



State of Idaho
DIVISION OF BUILDING SAFETY

C.L. "BUTCH" OTTER
Governor
Chris Jensen
Administrator

Building a Safer Idaho

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June 14, 2018

Office of the Idaho Lieutenant Governor
Idaho State Capitol Building
Boise, Idaho 83702-0057

Dear Lieutenant Governor Little:

Enclosed with this letter, please find the reports of the Division of Building Safety (DBS) which contain information responsive to executive order No. 2017-06 regarding professional licenses administered by the DBS. The reports utilized the template form provided to the Division by your office, and contain all the information required by the executive order, including an assessment of the public interest of each license issued by DBS, as well as recommendations from DBS and our licensing boards, and all comments the DBS received from members of the public. Please feel free to contact me or a member of my staff should your office have any questions about the reports or need additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Jensen".

CHRIS JENSEN
Administrator, Division of Building Safety

Division of Building Safety and Electrical Board

Electrical Apprentice & Specialty Electrical Trainee Registrations

Board/Commission Members: (9) members: Chairman - Bob Scott, Vice Chairman - Jeff Wheeler, Members – Allan Perman, Greg Eagy, Dale Pippitt, Rick Stark, Todd Feusier, Jim Marchetti, Joe Harbacheck. <https://dbs.idaho.gov/boards/ebboard/ebmembers.html>.

Board/Commission Composition: (9) members as follows: (2) licensed journeyman or master electrician, (2) electrical contractors, (1) specialty journeyman electrician or specialty contractor, (1) electrical power provider, (1) manufacturing plant or other large power user, (1) manufacturer or distributor of electrical supplies or materials, and (1) public at-large.

Idaho Code §54-1006 - <https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH10/SECT54-1006/>

Summary

The information contained herein this report reflects the licensing details of electrical apprentice & specialty electrical trainee registrations over the period of time between January 1, 2017 to December 31, 2017 (calendar year 2017). As of January 2018, the Division of Building Safety (DBS) and Electrical Board register approximately 5111 electrical apprentices and 758 specialty electrical trainees. Upon issuance, apprentice registrations are valid for a period of five (5) years, and specialty electrical trainee registrations for a period of three (3) years. Additionally, various exceptions exist which allow individuals to perform electrical work in certain contexts without the need for a license (I.C. §54-1016). Electrical licensure is within the exclusive jurisdiction of the DBS, and no local jurisdiction has the authority to require additional licensure (I.C. §54-1002). Note that effective July 1, 2018, the license category of “Specialty Electrical Trainee” was statutorily renamed “Limited Electrical Installer Trainee.”

Division of Building Safety and Electrical Board – **Electrical Apprentice & Specialty Electrical Trainee Registrations**

A. Index of Statute, Rule, and Policy Requirements for Licensure and Renewal

Electrical Apprentice & Specialty Electrical Trainee Registrations

	Electrical Apprentice & Specialty Electrical Trainee Registrations
Issuance Requirements	<p>For Electrical Apprentice: payment of the application fee; proof of age (16 y/o) (if DBS has reason to request such). I.C. §§54-1007 & 1010; IDAPA 07.01.03 §§012 https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH10/ https://adminrules.idaho.gov/rules/current/07/0103.pdf</p> <p>For Specialty Electrical Trainee: payment of the application fee; proof of age (16 y/o) (if DBS has reason to request such). https://adminrules.idaho.gov/rules/current/07/0104.pdf</p> <p>For out of state applicants – no previous licensure as a journeyman or master electrician in another recognized jurisdiction. See IDAPA 07.01.03 §011 https://adminrules.idaho.gov/rules/current/07/0103.pdf</p>
Statutes I.C. §§	<p>I.C. §§ 54-1001 thru 54-1019. Title 54, Chapter 10, Electrical Contractors and Journeyman https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH10/</p>
IDAPA Rules	<p>For Electrical Apprentices: IDAPA 07.01.03 – Rules of Electrical Licensing and Registration https://adminrules.idaho.gov/rules/current/07/0103.pdf</p> <p>For Specialty Electrical Trainees: IDAPA 07.01.04 – Rules Governing Electrical Specialty Licensing https://adminrules.idaho.gov/rules/current/07/0104.pdf</p>

Division of Building Safety and Electrical Board – Electrical Apprentice & Specialty Electrical Trainee Registrations

Policy	DBS follows the governing statutes and rules. There are no applicable policies related to licensing.
Application	https://dbs.idaho.gov/forms/electrical/
Time from Complete Application to Final Action	<p>Range The timeframe range may be anywhere between a few days to 10 business days.</p> <p>Average On average, a valid & complete original application will take approximately 3-5 days to process. If items are missing (fees, school registration, etc.) then it may take as long as it takes for the applicant to submit such. Applications are left open by DBS for 90 days during which applicants have the time to submit required documentation.</p> <p>See IDAPA 07.01.03 §011 https://adminrules.idaho.gov/rules/current/07/0103.pdf</p> <p>There is no exam required to register as an electrical apprentice or specialty electrical trainee</p>
Basis to Deny or Not Accept Application	<p>For Electrical Apprentice: failure to pay application fee; failure to show proof of age (16 y/o) (if DBS has reason to request it). I.C. §§54-1007 & 1010; https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH10/SECT54-1007/ https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH10/SECT54-1010/</p> <p>IDAPA 07.01.03 §§012 https://adminrules.idaho.gov/rules/current/07/0103.pdf</p> <p>For Specialty Electrical Trainee: failure to pay application fee; failure to show proof of age (16 y/o) (if DBS has reason to request such). https://adminrules.idaho.gov/rules/current/07/0104.pdf</p> <p>Failure to take continuation training for those who have not passed the exam within 2 years after completion of schooling</p> <p>I.C. §54-1007; IDAPA 07.01.03 §012 https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH10/SECT54-1007/</p>

Division of Building Safety and Electrical Board – **Electrical Apprentice & Specialty Electrical Trainee Registrations**

	<p>https://adminrules.idaho.gov/rules/current/07/0103.pdf</p> <p>For out of state applicants - previous licensure as a journeyman or master electrician in another recognized jurisdiction.</p> <p>See IDAPA 07.01.03 §011 https://adminrules.idaho.gov/rules/current/07/0103.pdf</p>
<p>Basis to Refuse Renewal</p>	<p>For Electrical Apprentice initial registration renewal: failure to pay renewal fee; failure to provide proof of completion of at least (2) years of schooling and working at least (4000) hours on the job as a registered apprentice under journeyman supervision, or proof of extenuating circumstances preventing such</p> <p>For a Specialty Electrical Trainee initial registration renewal: failure to pay application fee; or failure to provide proof of completion of at least (1) year of schooling and working at least (2000) hours on the job as a registered specialty trainee under specialty journeyman supervision, or proof of extenuating circumstances preventing such</p> <p>For a <i>second</i> registration renewal for both categories: failure to obtain approval from the Electrical Board with extenuating circumstances</p> <p>IDAPA 07.01.03 §§012</p> <p>https://adminrules.idaho.gov/rules/current/07/0103.pdf</p>
<p>Fees</p>	<p>For an Electrical Apprentice: \$50 for a (5) year registration</p> <p>For a Specialty Electrical Trainee: \$30 for a 3yr registration</p> <p>I.C. § 54-1014 https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH10/SECT54-1014/</p> <p>IDAPA https://adminrules.idaho.gov/rules/current/07/0103.pdf; https://adminrules.idaho.gov/rules/current/07/0104.pdf</p> <p>There is no application fee for either.</p>

Division of Building Safety and Electrical Board – Electrical Apprentice & Specialty Electrical Trainee Registrations

Cost per applicant or licensee	Costs per registration is the amount of the registration fee
Renewal Requirements	<p>For Electrical Apprentice and Specialty Electrical Trainees renewal requirements include payment of the renewal fee; verifying completion of the required years of schooling (2 for apprentice, 1 for specialty trainee) and work hours (4000 hours for apprentice, and 2000 hours for trainees). For <i>second</i> renewals applicants for both categories must obtain approval from the Electrical Board upon a demonstration that extenuating circumstances existed which prevented them from obtaining the required school and work hours.</p> <p>IDAPA 07.01.03 §012 – Apprentice https://adminrules.idaho.gov/rules/current/07/0103.pdf</p> <p>IDAPA 07.01.04 § 013 – Specialty Trainees https://adminrules.idaho.gov/rules/current/07/0104.pdf</p>

B. Applications and Renewals Denied (January 1, 2017- December 31, 2017)

Refusal to Issue Initial License [Total Number: # **59**]

	Identification Number	Number of Applicants	Statutory Basis	Factual Summary (optional)
1	Electrical Apprentice Applications	48	I.C. 54-1001 thru 54-1020	Failure to meet one or more of the requirements for original registration or renewal.
2	Specialty Electrical Trainees	11	I.C. 54-1001 thru 54-1020	Failure to meet one or more of the requirements for original registration or renewal.

Division of Building Safety and Electrical Board – Electrical Apprentice & Specialty Electrical Trainee Registrations

Refusal to Renew License [Total Number: # 0]

	Identification Number	Number of Applicants	Statutory Basis	Factual Summary (optional)
1				The DBS system which tracks registration applications does not differentiate between original or renewal registration denial.

