specific description of the fee or charge imposed or increased. This fee or charge is being imposed pursuant to Sections 54-304 and 54-312, Idaho Code.

Rule 200 reduces the annual license renewal fee from \$75 to \$50, the endorsement license fee from \$150 to \$50, and sets the temporary license fee at \$50.

**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 fee rule, contact Dicsie Gullick at (208) 334-3233.

DATED this 22nd day of November, 2017.

Tana Cory, Bureau Chief  
Bureau of Occupational Licenses  
700 W. State St.  
P.O. Box 83720  
Boise, ID 83720-0063  
Phone: (208) 334-3233  
Fax: (208) 334-3945

**THE FOLLOWING NOTICE PUBLISHED WITH THE PROPOSED RULE**

**AUTHORITY:** In compliance with Section 67-5221(1), Idaho Code, notice is hereby given that this agency has initiated proposed rulemaking procedures. The action is authorized pursuant to Sections 54-304 and 54-312, Idaho Code.

**PUBLIC HEARING SCHEDULE:** Public hearing(s) concerning this rulemaking will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than October 18, 2017.

The hearing site(s) will be accessible to persons with disabilities. Requests for accommodation must be made not later than five (5) days prior to the hearing, to the agency address below.

**DESCRIPTIVE SUMMARY:** The following is a nontechnical explanation of the substance and purpose of the proposed rulemaking:

The Board of Architectural Examiners operates primarily on fees collected from licensees. It is recommended that boards maintain a balance equivalent to 100-150% of their annual budget. The Board of Architectural Examiners' balance exceeds that amount. Accordingly, the rule lowers fees and leaves more money in the hands of licensees.

**FEE SUMMARY:** The following is a specific description of the fee or charge imposed or increased:

Rule 200 reduces the annual license renewal fee from \$75 to \$50, the endorsement license fee from \$150 to \$50, and sets the temporary license fee at \$50.

**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 resulting from this rulemaking: N/A

**NEGOTIATED RULEMAKING:** Pursuant to Section 67-5220(2), Idaho Code, negotiated rulemaking was not conducted because the proposed changes to these rules were discussed during noticed, open meetings of the Board.

**INCORPORATION BY REFERENCE:** Pursuant to Section 67-5229(2)(a), Idaho Code, the following is a brief synopsis of why the materials cited are being incorporated by reference into this rule: N/A

**ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS:** For assistance on technical questions concerning the proposed rule, contact Dicsie Gullick at (208) 334-3233.

Anyone may submit written comments regarding this proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before October 25, 2017.

DATED this 1st day of September, 2017.

[LINK: LSO Rules Analysis Memo and Cost/Benefit Analysis](#)

THE FOLLOWING IS THE TEXT OF FEE DOCKET NO. 24-0101-1701

**200. FEES FOR EXAMINATIONS AND LICENSURE (RULE 200).**

- 01. Fees for Examination.** (7-1-97)
- a.** Examination Fees. Examination fees will be as established by the National Council of Architectural Registration Boards (NCARB). (7-1-97)
- b.** Processing Fee. Applicants for licensing by examination must submit a twenty-five dollar (\$25) processing fee. (7-1-98)
- 02. Annual License Renewal Fee.** Annual license renewal fee - ~~Seventy-five~~ Fifty dollars (~~\$75~~50).  
(7-1-93)( )
- 03. Endorsement License Fee.** Endorsement license ~~F~~fee - ~~One hundred~~ Fifty dollars (~~\$100~~50).  
(7-1-93)( )
- 04. Temporary License Fee.** Temporary license fee – Fifty dollars (\$50). ( )
- 045. License Reinstatement Fees.** License ~~R~~reinstatement fees ~~are~~ is as provided in Section 67-2614, Idaho Code. (7-1-98)( )
- 056. No Refund of Fees.** No refund of fees shall be made ~~to any person who has paid such fees for application for examination, or reexamination, licensure, or reinstatement of license.~~  
(7-1-98)( )

## **IDAPA 24 – BUREAU OF OCCUPATIONAL LICENSES**

### **24.07.01 – RULES OF THE IDAHO STATE BOARD OF LANDSCAPE ARCHITECTS**

#### **DOCKET NO. 24-0701-1701**

#### **NOTICE OF RULEMAKING – ADOPTION OF PENDING FEE RULE**

**EFFECTIVE DATE:** This rule has been adopted by the agency and is now pending review by the 2018 Idaho State Legislature for final approval. Pursuant to Section 67-5224(5)(c), Idaho Code, this pending fee rule will not become final and effective until it has been approved by concurrent resolution of the legislature because of the fee being imposed or increased through this rulemaking. The pending fee rule becomes final and effective upon adoption of the concurrent resolution or upon the date specified in the concurrent resolution unless the rule is rejected.

