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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 Sections 54-5001 and 54-5005(2), Idaho Code. (4-11-06)

**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. ADOPTION AND INCORPORATION BY REFERENCE OF THE INTERNATIONAL MECHANICAL CODE, 2003 EDITION.**

**01. The International Mechanical Code, 2003 Edition, including appendix "A,"** (herein IMC) is adopted and incorporated by reference with the following amendments: (4-11-06)

**a.** Where differences occur between the IMC and Title 54, Chapter 50, Idaho Code and IDAPA 07, Title 07, the provisions in Idaho Code and IDAPA rules shall apply. (4-11-06)

**b.** All references to the International Plumbing Code (IPC) shall be construed as referring to the Uniform Plumbing Code (UPC) as adopted and amended by the Idaho State Plumbing Board. (4-11-06)

**c.** All references to the International Code Council Electrical Code (ICC EC) shall be construed as referring to the National Electrical Code (NEC) as adopted and amended by the Idaho State Electrical Board. (4-11-06)

**d.** Section 312. Sizing requirements shall be as established by the authority having jurisdiction. (4-11-06)

**02. The International Mechanical Code, 2003 Edition, is available at the Division of Building Safety offices located at 1090 E. Watertower St., Meridian, Idaho 83642 and 1250 Ironwood Dr., Ste. 220, Coeur d'Alene, Idaho 83814. (4-11-06)**

**005. ADOPTION AND INCORPORATION BY REFERENCE OF THE INTERNATIONAL FUEL GAS CODE, 2003 EDITION.**

**01. The International Fuel Gas Code, 2003 Edition, including appendixes "A, B, C, and D,"** (herein IFGC) is adopted and incorporated by reference with the following amendments: (4-11-06)

**a.** Where differences occur between the IFGC and Title 54, Chapter 50, Idaho Code and IDAPA 07, Title 07, the provisions in Idaho Code and IDAPA rules shall apply. (4-11-06)

**b.** All references to the International Plumbing Code (IPC) shall be construed as referring to the Uniform Plumbing Code (UPC) as adopted and amended by the Idaho State Plumbing Board. (4-11-06)

**c.** All references to the International Code Council Electrical Code (ICC EC) shall be construed as referring to the National Electrical Code (NEC) as adopted and amended by the Idaho State Electrical Board. (4-11-06)

**d.** Section 406.4. Change the last sentence to: Mechanical gauges used to measure test pressure shall have a range such that the highest end of the scale is not greater than two (2) times the test pressure nor lower than one and one-half (1.5) times the test pressure. (4-11-06)

**e.** Section 406.4.1. Test Pressure. Not less than twenty (20) psig (140kPa gauge) test pressure shall be required for systems with a maximum working pressure up to ten (10) inches water column. For systems with a maximum working pressure between ten (10) inches water column and ten (10) psig (70kPa gauge); not less than sixty (60) psig (420kPa gauge) test pressure shall be required. For systems over ten (10) psig (70kPa gauge) working pressure, minimum test pressure shall be no less than six (6) times working pressure. (4-11-06)

**f.** Section 406.4.2. The test duration shall not be less than twenty (20) minutes. (4-11-06)

**g.** Section 505.1.1. Addition. An interlock between the cooking appliance and the exhaust hood system shall not be required for appliances that are of the manually operated type and are factory equipped with standing pilot burner ignition systems. (4-11-06)

**02.** **The International Fuel Gas Code**, 2003 Edition, is available at the Division of Building Safety offices located at 1090 E. Watertower St., Meridian, Idaho 83642 and 1250 Ironwood Dr., Ste. 220, Coeur d'Alene, Idaho 83814. (4-11-06)

**006. ADOPTION AND INCORPORATION BY REFERENCE OF PARTS V (MECHANICAL) AND PARTS VI (FUEL GAS) OF THE INTERNATIONAL RESIDENTIAL CODE FOR ONE AND TWO-FAMILY DWELLINGS, 2003 EDITION.**

