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**IDAPA 07
TITLE 07
CHAPTER 01**

**07.07.01 - RULES GOVERNING INSTALLATION OF HEATING, VENTILATION, AND AIR
CONDITIONING SYSTEMS, DIVISION OF BUILDING SAFETY**

000. LEGAL AUTHORITY.

This chapter is adopted in accordance with Section 54-5005(2), Idaho Code. (3-16-04)

001. TITLE AND SCOPE.

01. Title. These rules shall be cited in full as IDAPA 07.07.01, "Rules Governing Installation of Heating, Ventilation, and Air Conditioning Systems, Division of Building Safety" (HVAC Rules). (3-16-04)

02. Scope. These rules establish the minimum standards for heating, ventilation, and air conditioning (HVAC) installation practice, certification, registration, and educational programs. (3-16-04)

002. WRITTEN INTERPRETATIONS.

This agency has no written interpretations of this chapter. (3-16-04)

003. ADMINISTRATIVE APPEALS.

IDAPA 04.11.01, "Idaho Rules of Administrative Procedure of the Attorney General," Section 100, et seq., shall apply to contested cases, in addition to IDAPA 07.07.01, "Rules Governing Installation of Heating, Ventilation, and Air Conditioning Systems, Division of Building Safety" and the provisions of Title 54, Chapter 50, Idaho Code. (3-16-04)

004. INCORPORATION BY REFERENCE.

There are no documents that have been incorporated by reference into this rule. (3-16-04)

005. OFFICE -- OFFICE HOURS -- MAILING ADDRESS AND STREET ADDRESS.

The principal place of business of the Division of Building Safety, HVAC Bureau is located at 1090 E. Watertower Street, Meridian, Idaho. The office is open from 8 a.m. to 5 p.m., except Saturday, Sunday, and legal holidays. The mailing address is: Division of Building Safety, HVAC Bureau, 1090 E. Watertower Street, Meridian, Idaho 83642. The office telephone number is (208) 334-3950 and the facsimile number is (208) 855-2164. (3-16-04)

006. FILING OF DOCUMENTS.

All written communications and documents that are intended to be part of an official record for decision in a rulemaking or contested case, must be filed with the administrator of the Division. Communications and documents shall be filed by mail, hand-delivery, or by facsimile transmission. One (1) original must be filed with the administrator, and one (1) copy must be submitted to the opposing parties. Whenever documents are filed by facsimile transmission, originals shall be deposited in the mail the same day or hand-delivered the following business day to the administrator and opposing parties. (3-16-04)

007. PUBLIC RECORDS ACT COMPLIANCE.

These rules were promulgated in accordance with the Administrative Procedure Act, Title 67, Chapter 52, Idaho Code. These rules and all records of the HVAC board are subject to the provisions of the Idaho Public Records Act, Title 9, Chapter 3, Idaho Code. (3-16-04)

008. CHANGES IN NAME AND ADDRESS -- ADDRESS FOR NOTIFICATION PURPOSES.

01. Change Of Name. Whenever a change of name occurs for a certified contractor, journeyman, specialty contractor, or registered apprentice, the HVAC board must be notified immediately, in writing, of the change. Documentation confirming the change of name must be provided to the board on request. (3-16-04)

02. Change Of Address. Whenever a change of mailing address occurs for a certificated contractor, journeyman, specialty contractor, or registered apprentice, the HVAC board must be notified immediately, in writing,

of the change. (3-16-04)

03. Address For Notification Purposes. The most recent mailing address on record with the HVAC board will be utilized for purposes of all written communication with certified contractors, journeymen, specialty contractors, and registered apprentices, including, but not limited to, notification of renewal and notices related to inspections. (3-16-04)

009. MEETINGS.

HVAC Board meetings are subject to the provisions of the Idaho Open Meeting Law, Title 67, Chapter 23, Idaho Code. (3-16-04)

010. DEFINITIONS.

01. Administrator. The administrator of the Idaho Division of Building Safety. (3-16-04)

02. Board. The Idaho Heating, Ventilation, and Air Conditioning (HVAC) Board. (3-16-04)

03. Bureau. The Idaho Division of Building Safety, Heating, Ventilation, and Air Conditioning Bureau. (3-16-04)

04. Division. The Idaho Division of Building Safety. (3-16-04)

05. Additional Definitions. Terms defined in Section 54-5003, Idaho Code, will have the same meaning when utilized in these rules. (3-16-04)

06. Rules. IDAPA 07.07.01, "Rules Governing Installation of Heating, Ventilation, and Air Conditioning Systems, Division of Building Safety". (3-16-04)

011. -- 019. (RESERVED).