C. Disciplinary Actions (suggested past 5 years) – The statutory basis for the discipline of licensees to include revocation or suspension is contained at I.C. § 54-1009. In accordance with that statute, the Administrator may do so if the license (certificate of competency) was obtained through error or fraud, or if the holder thereof is shown to be grossly incompetent, or has willfully violated any of the rules prescribed by the board, or as prescribed in this chapter; or has, after due notice, failed or refused to correct, within the specified time, any electrical installation not in compliance with the provisions of this chapter, or has failed to pay within the time provided, civil penalties which have become final by operation of law.

Case No	Date of Final Action	Action Taken	Statutory Basis	Factual Basis (optional)
NONE				

D. Law, Rule, or Policy Changes or Attempted Changes in Last 5 Years to Eliminate Barriers to Entry

Session	Legislation or Rule	Summary
2018	HO629 (I.C. §54-1016) https://legislature.idaho.gov/sessioninfo/2018/legislation/H0629/	Allows high school students to perform plumbing work as part of a formal supervised educational course without having to register as an apprentice

Division of Building Safety and Electrical Board – Electrical Apprentice & Specialty Electrical Trainee Registrations

2012	Specialty Electrician IDAPA 07.01.04 §014 https://adminrules.idaho.gov/rules/current/07/0104.pdf	Creation of photovoltaic specialty category to allow licensure for those who only want to perform such installations – without having to qualify as a full electrical journeyman.
2012	Apprentice Electrician IDAPA 07.01.03 §012 https://adminrules.idaho.gov/rules/current/07/0103.pdf	Increased registration period from annual to (5) years, and eliminating the need to demonstrate employment and enrollment in school on a continuous (annual) basis
2012	Specialty Electrical Trainee IDAPA 07.01.04 §013 https://adminrules.idaho.gov/rules/current/07/0104.pdf	Increased registration period from annual to (3) years, and eliminating the need to demonstrate employment and enrollment in school on a continuous (annual) basis

E. Assessment of Public Interest

[Provide an assessment or statement as to whether the licensure, or requirements relating thereto, are in the public interest, together with the reasons for such assessment or opinion. Executive Order 2.a.]

The Agency and Board believe that the electrical apprentice and specialty electrical trainee registrations are in the public interest because it helps ensure the proper training and supervision of individuals who will progress to become a qualified journeyman and perform electrical installations without any supervision. Such registrations and periods of initial training, which include schooling and on-the-job supervision by a qualified journeyman is intended to protect the health and safety of the public by ensuring those new to the trade are being properly instructed about the electrical code and how to safely make electrical installations. Unsafe electrical installations could lead to loss of life or serious injury to the public, as well as loss of property and money because of fire, other damage, or incorrect electrical installations.

F. Recommendations for Improvement, Modification, or Elimination of Requirements

Over the past five (5) years the Division and Board have already examined in-depth the following proposals to eliminate barriers to entry into, or improvements to the practice of electrical apprenticeship:

- Modification of the requirement to perform work in all three areas of electrical installations (residential, commercial, and industrial) in order to become a journeyman electrician

Division of Building Safety and Electrical Board – Electrical Apprentice & Specialty Electrical Trainee Registrations

- Modification of the requirement to show a specified number of school years and work hours in order to renew as apprentices or specialty trainees

Additionally, the DBS and Electrical Board are continuing to review several of the above proposals through a negotiated rulemaking process, as well review the following proposals to eliminate barriers to entry into, or improvements to the electrical profession:

- Modification of the requirement for an apprentice to take continuation training if the apprentice has not passed the journeyman exam within 2 years of completion of schooling.
- Modification of the requirement for an apprentice to retake fourth year apprentice training if the apprentice has not passed the journeyman exam within 2 years of completion of schooling.
- For out of state applicants – modify the prohibition on registering as an apprentice for those applicants who have been previously licensed as a journeyman or master electrician in another recognized jurisdiction.

G. Public Comments

The DBS and Electrical Board received **one (1)** comments through the DBS email/website regarding electrical apprentice registrations. It was as follows:

- The licensing of people contracting and installing electrical systems is a life safety issue, and as such needs to be under the strict control of the electrical board through DBS, with legislature approval of all changes. This system has worked well over the years for the vast majority of the citizens of Idaho. It is continually being fine-tuned in response to changing situations, and the Board will always listen to input from affected parties.

Division of Building Safety and Electrical Board

Electrical Contractor & Specialty Electrical Contractor Licenses

Board/Commission Members: (9) members: Chairman - Bob Scott, Vice Chairman - Jeff Wheeler, Members – Allan Perman, Greg Eagy, Dale Pippitt, Rick Stark, Todd Feusier, Jim Marchetti, Joe Harbacheck. <https://dbs.idaho.gov/boards/ebboard/ebmembers.html>.

Board/Commission Composition: (9) members as follows: (2) licensed journeyman or master electrician, (2) electrical contractors, (1) specialty journeyman electrician or specialty contractor, (1) electrical power provider, (1) manufacturing plant or other large power user, (1) manufacturer or distributor of electrical supplies or materials, and (1) public at-large.

Idaho Code §54-1006 - <https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH10/SECT54-1006/>

Summary

The information contained herein this report reflects the licensing details of electrical contractors and electrical specialty contractors over the period of time between January 1, 2017 to December 31, 2017 (calendar year 2017). As of January 2018, the Division of Building Safety (DBS) and Electrical Board license approximately 1207 electrical contractors and 305 specialty electrical contractors. Upon issuance, all such licenses are valid for a period of one (1) year. Additionally, 51 industrial accounts are registered with the DBS which provide employers who employ maintenance and journeyman electricians the ability to receive inspections for certain electrical work on the premises of the employer. Industrial account holders are not licenses, but rather registered accounts that allow the employers exempt from licensure under I.C. §54-1016 to obtain permits and receive inspections of installations performed on their premises. Additionally, various other exceptions exist which allow individuals to perform electrical work in certain contexts without the need for a license (I.C. §54-1016). Electrical licensure is within the exclusive jurisdiction of the DBS, and no local jurisdiction has the authority to require additional licensure (I.C. §54-1002). Note that effective July 1, 2018, the license category of “Specialty Electrical Contractor” was statutorily renamed “Limited Electrical Contractor.”

Division of Building Safety & Electrical Board – **Electrical Contractor & Specialty Contractor Licenses**

A. Index of Statute, Rule, and Policy Requirements for Licensure and Renewal

Electrical Contractor & Specialty Electrical Contractor Licenses	
Issuance Requirements	<p>For Contractors and Specialty Contractors – submission of an application and payment of an application fee; designation of a full-time supervising electrician; successful completion of the contractor exam (75% - contractor, 70% - specialty contractor); provide proof of liability insurance in the amount of \$300,000, & workers comp. insurance.</p> <p>IDAPA 07.01.03 §015 https://adminrules.idaho.gov/rules/current/07/0103.pdf</p> <p>I.C. § 54-1003A https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH10/SECT54-1003A/</p> <p>Specialty Contractors must also possess or employ a supervising licensed specialty journeyman in the same specialty category with 2 years experience as such; or a journeyman electrician</p> <p>IDAPA 07.01.04 § 017 https://adminrules.idaho.gov/rules/current/07/0104.pdf</p>
Statute I.C. §§	<p>I.C. §§ 54-1001 thru 54-1019. Title 54, Chapter 10, Electrical Contractors and Journeyman</p> <p>https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH10/</p>
IDAPA Rules	<p>For Contractors:</p> <p>IDAPA 07.01.03 – Rules of Electrical Licensing and Registration https://adminrules.idaho.gov/rules/current/07/0103.pdf</p> <p>For Specialty Contractors:</p> <p>IDAPA 07.01.04 – Rules Governing Electrical Specialty Licensing https://adminrules.idaho.gov/rules/current/07/0104.pdf</p>

Division of Building Safety & Electrical Board – Electrical Contractor & Specialty Contractor Licenses

<p>Policy</p>	<p>DBS follows the governing statutes and rules. There are no applicable policies related to licensing.</p>
<p>Application</p>	<p>https://dbs.idaho.gov/forms/electrical/</p>
<p>Time from Complete Application to Final Action</p>	<p>Range The timeframe range may be anywhere between a few days to 10 business days.</p> <p>Average On average, a valid & complete original application will take approximately 3-5 days to process. If items are missing (fees, insurance documentation, qualifying electrician info, etc.) then it may take as long as it takes for the applicant to submit such. Applications are left open by DBS for 90 days during which applicants have the time to submit required documentation. See IDAPA 07.01.03 §011 https://adminrules.idaho.gov/rules/current/07/0103.pdf</p> <p>Open book exams may be scheduled on any day with 1-2 days advance notice, and taken at any one of three locations around the state.</p> <p>Renewal license applications are due by the last day of the month in which the license expires.</p> <p>I.C. §§ 54-1008; 1013 https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH10/SECT54-1008/</p> <p>IDAPA 07.01.03 §011 https://adminrules.idaho.gov/rules/current/07/0103.pdf</p>
<p>Basis to Deny or Not Accept Application</p>	<p>For Contractors - failure to pay application fees; failure to have a full-time supervising electrician; failure to pass the contractor exam (75%); failure to provide proof of liability insurance & workers comp</p> <p>IDAPA 07.01.03 §015 https://adminrules.idaho.gov/rules/current/07/0103.pdf</p> <p>IDAPA 07.01.05 https://adminrules.idaho.gov/rules/current/07/0105.pdf</p>

Division of Building Safety & Electrical Board – Electrical Contractor & Specialty Contractor Licenses