**01. Parts V (Mechanical) and Parts VI (Fuel Gas) of the International Residential Code for One and Two-Family Dwellings**, 2003 Edition, including appendixes "A, B, C, and D," (herein IRC) are adopted and incorporated by reference with the following amendments. (4-11-06)

**a.** Where differences occur between the IRC and Title 54, Chapter 50, Idaho Code and IDAPA 07, Title 07, the provisions in Idaho Code and IDAPA rules shall apply. (4-11-06)

**b.** All references to the International Plumbing Code (IPC) shall be construed as referring to the Uniform Plumbing Code (UPC) as adopted and amended by the Idaho State Plumbing Board. (4-11-06)

**c.** All references to the International Code Council Electrical Code (ICC EC) shall be construed as referring to the National Electrical Code (NEC) as adopted and amended by the Idaho State Electrical Board. (4-11-06)

**d.** Section M1401.3. Sizing requirements shall be as established by the authority having jurisdiction. (4-11-06)

**e.** Section G2417.4 (406.4). Change the last sentence to: Mechanical gauges used to measure test pressure shall have a range such that the highest end of the scale is not greater than two (2) times the test pressure nor lower than one and one-half (1.5) times the test pressure. (4-11-06)

**f.** Section G2417.4.1 (406.4.1). Test Pressure. Not less than twenty (20) psig (140kPa gauge) test pressure shall be required for systems with a maximum working pressure up to ten (10) inches water column. For systems with a maximum working pressure between ten (10) inches water column and ten (10) psig (70kPa gauge); not less than sixty (60) psig (420kPa gauge) test pressure shall be required. For systems over ten (10) psig (70kPa

gauge) working pressure, minimum test pressure shall be no less than six (6) times working pressure. (4-11-06)

**g.** Section G2417.4.2 (406.4.2). The test duration shall not be less than twenty (20) minutes.(4-11-06)

**02. The International Residential Code for One- and Two-Family Dwellings**, 2003 Edition, is available at the Division of Building Safety offices located at 1090 E. Watertower St., Meridian, Idaho 83642 and 1250 Ironwood Dr., Ste. 220, Coeur d'Alene, Idaho 83814. (4-11-06)

**007. 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) 334-6180 and the facsimile number is (208) 855-0768. (4-11-06)

**008. 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)

**009. 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)

**010. 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 journeyman, specialty contractor, registered apprentice, or specialty 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. (4-11-06)

**02. Change of Address.** Whenever a change of mailing address occurs for a certificated contractor, journeyman, specialty journeyman, specialty contractor, registered apprentice, or specialty apprentice, the HVAC board must be notified immediately, in writing, of the change. (4-11-06)

**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 journeymen, specialty contractors, registered apprentices, and specialty apprentices, including, but not limited to, notification of renewal and notices related to inspections. (4-11-06)

**011. MEETINGS.**

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

**012. 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)

**013. CERTIFICATES OF COMPETENCY -- ISSUANCE, RENEWAL, EXPIRATION -- REVIVAL.**

**01. Issuance.** Certificates of competency shall be issued in such a manner as to create a renewal date that coincides with the birth month of the individual to whom the certificate is issued and allows for renewals every three (3) years. (4-6-05)

**a.** Certificates of competency shall be issued for a period of no less than one (1) year and no more than (3) three years. For example: a qualified applicant who applies for a certificate of competency in August of year one (1), but whose birthday will not occur until March of year two (2) shall be issued a certificate of competency renewable on the anniversary of the applicant's birth month. (4-6-05)

**b.** The fee for issuance of certificates of competency shall be prorated based on the number of months for which the certificate is issued. (4-6-05)

**02. Renewal.** Certificates of competency shall be renewed in such a manner as to create a staggered system of certificate renewals using the birth month of the individual to whom the certificate is issued as the expiration date. (4-6-05)

**a.** Certificates of competency shall be renewed for a period of no less than one (1) year and no more than three (3) years. (4-6-05)