020. HVAC CONTRACTOR AND HVAC JOURNEYMAN APPLICATIONS FOR EXAMINATION AND CERTIFICATES OF COMPETENCY, AND REGISTRATION OF APPRENTICES.

Application forms for HVAC contractor, HVAC specialty contractor, and HVAC journeyman examinations or certificates of competency and for HVAC apprentice registrations, shall be printed and made available by the administrator. (3-16-04)

01. Application Forms. All applications for certificates and all applications for registration shall be submitted on forms provided by the administrator and shall be properly completed, giving all pertinent information, and all signatures shall be notarized. (3-16-04)

02. Application, Renewal, And Registration Fees. Fees for applications for examination, certificates of competency, renewal of certificates, and fees for apprentice registration shall be as set forth in Section 54-5012, Idaho Code. (3-16-04)

03. Application Submission. All applications shall be submitted to the Board and shall be approved by an administrator before any examination may be taken and before any certificate of competency is issued. (3-16-04)

021. HVAC CONTRACTOR CERTIFICATE OF COMPETENCY.

01. Requirements For HVAC Contractor. (3-16-04)

a. Bond. Applicants shall provide a performance bond in the amount of two thousand dollars (\$2,000). (3-16-04)

b. Qualification. Applicants shall provide proof, satisfactory to the board, of having legally acted as an HVAC journeyman for a period of not less than twenty-four (24) months. (3-16-04)

c. Examination. Applicants for certification as HVAC contractors must successfully complete the examination designated by the board. (3-16-04)

02. Alternate Requirements For HVAC Contractor. (Applies only until April 1, 2005). (3-16-04)

a. Bond. Applicants shall provide a performance bond in the amount of two thousand dollars (\$2,000). (3-16-04)

b. Qualification. Proof, satisfactory to the board, of having engaged in the business of HVAC contracting prior to July 1, 2004. Forms of proof include, but are not limited to: (3-16-04)

i. Copies of business licenses or registrations; (3-16-04)

ii. Tax returns; (3-16-04)

iii. Business advertisements; (3-16-04)

iv. Client affidavits; or (3-16-04)

v. Descriptions of work done to date. (3-16-04)

c. Examination. Copies of the HVAC statute and rules, along with an examination regarding the statute and rules will be included in each application package. The examination must be completed using the statute and rules and a written verification of completion of the examination must be submitted at the same time as the completed application for a certificate of competency. (3-16-04)

022. HVAC SPECIALTY CONTRACTOR CERTIFICATE OF COMPETENCY.

01. Requirements For HVAC Specialty Contractor. (3-16-04)

a. Bond. Applicants shall provide a performance bond in the amount of two thousand dollars (\$2,000). (3-16-04)

b. Qualification. Applicants shall provide proof, satisfactory to the board, of having legally acted as an HVAC specialty journeyman for a period of not less than twenty four (24) months. (3-16-04)

c. Examination. Applicants for certification as HVAC specialty contractors must successfully complete the examination designated by the board. (3-16-04)

02. Alternative Requirements For HVAC Specialty Contractor. (Applies only until April 1, 2005). (3-16-04)

a. Bond. Applicants shall provide a performance bond in the amount of two thousand dollars (\$2,000). (3-16-04)

b. Qualification. Proof, satisfactory to the board, of having engaged in the business of HVAC specialty contracting prior to July 1, 2004. Forms of proof include, but are not limited to: (3-16-04)

i. Copies of business licenses or registrations; (3-16-04)

ii. Tax returns; (3-16-04)

iii. Business advertisements; (3-16-04)

iv. Client affidavits; or (3-16-04)

v. Descriptions of work done to date. (3-16-04)

c. Examination. Copies of the HVAC statute and rules, along with an examination regarding the statute and rules will be included in each application package. The examination must be completed using the statute and rules and a written verification of completion of the examination must be submitted at the same time as the completed application for a certificate of competency. (3-16-04)

023. HVAC JOURNEYMAN CERTIFICATES OF COMPETENCY.

01. Requirements For HVAC Journeyman. (3-16-04)

a. Experience. Demonstrate, to the satisfaction of the board, a minimum of four (4) years experience working in the trade, in compliance with the requirements of the state in which the applicant received his supervision, or as a registered HVAC apprentice making HVAC installations on the job under the constant supervision of a qualified HVAC journeyman. (3-16-04)

b. Education. Successfully complete any required apprenticeship training courses. (3-16-04)

c. Examination. Applicants for certification as HVAC journeymen must successfully complete the examination designated by the board. (3-16-04)