**AUTHORITY:** In compliance with Section 67-5224, Idaho Code, notice is hereby given that this agency has adopted a pending fee rule. The action is authorized pursuant to Section 54-3003, Idaho Code.

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

The Board of Landscape Architects operates primarily on licensing fees. It is recommended that boards maintain a cash balance of 100-150% of their annual budget. The cash balance of the Board of Landscape Architects exceeds that amount. Accordingly, the Board wants to lower its balance and leave more money in the hands of its licensees. This rule will also update the name of the landscape architect accrediting body from the American Society of Landscape Architects (ASLA) to the more precise Landscape Architectural Accreditation Board (LAAB).

There are no changes to the pending fee rule and it is being adopted as originally proposed. The complete text of the proposed rule was published in the October 4, 2017 Idaho Administrative Bulletin, [Vol. 17-10, pages 355-356](#).

**FEE SUMMARY:** The following is a specific description of the fee or charge imposed or increased. This fee or charge is being imposed pursuant to Section 54-3003, Idaho Code.

Rule 400 reduces the license application fee from \$100 to \$75 and the original license and annual renewal fees from \$150 to \$125.

**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 fee rule, contact Dicsie Gullick at (208) 334-3233.

DATED this 22nd day of November, 2017.

Tana Cory, Bureau Chief  
Bureau of Occupational Licenses  
700 W. State St.  
P.O. Box 83720  
Boise, ID 83720-0063  
Phone: (208) 334-3233  
Fax: (208) 334-3945

**THE FOLLOWING NOTICE PUBLISHED WITH THE PROPOSED RULE**

**AUTHORITY:** In compliance with Section 67-5221(1), Idaho Code, notice is hereby given that this agency has initiated proposed rulemaking procedures. The action is authorized pursuant to Section 54-3003, Idaho Code.

**PUBLIC HEARING SCHEDULE:** Public hearing(s) concerning this rulemaking will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than October 18, 2017.

The hearing site(s) will be accessible to persons with disabilities. Requests for accommodation must be made not later than five (5) days prior to the hearing, to the agency address below.

**DESCRIPTIVE SUMMARY:** The following is a nontechnical explanation of the substance and purpose of the proposed rulemaking:

The Board of Landscape Architects operates primarily on licensing fees. It is recommended that boards maintain a cash balance of 100-150% of their annual budget. The cash balance of the Board of Landscape Architects exceeds that amount. Accordingly, the Board wants to lower its balance and leave more money in the hands of its licensees. This rule will also update the name of the landscape architect accrediting body from the American Society of Landscape Architects (ASLA) to the more precise Landscape Architectural Accreditation Board (LAAB).

**FEE SUMMARY:** The following is a specific description of the fee or charge imposed or increased:

Rule 400 reduces the license application fee from \$100 to \$75 and the original license and annual renewal fees from \$150 to \$125.

**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 resulting from this rulemaking: N/A

**NEGOTIATED RULEMAKING:** Pursuant to Section 67-5220(2), Idaho Code, negotiated rulemaking was not conducted because the proposed changes to these rules were discussed during noticed, open meetings of the Board.

**INCORPORATION BY REFERENCE:** Pursuant to Section 67-5229(2)(a), Idaho Code, the following is a brief synopsis of why the materials cited are being incorporated by reference into this rule: N/A

**ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS:** For assistance on technical questions concerning the proposed rule, contact Dicsie Gullick at (208) 334-3233.

Anyone may submit written comments regarding this proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before October 25, 2017.

DATED this 1st day of September, 2017.