**b.** The fee for renewal of certificates of competency shall be prorated based on the number of months for which the certificate is issued. (4-6-05)

**03. Expiration-Revival.** (4-6-05)

**a.** Certificates that are not timely renewed will expire on the last day of the month in which the renewal is due. (4-6-05)

**b.** Revived certificates shall be issued in such a manner as to create a renewal date that coincides with the birth month of the applicant so as to create a staggered system of renewal. (4-6-05)

**014. -- 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, HVAC journeyman, and HVAC specialty journeyman examinations or certificates of competency and for HVAC apprentice or HVAC specialty apprentice registrations, shall be printed and made available by the administrator. (4-11-06)

**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 - REQUIREMENTS.**

- 01. Bond.** Applicants shall provide a performance bond in the amount of two thousand dollars (\$2,000). (3-16-04)
- 02. 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)
- 03. Examination.** Applicants for certification as HVAC contractors must successfully complete the examination designated by the board. (3-16-04)

**022. HVAC SPECIALTY CONTRACTOR CERTIFICATE OF COMPETENCY - REQUIREMENTS.**

- 01. Bond.** Applicants shall provide a performance bond in the amount of two thousand dollars (\$2,000). (3-16-04)
- 02. 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)
- 03. Examination.** Applicants for certification as HVAC specialty contractors must successfully complete the examination designated by the board. (3-16-04)

**023. HVAC JOURNEYMAN CERTIFICATES OF COMPETENCY - REQUIREMENTS.**

- 01. 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 supervision of a qualified HVAC journeyman. (4-11-06)
- 02. Education.** Successfully complete any required apprenticeship training courses. (3-16-04)
- 03. Examination.** Applicants for certification as HVAC journeymen must successfully complete the examination designated by the board. (3-16-04)

**024. HVAC HEARTH SPECIALTY JOURNEYMAN CERTIFICATES OF COMPETENCY LIMITATIONS – REQUIREMENTS.**

Certification as a hearth specialty journeyman entitles the holder to install hearth appliances and the associated gas lines. Hearth Specialty Journeymen are required to meet the experience requirement and either the education or examination requirement to receive a certificate of competency. (4-2-08)

- 01. Experience.** Demonstrate, to the satisfaction of the board, a minimum of one (1) year 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 or registered HVAC specialty apprentice making HVAC installations on the job under the supervision of a qualified HVAC journeyman or qualified HVAC specialty journeyman. (4-11-06)
- 02. Education.** Successfully complete a board approved training course(s), such as the National Fireplace Institute program and a minimum of sixty (60) hours of education in fuel gas code and piping installation methods. (4-2-08)
- 03. Examination.** Successfully complete an examination designated by the board. (4-2-08)

**025. HVAC APPRENTICE REQUIREMENTS FOR REGISTRATION.**

Requirements for HVAC Apprentice. (4-11-06)

- 01. Age.** Minimum of eighteen (18) years of age unless registered in a Bureau of Apprenticeship Training (BAT) certified HVAC training program. (4-11-06)

**02. Training.** Maintain enrollment in or successfully complete a training program approved by the board. (4-11-06)

**03. Supervision.** Work under the supervision of a certified HVAC journeyman. (4-11-06)

**026. HVAC SPECIALTY APPRENTICE REQUIREMENTS FOR REGISTRATION.** Requirements for HVAC Specialty Apprentice. (4-11-06)

**01. Age.** Minimum of eighteen (18) years of age unless registered in a Bureau of Apprenticeship Training (BAT) certified HVAC training program. (4-11-06)

**02. Training.** Maintain enrollment in or successfully complete a training program approved by the board. (4-11-06)

**03. Supervision.** Work under the supervision of a certificated HVAC journeyman or certificated HVAC specialty journeyman. (4-11-06)