02. Alternate Requirements For HVAC Journeyman (Applies Only Until April 1, 2005). (3-16-04)

a. Qualification. Proof, satisfactory to the board, of having been engaged or being qualified to be engaged in the installation, improvement, extension, alteration, or repair of HVAC systems as a journeyman prior to July 1, 2004. Forms of proof include, but are not limited to: (3-16-04)

i. Copies of journeyman certification; (3-16-04)

ii. Licensure or registration; (3-16-04)

iii. Signed notarized affidavits from employers or labor organizations; or (3-16-04)

iv. Certificates of completion from journeyman educational or training programs. (3-16-04)

b. Examination. Copies of the HVAC statute and rules, along with an examination regarding the statute and rules will be included in each application package. The examination is to be completed using the statute and rules and a written verification of completion of the examination must be submitted at the same time as the completed application for a certificate of competency. (3-16-04)

024. -- 049. (RESERVED).

050. HVAC PERMITS.

01. Serial Number. Each permit shall bear a serial number. (3-16-04)

02. HVAC Contractors And HVAC Specialty Contractors. The Division shall furnish permits to certified HVAC contractors and HVAC specialty contractors upon request. The serial numbers of such permits shall be registered in the name of the HVAC contractor or HVAC specialty contractor to whom they are issued. Permits shall not be transferable. (3-16-04)

03. Home Owners. Home owners or a contract purchaser of residential property, making HVAC installations on their own residences, coming under the provisions of Section 54-5002, Idaho Code, shall secure an HVAC permit by making application to the Division as provided in Section 54-5016, Idaho Code. (3-16-04)

04. HVAC Contractors And HVAC Specialty Contractors. HVAC contractors and HVAC specialty

contractors shall secure an HVAC permit by making application to the Division as provided in Section 54-5016, Idaho Code. (3-16-04)

05. Expiration Of Permit. Every permit issued by the Division under the provisions of Section 54-5017, Idaho Code, shall expire by limitation and become null and void if the work authorized by such permit is not commenced within one hundred twenty (120) days from the date of issuance of such permit, or if work authorized by such permit is suspended or abandoned at any time after work is commenced for a period of one hundred twenty (120) days. Before work that has been suspended or abandoned for a period of more than one hundred twenty (120) days since originally commenced, may be recommenced, a new permit must first be obtained, and the fee shall be one-half (1/2) the amount required for a new permit for such work; provided, no changes have been made, or will be made in the original plans and specifications for such work; and provided further, that such suspension or abandonment has not exceeded one (1) year. All HVAC fixtures shall be listed on the application for permit. (3-16-04)

051. -- 059. (RESERVED).

060. REQUIRED INSPECTIONS.

All work performed under a HVAC permit shall be inspected by a designated, qualified, properly identified agent of the authority having jurisdiction to ensure compliance with Title 54, Chapter 50, Idaho Code, and IDAPA 07.07.01. (3-16-04)

01. Request For Division Of Building Safety Inspection. (3-16-04)

a. Inspection. Each permit holder shall notify the Division at least one (1) day prior to the desired inspection, Sundays and holidays excluded, that the project is ready for inspection. (3-16-04)

b. Reinspection. If a reinspection is required after the final inspection, due to a failure to meet requirements of Title 54, Chapter 50, Idaho Code, and/or these rules, the permit holder will be charged a fee not to exceed the actual cost of each reinspection. (3-16-04)

02. Inspection Tags. Inspectors certify to the permit holder that an inspection has been done by securely attaching the appropriate inspection tag to the equipment. (3-16-04)

a. Final Inspection Tags. Blue colored "final inspection" tags are attached when the HVAC installation as specified on the permit is complete and conforms to the requirements of the code and rules. (3-16-04)

b. Inspection Tags for Unacceptable HVAC Installations. Red colored "unacceptable" inspection tags are attached to indicate that the HVAC installation is not acceptable and that corrections are required. (3-16-04)

c. Work in Progress Tag. Green colored "work in progress" inspection tags are attached following inspection of ground work, rough-in work, or any portion of the installation that is to be covered or otherwise concealed before completion of the entire HVAC installation as specified on the permit. (3-16-04)

061. -- 999. (RESERVED).

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