	<p>Specialty Contractor - failure to pay application fees; failure to pass the specialty contractor exam (70%); failure to provide proof of liability insurance & workers comp; failure to have a supervising specialty journeyman with 2 years experience.</p> <p>IDAPA 07.01.04 § 017 https://adminrules.idaho.gov/rules/current/07/0104.pdf</p>
<p>Basis to Refuse Renewal</p>	<p>Failure to pay renewal fee; failure to have a full-time supervising electrician; unpaid civil penalties, permit, or other fees; failure to maintain liability insurance; previous revocation for cause.</p> <p>I.C. § 54-1013 https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH10/SECT54-1013/ IDAPA 07.01.03 §015 https://adminrules.idaho.gov/rules/current/07/0103.pdf</p> <p>Specialty Contractor must also show proof of a supervising specialty journeyman with 2 years experience</p> <p>IDAPA 07.01.04 § 017 https://adminrules.idaho.gov/rules/current/07/0104.pdf</p>
<p>Fees</p>	<p>\$125 per year original license fee – both Contractor and Specialty Contractor</p> <p>\$100 per year renewal license fee –both Contractor and Specialty Contractor</p> <p>Original application fee- \$15</p> <p>Exam fee - \$75</p> <p>Inactive license – \$100</p> <p>Revival of inactive license - \$30</p> <p>I.C. §§ 54-1013; 1014 https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH10/SECT54-1014/</p>

Division of Building Safety & Electrical Board – Electrical Contractor & Specialty Contractor Licenses

	<p>IDAPA 07.01.03 https://adminrules.idaho.gov/rules/current/07/0103.pdf;</p> <p>IDAPA 07.01.04 https://adminrules.idaho.gov/rules/current/07/0104.pdf</p>
<p>Cost per applicant or licensee</p>	<p>Costs per license is the amount of the license fee, and any application administration fee</p>
<p>Renewal Requirements</p>	<p>For Contractors and Specialty Contractors, licensing renewal requirements include payment of the renewal fee; verifying that a full-time supervising electrician is designated; payment of any unpaid civil penalties, permit, or other fees; and providing proof of liability insurance (\$300,000) and workers compensation insurance.</p> <p>I.C. § 54-1013 https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH10/SECT54-1013/</p> <p>IDAPA 07.01.03 §015 - Contractors https://adminrules.idaho.gov/rules/current/07/0103.pdf</p> <p>Specialty contractor must have supervising specialty journeyman with 2 years experience</p> <p>IDAPA 07.01.04 § 017 – Specialty Contractors https://adminrules.idaho.gov/rules/current/07/0104.pdf</p>

Division of Building Safety & Electrical Board – Electrical Contractor & Specialty Contractor Licenses

B. Applications and Renewals Denied (*January 1, 2017 through December 31, 2017*)

Refusal to Issue Initial License [Total Number: # 11]

	Application/ Identification Number	Number of Applicants	Statutory Basis	Factual Summary (optional)
1	Contractor Applicants	7	I.C. §§54-1001 thru 54-1020	Failure to meet one or more of the requirements for original licensure or renewal.
2	Specialty Contractor Applicants	4	I.C. §§54-1001 thru 54-1020	Failure to meet one or more of the requirements for original licensure or renewal.

Refusal to Renew License [Total Number: # X]

	License/ Identification Number	Number of Applicants	Statutory Basis	Factual Summary (optional)
1				The DBS system which tracks licensure applications does not differentiate between original or renewal licensure denial.

- C. **Disciplinary Actions** (suggested past 5 years) – The statutory basis for the discipline of licensees to include revocation or suspension is contained at I.C. § 54-1009. In accordance with that statute, the Administrator may do so if the license (certificate of competency) was obtained through error or fraud, or if the holder thereof is shown to be grossly incompetent, or has willfully violated any of the rules prescribed by the board, or as prescribed in this chapter; or has, after due notice, failed or refused to correct, within the specified time, any electrical installation not in compliance with the provisions of this chapter, or has failed to pay within the time provided, civil penalties which have become final by operation of law. A contractor license may also be disciplined if, at any time during the term of active contractor or specialty contractor licensure, the licensee failed to maintain required liability insurance or applicable worker’s compensation insurance.

Division of Building Safety & Electrical Board – Electrical Contractor & Specialty Contractor Licenses

Case No	Date of Final Action	Action Taken	Statutory Basis	Factual Basis (optional)
ELE-C-36836	8/30/2017	Revocation of electrical contractor license	§54-1009 – suspension/revocation if obtained through error or fraud, if the holder thereof is shown to be grossly incompetent, or has willfully violated any of the rules prescribed by the board, or as prescribed in statutes; or if they have failed or refused to correct, within the specified time, any electrical installation not in compliance with the provisions of this chapter, or has failed to pay within the time provided, civil penalties which have become final by operation of law	Violation of electrical statutes and rules – failure to supervise apprentice electricians

D. Law, Rule, or Policy Changes or Attempted Changes in Last 5 Years to Eliminate Barriers to Entry

Session	Legislation or Rule	Summary
2018	HO479 https://legislature.idaho.gov/sessioninfo/2018/legislation/H0479/	Clarifies Facility Account to allow employers to perform electrical work on their own premises.
2017	HO137a https://legislature.idaho.gov/sessioninfo/2017/legislation/H0137/	Allows homeowners to perform electrical installations, including solar, on the entire premises of their residential property

E. Assessment of Public Interest

[Provide an assessment or statement as to whether the licensure, or requirements relating thereto, are in the public interest, together with the reasons for such assessment or opinion. Executive Order 2.a.]

Division of Building Safety & Electrical Board – Electrical Contractor & Specialty Contractor Licenses

The Agency and Board believe that the electrical contractor and specialty contractor licenses are in the public interest in that it helps ensure that qualified persons who are appropriately insured are offering to provide professional electrical services to the public. Ensuring that each contractor is able to pass the contractor's exam, as well as maintain on staff a qualified journeyman or master electrician helps to ensure that the consumer receives a proper electrical installation in accordance with the adopted national electrical code, and that the installation is performed by a reputable business entity that may be subject to licensure discipline for misconduct such as fraud, gross incompetence, or willful violations of the electrical statutes or rules.

F. Recommendations for Improvement, Modification, or Elimination of Requirements

The Division and Board make the following recommendations to eliminate barriers to entry into, or improvements to the electrical profession:

- Modify the provision regarding the renewal an electrical contractor and specialty contractor license from an annual one to a three-year license cycle (§54-1008).
- Extend from (1) year to (2) years the time in which an expired contractor license may be revived without the applicant having to successfully complete another contractor examination (§54-1013).

G. Public Comments

The DBS and Electrical Board received **two (2)** comments through the DBS email/website regarding electrical contractor licenses. They were as follows:

- Too many technicalities in the laws. Recent CEU changes were made with no grace period and left some unable to renew. Additionally, a comment about the ability to work effectively with inspectors was made related to time constraints getting inspections performed, as well as working with new inspectors/personnel.
- The licensing of people contracting and installing electrical systems is a life safety issue, and as such needs to be under the strict control of the electrical board through DBS, with legislature approval of all changes. This system has worked well over the years for the vast majority of the citizens of Idaho. It is continually being fine-tuned in response to changing situations, and the Board will always listen to input from affected parties.

Division of Building Safety and Electrical Board

Journeyman & Master Electricians and Specialty (Journeyman) Electrician Licenses

Board/Commission Members: (9) members: Chairman - Bob Scott, Vice Chairman - Jeff Wheeler, Members – Allan Perman, Greg Eagy, Dale Pippitt, Rick Stark, Todd Feusier, Jim Marchetti, Joe Harbacheck. <https://dbs.idaho.gov/boards/ebboard/ebmembers.html>.

Board/Commission Composition: (9) members as follows: (2) licensed journeyman or master electrician, (2) electrical contractors, (1) specialty journeyman electrician or specialty contractor, (1) electrical power provider, (1) manufacturing plant or other large power user, (1) manufacturer or distributor of electrical supplies or materials, and (1) public at-large.

Idaho Code §54-1006 - <https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH10/SECT54-1006/>

Summary

The information contained herein this report reflects the licensing details of journeyman and master electricians, and specialty (journeyman) electricians over the period of time between January 1, 2017 to December 31, 2017 (calendar year 2017). As of January 2018, the Division of Building Safety (DBS) and Electrical Board license approximately 5029 journeyman electricians and 955 master electricians, and 1427 specialty (journeyman) electricians. Upon issuance, all such licenses are valid for a period of three (3) years. Additionally, various exceptions exist which allow individuals to perform electrical work in certain contexts without the need for a license (I.C. §54-1016). Electrical licensure is within the exclusive jurisdiction of the DBS, and no local jurisdiction has the authority to require additional licensure (I.C. §54-1002). Note that effective July 1, 2018, the license category of “Specialty Electrician” (Journeyman) was statutorily renamed “Limited Electrical Installer.”