[LINK: LSO Rules Analysis Memo and Cost/Benefit Analysis](#)

THE FOLLOWING IS THE TEXT OF FEE DOCKET NO. 24-0701-1701

**101. APPROVED EDUCATION (RULE 101).**

An approved college or school of landscape architecture shall have a landscape architecture program accredited by the ~~American Society of Landscape Architects~~ Landscape Architectural Accreditation Board (LAAB), or shall substantially meet the accrediting standards of the ~~ASLA~~ LAAB as may be determined by the Board. ~~(3-20-04)~~(    )

**(BREAK IN CONTINUITY OF SECTIONS)**

**400. FEES (RULE 400).**

Fees are not refundable, therefore, applications should not be filed unless the applicant can meet all requirements. (7-1-93)

**01. Application Fee.** Application Fee: ~~One hundred~~ Seventy-five dollars (~~\$100~~75). ~~(3-20-14)~~(    )

**02. Landscape Architect-in-Training Application Fee.** Landscape architect-in-training application fee: Twenty-five dollars (\$25). (3-26-08)

**03. Examination Fees.** Examination fees will be as established by the Council of Landscape Architectural Registration Boards (CLARB). ~~(3-20-04)~~(    )

**04. Original License and Annual License Fee.** Original license and annual license fee: One hundred ~~fifty~~ twenty-five dollars (~~\$150~~125). ~~(3-21-07)~~(    )

**05. Reinstatement Fee.** Reinstatement fee is as provided in Section 67-2614, Idaho Code. (3-24-16)



**IDAPA 24 – BUREAU OF OCCUPATIONAL LICENSES**

**24.08.01 – RULES OF THE STATE BOARD OF MORTICIANS**

**DOCKET NO. 24-0801-1701**

**NOTICE OF RULEMAKING – ADOPTION OF PENDING FEE RULE**

**EFFECTIVE DATE:** This rule has been adopted by the agency and is now pending review by the 2018 Idaho State Legislature for final approval. Pursuant to Section 67-5224(5)(c), Idaho Code, this pending fee rule will not become final and effective until it has been approved by concurrent resolution of the legislature because of the fee being imposed or increased through this rulemaking. The pending fee rule becomes final and effective upon adoption of the concurrent resolution or upon the date specified in the concurrent resolution unless the rule is rejected.

**AUTHORITY:** In compliance with Section 67-5224, Idaho Code, notice is hereby given that this agency has adopted a pending fee rule. The action is authorized pursuant to Sections 54-1106 and 54-1110, Idaho Code.

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

The 2017 Legislature passed House Bill 120 that created inactive licenses for morticians and funeral directors. The bill directed the Board to specify in rule the terms, procedures, and fees necessary to maintain an inactive license. That is what this proposed fee rule does.

There are no changes to the pending fee rule and it is being adopted as originally proposed. The complete text of the proposed rule was published in the October 4, 2017 Idaho Administrative Bulletin, [Vol. 17-10, pages 357-359](#).

**FEE SUMMARY:** The following is a specific description of the fee or charge imposed or increased. This fee or charge is being imposed pursuant to Section 54-1106, Idaho Code.

Rule 500 establishes an inactive license fee and a renewal fee of \$40.

**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 fee rule, contact Dicsie Gullick at (208) 334-3233.

DATED this 22nd day of November, 2017.

Tana Cory, Bureau Chief  
Bureau of Occupational Licenses  
700 W. State St.  
P.O. Box 83720  
Boise, ID 83720-0063  
Phone: (208) 334-3233  
Fax: (208) 334-3945

**THE FOLLOWING NOTICE PUBLISHED WITH THE PROPOSED RULE**

**AUTHORITY:** In compliance with Section 67-5221(1), Idaho Code, notice is hereby given that this agency has initiated proposed rulemaking procedures. The action is authorized pursuant to Sections 54-1106 and 54-1110, Idaho Code.

**PUBLIC HEARING SCHEDULE:** Public hearing(s) concerning this rulemaking will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than October 18, 2017.

The hearing site(s) will be accessible to persons with disabilities. Requests for accommodation must be made not later than five (5) days prior to the hearing, to the agency address below.

**DESCRIPTIVE SUMMARY:** The following is a nontechnical explanation of the substance and purpose of the proposed rulemaking:

The 2017 Legislature passed House Bill 120 that created inactive licenses for morticians and funeral directors. The bill directed the Board to specify in rule the terms, procedures, and fees necessary to maintain an inactive license. That is what this proposed fee rule does.

**FEE SUMMARY:** Rule 380 sets the terms under which a mortician or a funeral director may request inactive status, and specifies the steps required for an inactive license holder to return to active status. Rule 500 establishes an inactive license and renewal fee of \$40.

