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**IDAPA 07
TITLE 01
CHAPTER 11**

07.01.11 - RULES GOVERNING CIVIL PENALTIES

000. LEGAL AUTHORITY.

The Idaho electrical board is authorized under Section 54-1006(5), Idaho Code, to establish by administrative rule the civil penalty to be paid for citations issued. (3-30-01)

001. TITLE AND SCOPE.

01. Title. These rules shall be cited as IDAPA 07.01.11, "Rules Governing Civil Penalties," Division of Building Safety. (3-30-01)

02. Scope. These rules establish the criteria and amount of civil penalties to be levied for violations of Title 54, Chapter 10, Idaho Code and IDAPA 07.01.03, "Rules of Electrical Licensing and Registration". (3-30-01)

002. WRITTEN INTERPRETATIONS.

This agency has no written interpretations of this chapter. (3-30-01)

003. ADMINISTRATIVE APPEALS.

Upon notice of a civil penalty, the notified party shall within ten (10) days comply with the penalty or file a written request for a hearing for appeal with the Idaho state electrical board. Bond in the amount of the penalty shall accompany the request for hearing. (3-30-01)

004. INCORPORATION BY REFERENCE.

There are no documents that have been incorporated by reference into this rule. (3-30-01)

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

The principal place of business of the Division of Building Safety, Electrical Bureau is in Boise, Idaho. The office is located at 277 N. 6th Street, Boise, Idaho and is open from 8 a.m. to 5 p.m., except Saturday, Sunday and legal holidays. The mailing address is: Division of Building Safety, Electrical Bureau, P.O. Box 83720, Boise, Idaho 83720. (3-30-01)

006. -- 010. (RESERVED).

011. CIVIL PENALTIES.

The following acts shall subject the violator to penalties based on the following schedule. (3-30-01)

01. Electrical Contractor. Except as provided by Section 54-1016, Idaho Code, any person who acts, or purports to act as an electrical contractor, as defined by Section 54-1003A, Idaho Code, without a valid Idaho state electrical contractor's license shall be subject to a civil penalty of not more than five hundred dollars (\$500) for the first offense and a civil penalty of not more than one thousand dollars (\$1,000) for each offense thereafter. (3-30-01)

02. Employees. Any person, who knowingly employs a person who does not hold a valid Idaho state electrical license or registration as required by Section 54-1010, Idaho Code and IDAPA 07.01.03, "Rules of Electrical Licensing and Registration" to perform electrical installations, shall be subject to a civil penalty of not more than two hundred dollars (\$200) for the first offense and a civil penalty of not more than one thousand dollars (\$1,000) for each offense thereafter. (3-30-01)

03. License or Registration. Except as provided by Section 54-1016, Idaho Code, any person performing electrical work as a journeyman electrician as defined by Section 54-1003A(2), Idaho Code, specialty electrician as defined by Section 54-1003A(6), Idaho Code, apprentice electrician as defined by Section 54-1003A(3), Idaho Code, or a specialty electrical trainee as defined by Section 54-1003A(8), Idaho Code, without a valid license or registration shall be subject to a civil penalty of not more than two hundred dollars (\$200) for the first offense and a civil penalty of not more than one thousand dollars (\$1,000) for each offense thereafter. (3-30-01)

04. Journeyman to Apprentice Ratio. Any electrical contractor or industrial account employing electricians in violation of the journeyman to apprentice ratio established by the board shall be subject to a civil penalty of not more than two hundred dollars (\$200) for the first offense and a civil penalty of not more than one thousand dollars (\$1,000) for each offense thereafter. (3-30-01)

05. Supervision. Any contractor failing to provide constant on-the-job supervision to apprentice electricians by a qualified journeyman electrician shall be subject to a civil penalty of not more than two hundred dollars (\$200) for the first offense and a civil penalty of not more than one thousand dollars (\$1,000) for each offense thereafter. (3-30-01)

06. Performance Outside Scope of License. Any specialty electrical contractor or specialty electrical journeyman performing electrical installations, alterations or maintenance outside the scope of the specialty electrical license shall be subject to a civil penalty of not more than two hundred dollars (\$200) for the first offense and a civil penalty of not more than one thousand dollars (\$1,000) for each offense thereafter. (3-30-01)

07. Fees and Permits. Any person failing to pay applicable fees or properly post an electrical permit shall be subject to a civil penalty of not more than two hundred dollars (\$200) for the first offense and a civil penalty of not more than one thousand dollars (\$1,000) for each offense thereafter. (3-30-01)

08. Corrections. Any person who fails to make corrections in the time allotted in the notice on any electrical installation as set forth in Section 54-1004, Idaho Code, shall be subject to a civil penalty of not more than two hundred dollars (\$200) for the first offense and a civil penalty of not more than one thousand dollars (\$1,000) for each offense thereafter. (3-30-01)

09. Gross Violation. In the case of continued, repeated or gross violation of Title 54, Chapter 10, Idaho Code, or IDAPA 07.01.03, a license revocation shall be initiated for licensees under this chapter and nonlicensees shall be subject to prosecution by the appropriate jurisdiction under Idaho law. (3-30-01)

10. Judicial Review. Any party aggrieved by the final action of the board shall be entitled to a judicial review thereof in accordance with the provisions of Title 67, Chapter 52, Idaho Code. (3-30-01)

012. -- 999. (RESERVED).

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