A. Index of Statute, Rule, and Policy Requirements for Licensure and Renewal

Journeyman & Master Electricians and Specialty (Journeyman) Electrician Licenses

Journeyman & Master Electricians, and Specialty (Journeyman) Electrician	
Issuance Requirements	<p>For Journeyman: submission of an application and payment the application fee; provide proof of work hours (8000 hrs) as a registered apprentice in 3 different categories of electrical work; proof of completion of required schooling (4 years); successful completion of the journeyman examination (70%);</p> <p>I.C. §54-1007; https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH10/SECT54-1007/</p> <p>IDAPA 07.01.03 §§012 & 013 https://adminrules.idaho.gov/rules/current/07/0103.pdf</p> <p>And as applicable – completion of continuation training for those who have not passed the exam within 2 years after completion of schooling</p> <p>I.C. §54-1007; IDAPA 07.01.03 §012 https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH10/SECT54-1007/</p> <p>For Specialty (journeyman) Electrician: payment of the application fee; proof of work hours (4000 hrs) as a registered specialty trainee; successful completion of the written specialty electrician (journeyman) exam (70%)</p> <p>IDAPA 07.01.04 §013 https://adminrules.idaho.gov/rules/current/07/0104.pdf</p> <p>For Master Electrician: payment of the application fee; proof of working as a licensed journeyman for (4) years; successful completion of the written master exam (75%).</p> <p>I.C. §54-1007; https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH10/SECT54-1007/</p> <p>IDAPA 07.01.03 §014</p>

Division of Building Safety and Electrical Board – Journeyman & Master Electricians, and Specialty (Journeyman) Electrician

	https://adminrules.idaho.gov/rules/current/07/0103.pdf
Statute I.C. §§	I.C. §§ 54-1001 thru 54-1019. Title 54, Chapter 10, Electrical Contractors and Journeyman https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH10/
IDAPA Rule	For Journeyman and Master electricians: IDAPA 07.01.03 – Rules of Electrical Licensing and Registration https://adminrules.idaho.gov/rules/current/07/0103.pdf For Specialty (Journeyman) Electrician : IDAPA 07.01.04 – Rules Governing Electrical Specialty Licensing https://adminrules.idaho.gov/rules/current/07/0104.pdf
Policy	DBS follows the governing statutes and rules. There are no applicable policies related to licensing.
Application	https://dbs.idaho.gov/forms/electrical/
Time from Complete Application to Final Action	Range The timeframe range may be anywhere between a few days to 10 business days. Average On average, a valid & complete original application will take approximately 3-5 days to process. If items are missing (fees, work hour history, schooling, continuing education, etc.) then it may take as long as it takes for the applicant to submit such. Applications are left open by DBS for 90 days during which applicants have the time to submit required documentation. See IDAPA 07.01.03 §011 https://adminrules.idaho.gov/rules/current/07/0103.pdf Open book exams may be scheduled on any day with 1-2 days advance notice, and taken at any one of three locations around the state. Renewal license applications are due by the last day of the month in which the license expires. I.C. §§ 54-1008; 1013

Division of Building Safety and Electrical Board – Journeyman & Master Electricians, and Specialty (Journeyman) Electrician

	<p>https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH10/</p> <p>IDAPA 07.01.03 §011 https://adminrules.idaho.gov/rules/current/07/0103.pdf</p>
<p>Basis to Deny or Not Accept Application</p>	<p>For Journeyman: failure to pay application fee; failure to show proof of work hours (8000 hrs) as a registered apprentice in 3 different categories; failure to provide proof of completion of required schooling; failure to pass the written journeyman exam (70%);</p> <p>I.C. §54-1007; https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH10/SECT54-1007/</p> <p>IDAPA 07.01.03 §§012 & 013 https://adminrules.idaho.gov/rules/current/07/0103.pdf</p> <p>Additionally, failure to take continuation training for those who have not passed the exam within 2 years after completion of schooling</p> <p>I.C. §54-1007; IDAPA 07.01.03 §012</p> <p>For Specialty (journeyman) Electrician: failure to pay application fee; failure to show proof of work hours (4000 hrs) as a registered specialty trainee; failure to pass the written specialty electrician (journeyman) exam (70%)</p> <p>IDAPA 07.01.04 §013 https://adminrules.idaho.gov/rules/current/07/0104.pdf</p> <p>For Master Electrician: failure to pay application fee; failure to work as a licensed journeyman for (4) years; failure to pass the written master exam (75%).</p> <p>I.C. §54-1007 https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH10/SECT54-1007/</p> <p>IDAPA 07.01.03 §014 https://adminrules.idaho.gov/rules/current/07/0103.pdf</p>

Division of Building Safety and Electrical Board – Journeyman & Master Electricians, and Specialty (Journeyman) Electrician

<p>Basis to Refuse Renewal</p>	<p>For Journeyman and Master electrician: failure to pay renewal fee; failure to provide proof of completion of continuing education unit (CEU) requirements. (24 hours of CEUs every 3 years)</p> <p>I.C. § 54-1013 https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH10/SECT54-1013/</p> <p>IDAPA 07.01.07 §011 https://adminrules.idaho.gov/rules/current/07/0107.pdf</p> <p>For Specialty Electrician (journeyman): failure to pay application fee</p>
<p>Fees</p>	<p>For Journeyman & Specialty (journeyman) Electrician: \$55 for 3yr original license and \$45 for 3 year renewal license</p> <p>For Master Electrician: \$65 for 3yr original license and \$45 for 3 year renewal license</p> <p>Exam fee - \$75</p> <p>I.C. §§ 54-1013; 54-1014 https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH10/SECT54-1013/</p> <p>IDAPA https://adminrules.idaho.gov/rules/current/07/0103.pdf; https://adminrules.idaho.gov/rules/current/07/0104.pdf</p>
<p>Cost per applicant or licensee</p>	<p>Costs per license is the amount of the license fee, and any application administration fee</p>
<p>Renewal Requirements</p>	<p>For journeyman, specialty (journeyman) electrician, and master licensing renewal requirements include payment of the renewal fee; verifying completion of continuing education requirements for journeyman and master (24 hours every 3 years), and payment of any unpaid civil penalties or other fees.</p> <p>I.C. § 54-1013 https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH10/SECT54-1013/</p>

Division of Building Safety and Electrical Board – Journeyman & Master Electricians, and Specialty (Journeyman) Electrician

	<p>IDAPA 07.01.03 §§013-014 – Journeyman and Master https://adminrules.idaho.gov/rules/current/07/0103.pdf</p> <p>IDAPA 07.01.04 § 013 – Specialty Journeyman https://adminrules.idaho.gov/rules/current/07/0104.pdf</p>
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B. Applications and Renewals Denied (*January 1, 2017 through December 31, 2017*)

Refusal to Issue Initial License [Total Number: # **94**]

	Application/ Identification Number	Number of Applicants	Statutory Basis	Factual Summary (optional)
1	Journeyman Applications	68	I.C. 54-1001 thru 54-1024	Failure to meet one or more of the requirements for licensure renewal
2	Specialty Electrician Applications	16	I.C. 54-1001 thru 54-1024	Failure to meet one or more of the requirements for licensure renewal
3	Master Applications	10	I.C. 54-1001 thru 54-1024	Failure to meet one or more of the requirements for licensure renewal

Refusal to Renew License [Total Number: # **X**]

	License/ Identification Number	Number of Applicants	Statutory Basis	Factual Summary (optional)
1				The DBS system which tracks licensure applications does not differentiate between original or renewal licensure denial.

Division of Building Safety and Electrical Board – Journeyman & Master Electricians, and Specialty (Journeyman) Electrician

C. Disciplinary Actions (suggested past 5 years) – The statutory basis for the discipline of licensees to include revocation or suspension is contained at I.C. § 54-1009. In accordance with that statute, the Administrator may do so if the license (certificate of competency) was obtained through error or fraud, or if the holder thereof is shown to be grossly incompetent, or has willfully violated any of the rules prescribed by the board, or as prescribed in this chapter; or has, after due notice, failed or refused to correct, within the specified time, any electrical installation not in compliance with the provisions of this chapter, or has failed to pay within the time provided, civil penalties which have become final by operation of law.

Case No	Date of Final Action	Action Taken	Statutory Basis	Factual Basis (optional)
NONE				

D. Law, Rule, or Policy Changes or Attempted Changes in Last 5 Years to Eliminate Barriers to Entry

Session	Legislation or Rule	Summary
NONE		

E. Assessment of Public Interest

[Provide an assessment or statement as to whether the licensure, or requirements relating thereto, are in the public interest, together with the reasons for such assessment or opinion. Executive Order 2.a.]

The Agency and Board believe that the electrical journeyman, master, and specialty electrician licenses are in the public interest in that it helps ensure that qualified persons perform electrical installations in the State of Idaho. The agency and board believe that the health and safety of the public could be at risk if the state does not ensure that qualified individuals with demonstrated knowledge of the electrical code are performing such installations throughout the state. Unsafe electrical installations that could lead to loss of life or serious injury to the public, as well as loss of property and money as a result of fire, other damage, or incorrect electrical installations could be a legitimate consequence without a licensure and qualification program. While inspections of such installations are in important aspect of the safety program, they are not a substitute for a professionally qualified electrician, particularly if

Division of Building Safety and Electrical Board – Journeyman & Master Electricians, and Specialty (Journeyman) Electrician

installations are made without having secured an inspection permit - nor are inspections cost-effective if significant corrections are required due to unqualified practitioners.

F. Recommendations for Improvement, Modification, or Elimination of Requirements

Over the past five (5) years the Division and Board have already examined in-depth the following proposals to eliminate barriers to entry into, or improvements to the electrical profession:

- Reduction in the amount of on the job work experience hours (8000) and schooling (4 years) that is required in order to test for journeyman
- Modification of the requirement to perform work in all three areas of electrical installations (residential, commercial, and industrial) in order to become a journeyman electrician
- Collaboration with Idaho education providers to allow journeyman applicants who have practiced the electrical trade for a specified period of time to “test out” of the schooling requirement, by successfully completing an equivalency examination that adequately tests the applicant’s knowledge of all four years of schooling.