**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 resulting from this rulemaking: N/A

**NEGOTIATED RULEMAKING:** Pursuant to Section 67-5220(2), Idaho Code, negotiated rulemaking was not conducted because the proposed changes to these rules were discussed during noticed, open meetings of the Board.

**INCORPORATION BY REFERENCE:** Pursuant to Section 67-5229(2)(a), Idaho Code, the following is a brief synopsis of why the materials cited are being incorporated by reference into this rule: N/A

**ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS:** For assistance on technical questions concerning the proposed rule, contact Dicsie Gullick at (208) 334-3233.

Anyone may submit written comments regarding this proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before October 25, 2017.

DATED this 1st day of September, 2017.

[LINK: LSO Rules Analysis Memo and Cost/Benefit Analysis](#)

THE FOLLOWING IS THE TEXT OF FEE DOCKET NO. 24-0801-1701

351. -- ~~397~~9. (RESERVED)

**380. INACTIVE LICENSE.**

**01. Request for Inactive License.** Persons holding an unrestricted mortician or funeral director license in this state may apply for inactive status by making written application to the Board on a form prescribed by the Board and paying the established fee. ( )

**02. Inactive License Status.** ( )

**a. Inactive license renewal notices and licenses will be marked “inactive”.** ( )

**b. Inactive license holders may not practice in Idaho while on inactive status.** ( )

**c. All continuing education requirements will be waived for any year or portion thereof that a licensee maintains an inactive license and is not actively practicing or supervising in Idaho.** ( )

**03. Return to Active License Status.** An inactive license holder may convert from inactive to active license status by: ( )

**a. Making written application to the Board on a form prescribed by the Board;** ( )

**b. Providing documentation to the Board showing successful completion within the previous twelve (12) months of the continuing education requirements for renewal of an active license; and** ( )

**c. Paying a fee equivalent to the difference between the current inactive fee and the active renewal fee.** ( )

**381. -- 399. (RESERVED)**

**(BREAK IN CONTINUITY OF SECTIONS)**

**500. FEES (RULE 500).**

**01. Funeral Director.** Funeral director – eighty-five dollars (\$85) (original license/annual renewal). ~~(3-13-02)~~( )

**02. Funeral Establishment.** Funeral establishment – one hundred twenty-five dollars (\$125) (original license/annual renewal). (3-13-02)

**03. Crematory Establishment.** Crematory establishment – two hundred dollars (\$200) (original license/annual renewal). (3-16-04)

**04. Mortician.** Mortician – eighty-five dollars (\$85) (original license/annual renewal). (3-13-02)

**05. Inactive License.** Inactive license – forty dollars (\$40) (original license/annual renewal). ( )

**056. Resident Trainee.** Resident trainee – fifty dollars (\$50) (original license/annual renewal).

- (4-11-06)
- 067.**    **Application Fee.** Application fee - one hundred dollars (\$100). (3-13-02)
- 078.**    **Certificate of Authority.** Certificate of Authority - fifty dollars (\$50) (original certificate/annual renewal). (3-13-02)

## **IDAPA 24 – BUREAU OF OCCUPATIONAL LICENSES**

### **24.18.01 – RULES OF THE REAL ESTATE APPRAISER BOARD**

#### **DOCKET NO. 24-1801-1701**

#### **NOTICE OF RULEMAKING – ADOPTION OF PENDING FEE RULE**

**EFFECTIVE DATE:** This rule has been adopted by the agency and is now pending review by the 2018 Idaho State Legislature for final approval. Pursuant to Section 67-5224(5)(c), Idaho Code, this pending fee rule will not become final and effective until it has been approved by concurrent resolution of the legislature because of the fee being imposed or increased through this rulemaking. The pending fee rule becomes final and effective upon adoption of the concurrent resolution or upon the date specified in the concurrent resolution unless the rule is rejected.

**AUTHORITY:** In compliance with Section 67-5224, Idaho Code, notice is hereby given that this agency has adopted a pending fee rule. The action is authorized pursuant to Sections 54-4106 and 54-4113, Idaho Code and Title XI of the Financial Institutions Reform, Recovery and Enforcement Act of 1989, United States Code (“FIRREA”).

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

In 2017, the Legislature passed H119, which allows the Real Estate Appraiser Board to collect and pass-through fees to the federal government for appraisal management companies (“AMCs”). This rule implements that legislation. This rule also updates the incorporated “Uniform Standards of Professional Appraisal Practice (USPAP)” from the 2016-2017 edition to the 2018-2019 edition.