**027. HVAC WASTE OIL HEATING SPECIALTY JOURNEYMAN CERTIFICATES OF COMPETENCY LIMITATIONS - REQUIREMENTS.**

Certification as a waste oil heating specialty journeyman entitles the holder to install non-duct connected waste oil heaters. Waste oil heating specialty journeymen are limited to the maintenance, installation, and repair of the equipment, controls, and piping directly associated with the waste oil heater, tank, and burner only. Any plumbing, electrical, ducting, venting, or associated equipment beyond the waste oil heater, tank, and burner shall be installed by others. Applicants for the waste oil heating specialty journeyman certificate of competency are required to meet the experience and examination requirements as defined in Section 027. (4-2-08)

**01. Experience.** Demonstrate to the satisfaction of the board, a minimum of one (1) year experience making waste oil heating installations under the supervision of a qualified HVAC journeyman or HVAC Waste Oil Heating specialty journeyman. (4-2-08)

**02. Examination.** Applicants for certification as HVAC waste oil specialty journeymen must successfully complete a waste oil burner manufacturers certification or examination as approved by the board. (4-2-08)

**028. HVAC FUEL GAS PIPING SPECIALTY JOURNEYMAN CERTIFICATES OF COMPETENCY LIMITATIONS - REQUIREMENTS.**

Certification as fuel gas piping specialty journeyman entitles the holder to install fuel gas piping only and shall not make the final termination. Appliances and the associated gas piping, chimney, and vents shall be installed by others. Fuel gas specialty journeymen are required to meet the experience requirement and either the education or examination requirement of Section 028 to receive a certificate of competency. (4-2-08)

**01. Experience.** Demonstrate, to the satisfaction of the board, a minimum of one (1) year 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 or registered HVAC specialty apprentice making HVAC installations on the job under the supervision of a qualified HVAC journeyman or qualified HVAC specialty journeyman. (4-2-08)

**02. Education.** Successfully complete a board approved training course(s), of a minimum of sixty (60) hours of education in fuel gas code and piping installation methods. (4-2-08)

**03. Examination.** Successfully complete an examination designated by the board. (4-2-08)

**029. -- 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)

**051. FEES FOR HVAC INSPECTIONS.**

HVAC inspection fees are to cover the cost of HVAC inspections as provided by Section 54-5017, Idaho Code; any person, partnership, company, firm, association, or corporation making an HVAC installation shall pay to the Division of Building Safety an inspection fee as provided in the following schedule: (3-26-08)

**01. New Residential - Single-Family Dwelling.** Includes all buildings with HVAC systems being constructed on each property.

<b>New Residential - Single-Family Dwelling</b>	
Up to 1,500 Square feet of living space	- \$130
1,501 to 2,500 Square feet of living space	- \$195
2,501 to 3,500 Square feet of living space	- \$260
3,501 to 4,500 Square feet of living space	- \$325
Over 4,500 Square feet of living space	- \$325 plus \$65 for each additional 1,000 square feet or portion thereof

(7-1-08)T

**02. New Residential - Multi-Family Dwellings.**

<b>New Residential - Multi-Family Dwellings</b>	
Duplex Apartment	- \$260
Three (3) or more multi-family units	- \$130 per Building plus \$65 per Unit

(3-26-08)

**03. Existing Residential.** Sixty-five dollars (\$65) plus ten dollars (\$10) for each additional piece of HVAC equipment being installed up to a maximum of the corresponding square footage of the residential building. (3-26-08)

**04. Other Installations Including Industrial and Commercial.** The inspection fees listed in this Section shall apply to any and all HVAC installations not specifically mentioned elsewhere in this schedule. The HVAC cost shall be the cost to the owner of all labor charges and all other costs that are incurred in order to complete the installation of any and all HVAC equipment and materials installed as part of the HVAC system. (3-26-08)

**a.** HVAC system cost not exceeding ten thousand dollars (\$10,000): sixty dollars (\$60) plus two percent (2%) of the total HVAC system cost. (3-26-08)



**b.** HVAC system cost over ten thousand dollars (\$10,000) but not exceeding one hundred thousand dollars (\$100,000): two hundred sixty dollars (\$260) plus one percent (1%) of the HVAC system cost exceeding ten thousand dollars (\$10,000). (3-26-08)