Additionally, the DBS and Electrical Board are continuing to review several of the above proposals through a negotiated rulemaking process, as well review the following proposals to eliminate barriers to entry into, or improvements to the electrical profession:

- The creation of a residential journeyman license category to facilitate the significant need for journeyman electricians who perform electrical installations exclusively in a residential application, and for which the work experience and schooling requirements may be less than a full journeyman electrician.
- Modification of the master electrician category of licensure, and the requirement that a contractor employ a master electrician.
- Modification of the requirement for an apprentice to take continuation training if the apprentice has not passed the journeyman exam within 2 years of completion of schooling.
- Institute a practical element into the journeyman (specialty electrician and master) examination. Many applicants are not very good written exam takers, but excellent electricians/practitioners. A portion of the exams could be a practical competency element to be performed in a lab setting.

G. Public Comments

The DBS and Electrical Board received **one (1)** comments through the DBS email/website regarding electrical journeyman licenses. It was as follows:

- The licensing of people contracting and installing electrical systems is a life safety issue, and as such needs to be under the strict control of the electrical board through DBS, with legislature approval of all changes. This system has worked well over the years for the vast majority of the

Division of Building Safety and Electrical Board – Journeyman & Master Electricians, and Specialty (Journeyman) Electrician

citizens of Idaho. It is continually being fine-tuned in response to changing situations, and the Board will always listen to input from affected parties.

Division of Building Safety and HVAC Board

HVAC Apprentice and Specialty Apprentice Registration

Board/Commission Members: (7) members: Chairman – Ted Sermon, Vice Chairman – John Smith, Members – Bill Carter, Bill VanDeGrift, Randy Hart, Bill Hatch, and Geoffrey Oldenkamp. <https://dbs.idaho.gov/boards/hvacboard/hvacmembers.html>

Board/Commission Composition: (7) members as follows: Two (2) members shall be active HVAC contractors with not less than five (5) years' experience in the HVAC contracting business; one (1) member shall be a city official; one (1) member shall be a county official; one (1) member shall be a private sector mechanical engineer with experience in mechanical system design; one (1) member shall be an HVAC specialty contractor; and one (1) member shall be a member of the general public with an interest in the rights of consumers of HVAC services.

Idaho Code §54-5004 - <https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH50/SECT54-5004/>

Summary

The information contained herein this report reflects the licensing details of HVAC apprentice and HVAC specialty apprentice over the period of time between January 1, 2017 to December 31, 2017 (calendar year 2017). As of January 2018, the Division of Building Safety (DBS) and HVAC board register approximately (2960) HVAC apprentices and (31) HVAC specialty apprentices. Upon issuance, all such registrations are valid for a period of five (5) years and (2) years respectively.

HVAC apprentices may only be issued directly to individuals, and not companies, corporations, or other legal entities. Additionally, various exceptions exist which allow individuals to perform HVAC in certain contexts without the need for a license or registration (I.C. §54-5002). Only the DBS is authorized to grant and issue registrations and licenses, and no local jurisdiction shall have the authority to require additional certification or registration or to require payment of any fees in order to engage in the heating, ventilation and air conditioning trade within the local jurisdiction (I.C. §54-5015).

Division of Building Safety & HVAC Board – HVAC Apprentice & Specialty Apprentice Registration

A. Index of Statute, Rule, and Policy Requirements for Licensure and Renewal

HVAC Apprentice & HVAC Specialty Apprentice	
Issuance Requirements	<p>For apprentice: proof of age (18 years old) or proof of registration in a Dept. of Labor Bureau of Apprentice Training (BAT) program (if age is an issue); submission of the application and payment of the application fee; proof of enrollment in a board approved training (school) program; and proof of employment with an HVAC contractor,</p> <p>I.C. §§54-5003; 5009</p> <p>https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH50/SECT54-5003/</p> <p>IDAPA 07.07.01 §025</p> <p>https://adminrules.idaho.gov/rules/current/07/0701.pdf</p> <p>For specialty apprentice: proof of age (18 years old) or proof of registration in a Dept. of Labor Bureau of Apprentice Training (BAT) program (if age is an issue); submission of the application and payment of the application fee; proof of enrollment in a board approved training (school) program; and proof of employment with an HVAC contractor,</p> <p>I.C. §§54-5003; 5009</p> <p>https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH50/SECT54-5003/</p> <p>IDAPA 07.07.01 §§026</p> <p>https://adminrules.idaho.gov/rules/current/07/0701.pdf</p>
Statute I.C. §	<p>I.C. §§ 54-5001 thru 54-5024 - Installation of Heating, Ventilation, and Air Conditioning Systems</p> <p>https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH50/</p>

Division of Building Safety & HVAC Board – HVAC Apprentice & Specialty Apprentice Registration

<p>IDAPA Rule</p>	<p>For Apprentice and Specialty Apprentice: IDAPA 07.07.01 - Rules Governing Installation of Heating, Ventilation, and Air Conditioning Systems, Division of Building Safety https://adminrules.idaho.gov/rules/current/07/0701.pdf</p>
<p>Policy</p>	<p>DBS follows the governing statutes and rules. There are no applicable policies.</p>
<p>Application</p>	<p>https://dbs.idaho.gov/forms/hvac/</p>
<p>Time from Complete Application to Final Action</p>	<p>Range The timeframe range may be anywhere between a few days to 10 business days.</p> <p>Average On average, a valid & complete original application will take approximately 3-5 days to process. If items are missing (fees, school registration, etc.) then it may take as long as it takes the applicant to submit such. Applications are left open by DBS for 1 year during which applicants have the time to submit required documentation.</p> <p>There is no exam required to register as an HVAC apprentice or specialty apprentice</p> <p>I.C. §54-5010 https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH50/SECT54-5010/</p>
<p>Basis to Deny or Not Accept Application</p>	<p>For apprentice – failure to provide proof of age (18 y/o) (if age is an issue); failure to submit an application and pay application fees; failure to provide proof of enrollment in a board-approved training (school); or failure to provide proof of employment with a licensed HVAC contractor</p> <p>I.C. §54-5003; 5009 https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH50/SECT54-5003/</p>

Division of Building Safety & HVAC Board – HVAC Apprentice & Specialty Apprentice Registration

<p>Basis to Deny or Not Accept Application</p>	<p>IDAPA 07.07.01 §025 https://adminrules.idaho.gov/rules/current/07/0701.pdf</p> <p>For specialty apprentice – failure to provide proof of age (18 y/o) (if age is an issue); failure to submit an application and pay application fees; failure to provide proof of enrollment in a board-approved training (school); or failure to provide proof of employment with a licensed HVAC contractor</p> <p>I.C. §§54-5003 https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH50/SECT54-5003/</p> <p>IDAPA 07.07.01 §§024-028 https://adminrules.idaho.gov/rules/current/07/0701.pdf</p> <p>For out of state applicants - previous licensure as an HVAC journeyman in another recognized jurisdiction.</p> <p>IDAPA 07.07.01 https://adminrules.idaho.gov/rules/current/07/0701.pdf</p>
<p>Basis to Refuse Renewal</p>	<p>For apprentice - failure to submit a renewal application and payment of the fee; failure to be employed by a licensed HVAC contractor; failure to provide proof of enrollment in a board-approved training.</p> <p>I.C. §§54-5003 https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH50/SECT54-5003/</p> <p>IDAPA 07.07.01 §025 https://adminrules.idaho.gov/rules/current/07/0701.pdf</p> <p>For specialty apprentice - failure to submit a renewal application and payment of the fee; failure to be employed by a licensed HVAC contractor; failure to provide proof of enrollment in a board-approved training.</p> <p>§54-5003 https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH50/SECT54-5003/</p> <p>IDAPA 07.07.01 §§026</p>

Division of Building Safety & HVAC Board – HVAC Apprentice & Specialty Apprentice Registration

	https://adminrules.idaho.gov/rules/current/07/0701.pdf
Fees	<p>For an apprentice: \$50 for a (5) year registration</p> <p>For a specialty apprentice: \$20 for a 2yr registration</p> <p>I.C. §54-5012 https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH50/SECT54-5012/</p>
Cost per applicant or licensee	Costs per license is the amount of the registration fee, and the application administration fee
Renewal Requirements	<p>For apprentice – submission of the renewal application and payment of the fee (\$50); employment with a licensed HVAC contractor; proof of enrollment in a board-approved training, if still required.</p> <p>§54-5003 https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH50/SECT54-5003/</p> <p>IDAPA 07.07.01 § 025 https://adminrules.idaho.gov/rules/current/07/0701.pdf</p> <p>For specialty apprentice – submission of the renewal application and payment of the fee (\$50); employment with a licensed HVAC contractor; proof of enrollment in a board-approved training, if still required.</p> <p>§54-5003 https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH50/SECT54-5003/</p> <p>IDAPA 07.07.01 §§026 https://adminrules.idaho.gov/rules/current/07/0701.pdf</p>

Division of Building Safety & HVAC Board – HVAC Apprentice & Specialty Apprentice Registration

B. Applications and Renewals Denied (1 January 2017 through 31 December 2017)

Refusal to Issue Initial License [Total Number: # 16]

	Application/ Identification Number	Number of Applicants	Statutory Authority	Factual Summary (optional)
1	Apprentice Applications	14	I.C. 54-5001 thru 54-5024	Failure to meet one or more of the requirements for original licensure or renewal.
2	Specialty Apprentice Applications	2	I.C. 54-5001 thru 54-5024	Failure to meet one or more of the requirements for original licensure or renewal.