There are no changes to the pending fee rule and it is being adopted as originally proposed. The complete text of the proposed rule was published in the October 4, 2017 Idaho Administrative Bulletin, [Vol. 17-10, pages 371-373](#).

**FEE SUMMARY:** The following is a specific description of the fee or charge imposed or increased. This fee or charge is being imposed pursuant to Section 54-4106, Idaho Code.

This fee rule will have no impact on the general fund or the Bureau of Occupational Licenses’ dedicated fund because the Real Estate Appraiser Board passes through an amount equal to any federal fee that will apply to AMCs, which is currently projected to be between \$25-\$50 multiplied by the number of appraisers working for or contracting with an AMC per year.

**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 fee rule, contact Dicsie Gullick at (208) 334-3233.

DATED this 22nd day of November, 2017.

Tana Cory, Bureau Chief  
Bureau of Occupational Licenses  
700 W. State St.  
P.O. Box 83720  
Boise, ID 83720-0063  
Phone: (208) 334-3233  
Fax: (208) 334-3945

**THE FOLLOWING NOTICE PUBLISHED WITH THE PROPOSED RULE**

**AUTHORITY:** In compliance with Section 67-5221(1), Idaho Code, notice is hereby given that this agency has initiated proposed rulemaking procedures. The action is authorized pursuant to Sections 54-4106 and 54-4113, Idaho Code and Title XI of the Financial Institutions Reform, Recovery and Enforcement Act of 1989, United States Code (“FIRREA”).

**PUBLIC HEARING SCHEDULE:** Public hearing(s) concerning this rulemaking will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than October 18, 2017.

The hearing site(s) will be accessible to persons with disabilities. Requests for accommodation must be made not later than five (5) days prior to the hearing, to the agency address below.

**DESCRIPTIVE SUMMARY:** The following is a nontechnical explanation of the substance and purpose of the proposed rulemaking:

In the 2017, the Legislature passed H119, which allows the Real Estate Appraiser Board to collect and pass-through fees to the federal government for appraisal management companies (“AMCs”). This rule implements that legislation. This rule also updates the incorporated “Uniform Standards of Professional Appraisal Practice (USPAP)” from the 2016-2017 to the 2018-2019 edition.

**FEE SUMMARY:** The following is a specific description of the fee or charge imposed or increased:

This fee rule will have no impact on the general fund or the Bureau of Occupational Licenses’ dedicated fund because the Real Estate Appraiser Board passes through an amount equal to any federal fee that will apply to AMCs, which is currently projected to be between \$25-\$50 multiplied by the number of appraisers working for or contracting with an AMC per year.

**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 resulting from this rulemaking: N/A

**NEGOTIATED RULEMAKING:** Pursuant to Section 67-5220(2), Idaho Code, negotiated rulemaking was not conducted because the proposed changes to these rules were discussed during noticed, open meetings of the Board.

**INCORPORATION BY REFERENCE:** Pursuant to Section 67-5229(2)(a), Idaho Code, the following is a brief synopsis of why the materials cited are being incorporated by reference into this rule: This rule updates the version of the Uniform Standards of Professional Appraisal Practice (USPAP) that is currently incorporated by reference into the Rules of the Real Estate Appraiser Board. USPAP are the generally recognized ethical and performance standards for real estate appraisers, nationally.

**ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS:** For assistance on technical questions concerning the proposed rule, contact Dicsie Gullick at (208) 334-3233. Anyone may submit written comments regarding this proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before October 25, 2017.

DATED this 31st day of August, 2017.

[LINK: LSO Rules Analysis Memo, Incorporation By Reference Synopsis, and Cost/Benefit Analysis](#)

**THE FOLLOWING IS THE TEXT OF FEE DOCKET NO. 24-1801-1701**

**004. INCORPORATION BY REFERENCE (RULE 4).**

The document titled “Uniform Standards of Professional Appraisal Practice (USPAP),” 201~~48~~-201~~59~~ Edition, excluding standards 7, 8, 9, and 10, published by the Appraisal Foundation and effective January 1, 201~~48~~, as referenced in Subsection 700, is herein incorporated by reference and is available for review at the Board’s office and may be purchased from the Appraisal Foundation, Distribution Center, P. O. Box 381, Annapolis Junction, MD 20701-0381. ~~(3-25-16)~~(      )