**c.** HVAC system cost over one hundred thousand dollars (\$100,000): one thousand one hundred sixty dollars (\$1,160) plus one half of one percent (.5%) of the HVAC system cost exceeding one hundred thousand dollars (\$100,000). (3-26-08)

**d.** All fees calculated under this schedule must be calculated on the total HVAC cost of the job, and this figure must be shown on the permit. (3-26-08)

**05. Requested Inspections** A fee of sixty-five dollars (\$65) per hour or portion of an hour shall apply, with the requesting party responsible for all costs incurred in out-of-state travel. (3-26-08)

**06. Additional Fees and Re-Inspection Fees.** A fee of sixty-five dollars (\$65) per hour or portion of an hour shall apply to: (3-26-08)

**a.** Trips to inspect when the submitter of the permit had given notice to the Division of Building Safety that the work is ready for inspection and it is not, if the submitter has not accurately identified the work location, or if the inspector cannot gain access to make the inspection. (3-26-08)

**b.** Trips to inspect corrections required by the inspector as a result of the submitter improperly responding to a corrective notice. (3-26-08)

**c.** Each trip necessary to remove a red tag from the jobsite. (3-26-08)

**d.** When corrections have not been made in the prescribed time, unless an extension has been requested and granted. (3-26-08)

**e.** No permit - failure to post or send permit and required fee in the prescribed time will, at the discretion of the Division, result in the assessment of a double fee. (3-26-08)

**07. Plan Check Fee.** Sixty-five dollars (\$65) per hour or portion thereof. (3-26-08)

**052. -- 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. -- 069. (RESERVED).**

**070. CIVIL PENALTIES.**

The following acts shall subject the violator to penalties based on the following schedule. (3-30-07)

**01. Heating, Ventilation, and Air Conditioning Contractor or Specialty Contractor.** Except as provided by Section 54-5001, Idaho Code, any person who acts, or purports to act, as an HVAC contractor or specialty contractor as defined by Section 54-5003(3) and 54-5003(6), Idaho Code, without a valid Idaho state HVAC contractor or specialty contractor certification 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. (3-30-07)

**02. Employees.** Any person, who knowingly employs a person who does not hold a valid Idaho state HVAC certification or apprentice registration, as required by Section 54-5008, Idaho Code, to perform HVAC 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. (3-30-07)

**03. Certification or Registration.** Except as provided by Section 54-5001, Idaho Code, any person performing HVAC work as an HVAC journeyman as defined by Section 54-5003(4), Idaho Code, specialty journeyman as defined by Section 54-5003(7), Idaho Code, apprentice as defined by Section 54-5003(2), Idaho Code, or a specialty apprentice as defined by Section 54-5003(5), Idaho Code, without a valid certification 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. (3-30-07)

**04. Supervision.** Any HVAC apprentice or specialty apprentice working without the required journeyman supervision or any HVAC contractor or industrial account employing apprentices without providing the required HVAC journeyman supervision 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. (3-30-07)

**05. Performance Outside Scope of License.** Any HVAC specialty contractor or specialty journeyman performing HVAC installations, alterations, or maintenance outside the scope of the specialty certification 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. (3-30-07)

**06. Fees and Permits.** Any person failing to pay applicable fees or properly post an HVAC 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. (3-30-07)

**07. Corrections.** Any person who fails to make corrections in the time allotted in the notice on any HVAC installation as set forth in Section 54-5019, 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. (3-30-07)

**08. Gross Violation.** In the case of continued, repeated, or gross violation of Title 54, Chapter 50, Idaho Code, or IDAPA 07.07.01, “Rules Governing Installation of Heating, Ventilation, and Air Conditioning Systems, Division of Building Safety,” a certification revocation shall be initiated for certificated individuals under this chapter and non-certificated individuals shall be subject to prosecution by the appropriate jurisdiction under Idaho law. (3-30-07)

**09. 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. (3-30-07)

**071. -- 999. (RESERVED).**

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