Refusal to Renew License [Total Number: # X]

	License/ Identification Number	Action Taken	Statutory Basis	Factual Summary (optional)
1	NONE			The DBS system which tracks licensure applications does not differentiate between original or renewal licensure denial.

C. Disciplinary Actions (suggested past 5 years) – The statutory basis for the discipline of licensees to include revocation or suspension is contained at I.C. § 54-5013A. In accordance with that statute, the Administrator may do so if the same was obtained through error or fraud, or if the holder thereof is shown to be grossly incompetent, or has willfully violated any of the rules prescribed by the board, or as prescribed in this chapter; or has, after due notice, failed or refused to correct, within the specified time, any HVAC installation not in compliance with the provisions of this chapter, or has failed to pay within the time provided, civil penalties which have become final by operation of law.

Division of Building Safety & HVAC Board - HVAC Apprentice & Specialty Apprentice Registration

Case No	Date of Final Action	Action Taken	Statutory Basis	Factual Basis (optional)
	NONE			

D. Law, Rule, or Policy Changes or Attempted Changes in Last 5 Years to Eliminate Barriers to Entry

Session	Legislation or Rule	Summary
2018	HO482 (I.C. §54-5002) https://legislature.idaho.gov/sessioninfo/2018/legislation/H0482/	Clarifies that homeowners may perform HVAC installations on the entire premises of their residential property. (proposal was rejected by House Business Committee)
2018	HO629 (I.C. §54-5002) https://legislature.idaho.gov/sessioninfo/2018/legislation/H0629/	Allows high school students to perform HVAC work as part of a formal supervised educational course without having to register as an apprentice
2018	HO483 (I.C. §54-5010) https://legislature.idaho.gov/sessioninfo/2018/legislation/H0483/	Provides authority for the HVAC Board, in conjunction with the Division of Career-Technical Education (CTE) to approve a curriculum, and have some administrative oversight of apprentice courses offered by schools to ensure schools are properly educating HVAC apprentices.

E. Assessment of Public Interest

[Provide an assessment or statement as to whether the licensure, or requirements relating thereto, are in the public interest, together with the reasons for such assessment or opinion. Executive Order 2.a.]

Division of Building Safety & HVAC Board – HVAC Apprentice & Specialty Apprentice Registration

The Agency and Board believe that HVAC apprentice and specialty apprentice registration requirements serve the public interest in that it helps ensure the proper training and supervision of individuals who will progress to a qualified journeyman and perform HVAC installations without supervision. Such registrations and periods of initial training, which include schooling and supervision by a qualified journeyman is intended to protect the health and safety of the public by ensuring those new to the trade are being properly instructed about the HVAC and mechanical codes and how to safely make HVAC installations. Unsafe HVAC installations can lead to loss of life or serious injury to the public, as well as loss of property and money as a result of carbon dioxide poisoning, the improper exhausting or venting of hazardous materials into occupied spaces within structures, or other incorrect installations

F. Recommendations for Improvement, Modification, or Elimination of Requirements

The Division and Board make the following recommendations to eliminate barriers to entry into, or improvements to the practice of HVAC apprentice:

- Eliminate the on-going requirement for initial apprentice applicants and renewal applicants to provide proof of employment with a licensed contractor; and proof of enrollment in a board-approved training. (IDAPA 07.07.01 §025)
- Clarify in statute that the revival of a lapsed apprentice registration would not result in any adverse effect to the apprentice applicant in terms of the DBS/Board recognizing hours worked while registered, or schooling completed (i.e. the apprentice need not start over from the beginning; but rather, those work/school hours already achieved would be credited no matter how long the registration has lapsed.
- Recognize as acceptable apprentice schooling in rule those programs that provide complete courses of instruction in less than four years of schooling. (IDAPA 07.07.01 §025)

G. Public Comments

The DBS and HVAC Board did not receive any public comment through the DBS email/website regarding HVAC apprentice or specialty apprentice registration.

Division of Building Safety and HVAC Board

HVAC Contractor & HVAC Specialty Contractor Licenses (Certificate of Competency)

Board/Commission Members: (7) members: Chairman – Ted Sermon, Vice Chairman – John Smith, Members – Bill Carter, Bill VanDeGrift, Randy Hart, Bill Hatch, and Geoffrey Oldenkamp <https://dbs.idaho.gov/boards/hvacboard/hvacmembers.html>

Board/Commission Composition: (7) members as follows: Two (2) members shall be active HVAC contractors with not less than five (5) years' experience in the HVAC contracting business; one (1) member shall be a city official; one (1) member shall be a county official; one (1) member shall be a private sector mechanical engineer with experience in mechanical system design; one (1) member shall be an HVAC specialty contractor; and one (1) member shall be a member of the general public with an interest in the rights of consumers of HVAC services.

Idaho Code §54-5004 - <https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH50/SECT54-5004/>

Summary

The information contained herein this report reflects the licensing details of HVAC contractors and HVAC specialty contractors over the period of time between January 1, 2017 to December 31, 2017 (calendar year 2017). As of January 2018, the Division of Building Safety (DBS) and HVAC board license approximately (916) HVAC contractors and (25) HVAC specialty contractors. Upon issuance, all such licenses (certificate of competencies) are valid for a period of three (3) years. Eight (8) industrial accounts are registered with the DBS which provide employers who employ HVAC maintenance and journeyman workers the ability to receive inspections for certain HVAC work on the premises of the employer. Industrial account holders are not licenses, but rather registered accounts that allow the employers exempt from licensure under I.C. §54-5002 to obtain permits and receive inspections of installations performed on their premises.

HVAC contractor licenses may be issued to individuals, and companies, corporations, or other legal entities. Additionally, various exceptions exist which allow individuals to perform HVAC in certain contexts without the need for a license (I.C. §54-5002). Only the DBS is authorized to grant and issue certificates of competency, and no local jurisdiction shall have the authority to require additional certification or registration or to require payment of any fees in order to engage in the heating, ventilation and air conditioning trade within the local jurisdiction (I.C. §54-5015).

Division of Building Safety & HVAC Board – HVAC Contractor & Specialty Contractor Licenses

A. Index of Statute, Rule, and Policy Requirements for Licensure and Renewal

HVAC Contractor & HVAC Specialty Contractor	
Issuance Requirements	<p>For contractors – submission of and application and payment of the application fees; possession of an active HVAC journeyman license in Idaho for 24 months; successful completion of the contractor exam (70%); proof of a compliance bond in the amount of \$2,000 or evidence of such coverage by a corporate industry group bond acceptable to the board - for the duration of the licensing period.</p> <p>I.C. §54-5003; §§54-5007 thru 5009</p> <p>https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH50/</p> <p>IDAPA 07.07.01 §§013; 020-021</p> <p>https://adminrules.idaho.gov/rules/current/07/0701.pdf</p> <p>For specialty contractors – submission of and application and payment of the application fees; possession of an active HVAC specialty journeyman license in Idaho for 24 months; successful completion of the specialty contractor exam (75%); proof of a compliance bond in the amount of \$2,000 or evidence of such coverage by a corporate industry group bond acceptable to the board.</p> <p>IDAPA 07.07.01 §§013; 020; and §022</p> <p>https://adminrules.idaho.gov/rules/current/07/0701.pdf</p>
Statute I.C. §	<p>I.C. §§ 54-5001 thru 54-5024 - Installation of Heating, Ventilation, and Air Conditioning Systems</p> <p>https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH50/</p>
Rule IDAPA	<p>For Contractors and Specialty Contractors:</p> <p>IDAPA 07.07.01 - Rules Governing Installation of Heating, Ventilation, and Air Conditioning Systems, Division of Building Safety</p> <p>https://adminrules.idaho.gov/rules/current/07/0701.pdf</p>

Division of Building Safety & HVAC Board – HVAC Contractor & Specialty Contractor Licenses

Policy	DBS follows the governing statutes and rules. There are no applicable policies.
Application	https://dbs.idaho.gov/forms/hvac/
Time from Complete Application to Final Action	<p>Range The timeframe range may be anywhere between a few days to 10 business days.</p> <p>Average On average, a valid & complete original application will take approximately 3-5 days to process. If items are missing (fees, bond documentation, etc.) then it may take as long as it takes for the applicant to submit such. Applications are left open by DBS for 1 year during which applicants have the time to submit required documentation.</p> <p>Open book exams may be scheduled on any day with 1-2 days advance notice, and taken at any one of three locations around the state.</p>
Basis to Deny or Not Accept Application	<p>For contractors - failure to submit an application and pay application fees; failure to possess an active HVAC license in Idaho for 24 months; failure to pass the contractor exam (75%); failure to provide proof of A compliance bond in the amount of \$2,000 or evidence of such coverage by a corporate industry group bond acceptable to the board</p> <p>I.C. §54-5003; §§54-5007 thru 5009 https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH50/</p> <p>IDAPA 07.07.01 §§013; 020-021 https://adminrules.idaho.gov/rules/current/07/0701.pdf</p> <p>For specialty contractors - failure to submit an application and pay application fees; failure to possess an active HVAC specialty journeyman license in Idaho for 24 months; failure to pass the specialty contractor exam (75%); failure to provide proof of a compliance bond in the amount of \$2,000 or evidence of such coverage by a corporate industry group bond acceptable to the board.</p> <p>IDAPA 07.07.01 §§013; 020; and §022 https://adminrules.idaho.gov/rules/current/07/0701.pdf</p>

Division of Building Safety & HVAC Board – HVAC Contractor & Specialty Contractor Licenses