**(BREAK IN CONTINUITY OF SECTIONS)**

**150. FEES (RULE 150).**

Fees are established in accord with Sections 54-4113, 54-4124 and 54-4134, Idaho Code, as follows: (3-24-17)

- 01. Application.** Application fee for License and Registration - two hundred fifty dollars (\$250). (3-24-17)
- 02. Original License.** Original License - one hundred forty dollars (\$140\*). (3-21-12)
- 03. Original AMC Registration.** Original Registration – One thousand two hundred dollars (\$1,200)\*\*. (3-24-17)
- 04. License Renewal.** License renewal - three hundred sixty-five dollars (\$365\*). (3-21-12)
- 05. AMC Registration Renewal.** Registration renewal – One thousand two hundred dollars (\$1,200)\*\*. (3-24-17)
- 06. Reinstatement.** Reinstatement fee is as provided in Section 67-2614, Idaho Code. (3-24-16)
- 07. Application for Reciprocity.** Application for reciprocity - two hundred fifty dollars (\$250\*). (3-30-01)
- 08. Original License Via Reciprocity.** Original License via reciprocity - one hundred dollars (\$100\*). (3-21-12)
- 09. Temporary Permit.** Temporary permit - one hundred dollars (\$100). (7-1-93)
- 10. Trainee Registration Fee.** Trainee registration fee - fifty dollars (\$50). (3-13-02)
- 11. Examination and Reexamination Fees.** Examination and Reexamination fees will be calculated based on the actual cost of the examination. Successful applicants will be notified of the fees at the time they are scheduled for examination. (7-1-97)
- 12. Continuing Education Provider Application Fee.** Continuing Education Provider Application fee - one hundred dollars (\$100). (3-21-12)
- 13. Fees are Non-Refundable.** Fees are non-refundable. (7-1-93)
- 14. Fees Followed By One Asterisk (\*) Means.** Proposed fees for these categories marked with an asterisk (\*) include forty dollars (\$40) to be submitted by the state to the federal government. Title XI, Section 1109

of the FIRREA as amended requires each state to submit a roster listing of state licensed appraisers to the Appraisal Subcommittee of the Federal Financial Institutions Examination Council “no less than annually.” The state is also required to collect from such individuals who perform appraisals in federally related transactions an annual registry fee of “not more than eighty-five dollars (\$85),” such fees to be transmitted by the state to the federal government on an annual basis. This fee is subject to change by the Appraisal Subcommittee. (3-21-12)

**15. Fees Followed By Two Asterisks (\*\*)** Means. The fees for the categories marked with two (2) asterisks (\*\*) do not include ~~up to fifty dollars (\$50) as determined by the Appraisal Subcommittee multiplied by the number of appraisers working for or contracting with an AMC to be submitted by the state to the federal government. Title XI, Section 1109 of the FIRREA as amended requires each state to submit a roster listing registered AMC's to the Appraisal Subcommittee of the Federal Financial Institutions Examination Council “no less than annually.”~~ additional fees assessed pursuant to Title XI, Section 1109 of the FIRREA, as amended, including, but not limited to, an AMC registry fee, such fees to be collected from AMCs by the state and transmitted to the federal government on an annual basis. (3-24-17)( )



## **IDAPA 24 – BUREAU OF OCCUPATIONAL LICENSES**

### **24.25.01 – RULES OF THE IDAHO DRIVING BUSINESSES LICENSURE BOARD**

**DOCKET NO. 24-2501-1701**

#### **NOTICE OF RULEMAKING – ADOPTION OF PENDING FEE RULE**

**EFFECTIVE DATE:** This rule has been adopted by the agency and is now pending review by the 2018 Idaho State Legislature for final approval. Pursuant to Section 67-5224(5)(c), Idaho Code, this pending fee rule will not become final and effective until it has been approved by concurrent resolution of the legislature because of the fee being imposed or increased through this rulemaking. The pending fee rule becomes final and effective upon adoption of the concurrent resolution or upon the date specified in the concurrent resolution unless the rule is rejected.

**AUTHORITY:** In compliance with Section 67-5224, Idaho Code, notice is hereby given that this agency has adopted a pending fee rule. The action is authorized pursuant to Sections 54-5403 and 54-5404, Idaho Code.