<p>Basis to Refuse Renewal</p>	<p>For contractors - failure to submit a renewal application and pay the renewal license fee; failure to pay any outstanding civil penalties, permit, or other fees; or failure to maintain a bond in the amount of \$2,000 or evidence of other such coverage acceptable to the board.</p> <p>§§54-5012 & 5013 https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH50/SECT54-5013/</p> <p>IDAPA 07.07.01 https://adminrules.idaho.gov/rules/current/07/0701.pdf</p> <p>For specialty contractors - failure to submit a renewal application and pay the renewal license fees; failure to pay an outstanding civil penalties, permit, or other fees; failure to provide proof of a compliance bond in the amount of \$2,000 or evidence of other such coverage acceptable to the board.</p> <p>IDAPA 07.07.01 https://adminrules.idaho.gov/rules/current/07/0701.pdf</p> <p>For both contractor and specialty contractor licensees – failure to successfully complete an examination if the original license has expired for more than (1) year.</p> <p>I.C. §54-5013 https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH50/SECT54-5013/</p>
<p>Fees</p>	<p>For both HVAC Contractor and Specialty Contractor licenses:</p> <p>\$35 application fee I.C. §54-5012</p> <p>\$225/3-year original license fee, and \$150/3-year renewal fee for both contractor and specialty contractor on a prorated basis (if applicable). Licenses may also be issued and renewed on an annual basis if desired by the applicant at a rate of \$75 for original and \$50 for renewal license.</p> <p>I.C. §54-5012 https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH50/SECT54-5012/</p>

Division of Building Safety & HVAC Board – HVAC Contractor & Specialty Contractor Licenses

	<p>Examination Fee is \$75</p> <p>I.C. §67-2601A https://legislature.idaho.gov/statutesrules/idstat/Title67/T67CH26/SECT67-2601A/</p>
Cost per applicant or licensee	<p>Costs per license is the amount of the license fee, and the application administration fee</p>
Renewal Requirements	<p>For a contractor - Payment of the renewal fee; payment of any outstanding civil penalties, permit, or other fees; and proof of a bond in the amount of \$2,000 or evidence of other such coverage acceptable to the board.</p> <p>§§54-5012 & 5013 https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH50/SECT54-5013/</p> <p>IDAPA 07.07.01 https://adminrules.idaho.gov/rules/current/07/0701.pdf</p> <p>For specialty contractors - payment the application fees; payment of any outstanding civil penalties, permit, or other fees; and proof of a bond in the amount of \$2,000 or evidence of other such coverage acceptable to the board</p> <p>IDAPA 07.07.01 https://adminrules.idaho.gov/rules/current/07/0701.pdf</p> <p>For both contractor and specialty contractor licensees – successful completion of examination if the original license has expired for more than (1) years.</p> <p>I.C. §54-5013 https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH50/SECT54-5013/</p>

Division of Building Safety & HVAC Board – HVAC Contractor & Specialty Contractor Licenses

B. Applications and Renewals Denied (1 January 2017 through 31 December 2017)

Refusal to Issue Initial License [Total Number: # 14]

	Application/ Identification Number	Number of Applicants	Statutory Authority	Factual Summary (optional)
1	Contractor Applications	13	I.C. 54-5001 thru 54-5024	Failure to meet one or more of the requirements for original licensure or renewal.
2	Specialty Contractor Applications	1	I.C. 54-5001 thru 54-5024	Failure to meet one or more of the requirements for original licensure or renewal.

Refusal to Renew License [Total Number: # X]

	License/ Identification Number	Number of Applicants	Statutory Basis	Factual Summary (optional)
1				The DBS system which tracks licensure applications does not differentiate between original or renewal licensure denial.

A. Disciplinary Actions (suggested past 5 years) – The statutory basis for the discipline of licensees to include revocation or suspension is contained at I.C. § 54-5013A. In accordance with that statute, the Administrator may do so if the same was obtained through error or fraud, or if the holder thereof is shown to be grossly incompetent, or has willfully violated any of the rules prescribed by the board, or as prescribed in this chapter; or has, after due notice, failed or refused to correct, within the specified time, any HVAC installation not in compliance with the provisions of this chapter, or has failed to pay within the time provided, civil penalties which have become final by operation of law.

Division of Building Safety & HVAC Board – HVAC Contractor & Specialty Contractor Licenses

Case No	Date of Final Action	Action Taken	Statutory Basis		Factual Basis (optional)
	NONE				

B. Law, Rule, or Policy Changes or Attempted Changes in Last 5 Years to Eliminate Barriers to Entry

Session	Legislation or Rule	Summary
2018	HO482 (I.C. §54-5002) https://legislature.idaho.gov/sessioninfo/2018/legislation/H0482/	Clarifies that homeowners may perform HVAC installations on the entire premises of their residential property. (proposal was rejected by House Business Committee)

C. Assessment of Public Interest

[Provide an assessment or statement as to whether the licensure, or requirements relating thereto, are in the public interest, together with the reasons for such assessment or opinion. Executive Order 2.a.]

The Agency and Board believe that the HVAC contractor and specialty contractor license requirements serve the public interest in that it helps ensure that qualified persons who are appropriately bonded are offering to provide professional HVAC services to the public. Ensuring that each contractor is able to pass the contractor’s exam, and that they employ qualified HVAC journeyman on staff helps to ensure that the consumer receives a proper HVAC installation in accordance with the adopted HVAC Mechanical and Fuel Gas Codes. It also helps ensure that installations are performed by a reputable business entity that may be subject to licensure discipline for misconduct such as fraud, gross incompetence, or willful violations of the HVAC statutes or rules.

Division of Building Safety & HVAC Board – HVAC Contractor & Specialty Contractor Licenses

D. Recommendations for Improvement, Modification, or Elimination of Requirements

The Division and Board make the following recommendations to eliminate barriers to entry into, or improvements to the HVAC profession:

- Extend from (1) year to (2) years the time in which an expired contractor license may be revived without the applicant having to successfully complete another contractor examination (§54-5013); or alternatively eliminate the requirement altogether regardless of the amount of time that has passed.
- Establish the ability for HVAC contractors and specialty contractors to renew their license in an inactive status if they are not actively engaged in the HVAC business.

E. Public Comments

The DBS and HVAC Board received **one (1)** comment through the DBS email/website regarding HVAC licenses. It was as follows:

- The commenter indicated that he did not believe the HVAC inspection program focused on safety, but rather only revenue and thus should be eliminated. He expressed his unhappiness with how DBS runs the program.

Division of Building Safety and HVAC Board

HVAC Journeyman and Specialty Journeyman Licenses (Certificate of Competency)

Board/Commission Members: (7) members: Chairman – Ted Sermon, Vice Chairman – John Smith, Members – Bill Carter, Bill VanDeGrift, Randy Hart, Bill Hatch, and Geoffrey Oldenkamp. <https://dbs.idaho.gov/boards/hvacboard/hvacmembers.html>

Board/Commission Composition: (7) members as follows: Two (2) members shall be active HVAC contractors with not less than five (5) years' experience in the HVAC contracting business; one (1) member shall be a city official; one (1) member shall be a county official; one (1) member shall be a private sector mechanical engineer with experience in mechanical system design; one (1) member shall be an HVAC specialty contractor; and one (1) member shall be a member of the general public with an interest in the rights of consumers of HVAC services.

Idaho Code §54-5004 - <https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH50/SECT54-5004/>

Summary

The information contained herein this report reflects the licensing details of HVAC journeyman and HVAC specialty journeyman over the period of time between January 1, 2017 to December 31, 2017 (calendar year 2017). As of January 2018, the Division of Building Safety (DBS) and HVAC board license approximately (3148) HVAC journeymen and (47) HVAC specialty journeymen. Upon issuance, all such licenses (certificates of competency) are valid for a period of three (3) years.

HVAC journeyman licenses may only be directly issued to individuals, and not companies, corporations, or other legal entities. Additionally, various exceptions exist which allow individuals to perform HVAC in certain contexts without the need for a license (I.C. §54-5002). Only the DBS is authorized to grant and issue certificates of competency, and no local jurisdiction shall have the authority to require additional certification or registration or to require payment of any fees in order to engage in the heating, ventilation and air conditioning trade within the local jurisdiction (I.C. §54-5015).