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

As a result of a law change in 2015, the Idaho Department of Transportation distributes to the Board a portion of the money collected for driver training permits. Therefore, the Board can lower its fees for licensees. The change to the pending rule lowers the fees for an original business license and renewal to \$125.00. The reduction in fees for other licenses issued by Board is the same as in the proposed rule.

The text of the pending fee 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 original text of the proposed rule was published in the October 4, 2017 Idaho Administrative Bulletin, [Vol. 17-10, pages 387-388](#).

**FEE SUMMARY:** The following is a specific description of the fee or charge imposed or increased. This fee or charge is being imposed pursuant to Section 54-5404, Idaho Code.

Rule 175 reduces the initial application processing fee from \$50 to \$25, the original instructor license and renewal fee from \$50 to \$25, the instructor apprentice permit fee from \$50 to \$25, and the original business license and renewal fee from \$500 to \$125.

**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 fee rule, contact Dicsie Gullick at (208) 334-3233.

DATED this 22nd day of November, 2017.

Tana Cory, Bureau Chief  
Bureau of Occupational Licenses  
700 W. State St.  
P.O. Box 83720  
Boise, ID 83720-0063  
Phone: (208) 334-3233  
Fax: (208) 334-3945

**THE FOLLOWING NOTICE PUBLISHED WITH THE PROPOSED RULE**

**AUTHORITY:** In compliance with Section 67-5221(1), Idaho Code, notice is hereby given that this agency has initiated proposed rulemaking procedures. The action is authorized pursuant to Sections 54-5403 and 54-5404, Idaho Code.

**PUBLIC HEARING SCHEDULE:** Public hearing(s) concerning this rulemaking will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than October 18, 2017.

The hearing site(s) will be accessible to persons with disabilities. Requests for accommodation must be made not later than five (5) days prior to the hearing, to the agency address below.

**DESCRIPTIVE SUMMARY:** The following is a nontechnical explanation of the substance and purpose of the proposed rulemaking:

In 2015, the Idaho State Legislature passed Senate Bill 1120 which distributes a portion of the money that the Idaho Department of Transportation collects for driver training permits to the Board. As a result, the Board is able to lower fees for licensees.

**FEE SUMMARY:** The following is a specific description of the fee or charge imposed or increased:

Rule 175 reduces the initial application processing fee from \$50 to \$25, the original instructor license and renewal fee from \$50 to \$25, the instructor apprentice permit fee from \$50 to \$25, and the original business license and renewal fee from \$500 to \$250.

**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 resulting from this rulemaking: N/A

**NEGOTIATED RULEMAKING:** Pursuant to Section 67-5220(2), Idaho Code, negotiated rulemaking was not conducted because the proposed changes to these rules were discussed during noticed, open meetings of the Board.

**INCORPORATION BY REFERENCE:** Pursuant to Section 67-5229(2)(a), Idaho Code, the following is a brief synopsis of why the materials cited are being incorporated by reference into this rule: N/A

**ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS:** For assistance on technical questions concerning the proposed rule, contact Dicsie Gullick at (208) 334-3233.

Anyone may submit written comments regarding this proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before October 25, 2017.

DATED this 1st day of September, 2017.

[LINK: LSO Rules Analysis Memo and Cost/Benefit Analysis](#)

Italicized red text that is *double underscored* is new text that has been added to the pending rule.

THE FOLLOWING IS THE TEXT OF FEE DOCKET NO. 24-2501-1701

**175. FEES (RULE 175).**

- 01. Fees.** The following fees are established by the Board: (4-7-11)
- a. Initial application processing fee - ~~fifty~~ twenty-five dollars (~~\$50~~25). (~~4-7-11~~)(    )
  - b. Original instructor license fee and renewal fee - ~~fifty~~ twenty-five dollars (~~\$50~~25). (~~4-7-11~~)(    )
  - c. Instructor apprentice permit fee - ~~fifty~~ twenty-five dollars (~~\$50~~25). (~~4-7-11~~)(    )
  - d. Original business license fee and renewal fee - ~~five~~ one hundred twenty-five dollars (~~\$500~~ 125). (~~4-7-11~~)(    )
  - e. Reinstatement fee is as provided in Section 67-2614, Idaho Code. (3-24-16)
- 02. Refund of Fees.** All fees are non-refundable. (4-7-11)