Division of Building Safety & HVAC Board – HVAC Journeyman & Specialty Journeyman Licenses

A. Index of Statute, Rule, and Policy Requirements for Licensure and Renewal

HVAC Journeyman & HVAC Specialty Journeyman	
Issuance Requirements	<p>For journeyman: proof of age (18 years old); payment of the application fee; showing proof of 4 years’ experience working in the trade as a registered apprentice; successful completion of apprentice training (school); show proof of employment with an HVAC contractor; successful completion of the journeyman exam (70%);</p> <p>I.C. §§54-5003</p> <p>https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH50/SECT54-5003/</p> <p>IDAPA 07.07.01 §023</p> <p>https://adminrules.idaho.gov/rules/current/07/0701.pdf</p> <p>For specialty journeyman – proof of age (18 years old); payment of the application fees; 1 year work experience as a registered apprentice or specialty apprentice under the supervision of a journeyman or specialty journeyman; completion of 60 hours of board approved training education; successful completion of specialty journeyman exam (70%);</p> <p>I.C. §§54-5003</p> <p>https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH26/</p> <p>IDAPA 07.07.01 §§024-028</p> <p>https://adminrules.idaho.gov/rules/current/07/0701.pdf</p> <p>Out of state journeyman applicants – payment of the application fee; exhibition of a license issued by another recognized jurisdiction may be accepted as proof of meeting the work experience requirements, and successful completion of the journeyman examination (70%)</p> <p>Out of state applicants from those who’ve never been previously licensed as a journeyman in a jurisdiction recognized by the Board shall include evidence that demonstrates the applicant has (4) four years of HVAC work experience of a nature equivalent</p>

Division of Building Safety & HVAC Board – HVAC Journeyman & Specialty Journeyman Licenses

	<p>to that which a HVAC apprentice must perform in Idaho, and (4) four years of schooling equivalent to that which an HVAC apprentice must complete in Idaho, OR the applicant may alternately submit verification of twice the amount of work experience - (8) eight years defined as a minimum of (16,000) sixteen thousand hours; and payment of the application fee.</p> <p>IDAPA 07.07.01 §§024-028</p> <p>https://adminrules.idaho.gov/rules/current/07/0701.pdf</p>
Statute I.C. §	<p>I.C. §§ 54-5001 thru 54-5024 – Installation of Heating, Ventilation, and Air Conditioning Systems</p> <p>https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH50/</p>
Rule IDAPA	<p>For Journeyman and Specialty Journeyman:</p> <p>IDAPA 07.07.01 - Rules Governing Installation of Heating, Ventilation, and Air Conditioning Systems, Division of Building Safety</p> <p>https://adminrules.idaho.gov/rules/current/07/0701.pdf</p>
Policy	<p>DBS follows the governing statutes and rules. There are no applicable policies.</p>
Application	<p>https://dbs.idaho.gov/forms/hvac/</p>
Time from Complete Application to Final Action	<p>Range The timeframe range may be anywhere between a few days to 10 business days.</p> <p>Average On average, a valid & complete original application will take approximately 3-5 days to process. If items are missing (fees, school/work documentation, etc.) then it may take as long as it takes for the applicant to submit such. Applications are left open by DBS for 1 year during which applicants have the time to submit required documentation.</p> <p>Open book exams may be scheduled on any day with 1-2 days advance notice, and taken at any one of three locations around the state.</p>

Division of Building Safety & HVAC Board – HVAC Journeyman & Specialty Journeyman Licenses

<p>Basis to Deny or Not Accept Application</p>	<p>For journeyman – failure to provide proof of age; failure to submit an application and pay application fees; failure to provide proof of completion of work experience requirements (4 years as a registered apprentice); failure to provide proof of completion of a board-approved apprentice training (4 years of school); failure to pass the journeyman exam (70%); or failure to provide proof of employment with a licensed HVAC contractor</p> <p>I.C. §54-5003</p> <p>https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH50/SECT54-5003/</p>
	<p>IDAPA 07.07.01 §023</p> <p>https://adminrules.idaho.gov/rules/current/07/0701.pdf</p> <p>For specialty journeyman - failure to provide proof of age; failure to submit an application and pay application fees; failure to provide proof of completion of work experience requirements (1 years as a registered apprentice or specialty apprentice) working under the supervision of a journeyman or specialty journeyman; failure to provide proof of completion of a board-approved specialty apprentice training (60 hours of school); failure to pass the specialty journeyman exam (70%); or failure to provide proof of employment with a licensed HVAC contractor or specialty HVAC contractor</p> <p>I.C. §§54-5003</p> <p>https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH26/</p>
	<p>IDAPA 07.07.01 §§024-028</p> <p>https://adminrules.idaho.gov/rules/current/07/0701.pdf</p>
	<p>For out of state journeyman applicants from a recognized jurisdiction – failure to exhibit a journeyman license, or other proof of licensure from that jurisdiction; failure to submit an application and pay the fees, and failure to successfully complete the journeyman examination (70%).</p> <p>For out of state applicants from a non board-recognized jurisdiction – failure to provide proof of 4 years of experience and 4 years of school equivalent to what an Idaho apprentice must complete, or alternatively failure to provide proof of 16,000 hours</p>

Division of Building Safety & HVAC Board – HVAC Journeyman & Specialty Journeyman Licenses

	<p>of work experience requirements for those coming from states where schooling is not offered; failure to submit an application and pay the fees, or failure to pass the examination (70%).</p> <p>IDAPA 07.07.01 §§023</p> <p>https://adminrules.idaho.gov/rules/current/07/0701.pdf</p>
<p>Basis to Refuse Renewal</p>	<p>For journeyman - failure to submit a renewal application and pay the renewal license fee;</p> <p>§§54-5012 & 5013 https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH50/SECT54-5013/</p> <p>IDAPA 07.07.01 §§013; and 023</p> <p>https://adminrules.idaho.gov/rules/current/07/0701.pdf</p> <p>For specialty journeyman - failure to submit a renewal application and pay the renewal license fee;</p> <p>§§54-5012 & 5013 https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH50/SECT54-5013/</p> <p>IDAPA 07.07.01 §§024-028</p> <p>https://adminrules.idaho.gov/rules/current/07/0701.pdf</p> <p>For both journeyman and specialty journeyman licensees – successful completion of examination if the original license has expired for more than (1) year.</p> <p>§54-5013 https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH50/SECT54-5013/</p>
<p>Fees</p>	<p>For both HVAC Journeyman and Specialty Journeyman licenses:</p> <p>\$35 application fee I.C. §54-5012</p>

Division of Building Safety & HVAC Board – HVAC Journeyman & Specialty Journeyman Licenses

	<p>\$150 for 3-year original license fee, and \$75 for 3-year renewal fee for both contractor and specialty contractor on a prorated basis (if applicable). Licenses may also be issued and renewed on an annual basis if desired by the applicant at a rate of \$50 for original and \$25 for renewal license.</p> <p>I.C. §54-5012 https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH50/SECT54-5012/</p> <p>Examination Fee is \$75</p> <p>I.C. §67-2601A https://legislature.idaho.gov/statutesrules/idstat/Title67/T67CH26/SECT67-2601A/</p>
<p>Cost per applicant or licensee</p>	<p>Costs per license is the amount of the license fee, and the application administration fee</p>
<p>Renewal Requirements</p>	<p>For journeyman – submission of a renewal application and payment of the renewal license fee.</p> <p>§§54-5012 & 5013 https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH50/SECT54-5013/</p> <p>IDAPA 07.07.01 §§013; and 023 https://adminrules.idaho.gov/rules/current/07/0701.pdf</p> <p>For specialty journeyman – submission of a renewal application and payment of the renewal license fee.</p> <p>§§54-5012 & 5013 https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH50/SECT54-5013/</p> <p>IDAPA 07.07.01 §§024-028 https://adminrules.idaho.gov/rules/current/07/0701.pdf</p> <p>For both journeyman and specialty journeyman licensees – successful completion of examination if the original license has expired for more than (1) year.</p> <p>§54-5013 https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH50/SECT54-5013/</p>

Division of Building Safety & HVAC Board – HVAC Journeyman & Specialty Journeyman Licenses

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B. Applications and Renewals Denied (*1 January 2017 through 31 December 2017*)

Refusal to Issue Initial License [Total Number: # **17**]

	Application/ Identification Number	Number of Applicants	Statutory Authority	Factual Summary (optional)
1	Journeyman Applications	14	I.C. 54-5001 thru 54-5024	Failure to meet one or more of the requirements for original licensure or renewal.
2	Specialty Journeyman Applications	3	I.C. 54-5001 thru 54-5024	Failure to meet one or more of the requirements for original licensure or renewal.

Refusal to Renew License [Total Number: # **X**]

	License/ Identification Number		Statutory Basis	Factual Summary (optional)
1				The DBS system which tracks licensure applications does not differentiate between original or renewal licensure denial.

C. Disciplinary Actions (suggested past 5 years) – The statutory basis for the discipline of licensees to include revocation or suspension is contained at I.C. § 54-5013A. In accordance with that statute, the Administrator may do so if the same was obtained through error or fraud, or if the

Division of Building Safety & HVAC Board – HVAC Journeyman & Specialty Journeyman Licenses

holder thereof is shown to be grossly incompetent, or has willfully violated any of the rules prescribed by the board, or as prescribed in this chapter; or has, after due notice, failed or refused to correct, within the specified time, any HVAC installation not in compliance with the provisions of this chapter, or has failed to pay within the time provided, civil penalties which have become final by operation of law.

Case No	Date of Final Action	Action Taken	Statutory Basis	Factual Basis (optional)
	NONE			

D. Law, Rule, or Policy Changes or Attempted Changes in Last 5 Years to Eliminate Barriers to Entry

Session	Legislation or Rule	Summary
2018	HO482 (I.C. §54-5002) https://legislature.idaho.gov/sessioninfo/2018/legislation/H0482/	Clarifies that homeowners may perform HVAC installations on the entire premises of their residential property. (proposal was rejected by House Business Committee)
2017	IDAPA 07.07.01 §023 https://adminrules.idaho.gov/rules/current/07/0701.pdf	Allows an applicant for a journeyman license from out of state who did not go through schooling to submit 16000 hours of on-the-job work experience in lieu of school.

E. Assessment of Public Interest

[Provide an assessment or statement as to whether the licensure, or requirements relating thereto, are in the public interest, together with the reasons for such assessment or opinion. Executive Order 2.a.]

The Agency and Board believe that the HVAC journeyman, and specialty journeyman license requirements serve the public interest in that it helps ensure that qualified persons perform HVAC installations in the State of Idaho. It is believed that the health and safety of the public could be at risk if the state does not ensure that qualified individuals with demonstrated knowledge of the HVAC codes are performing such installations in the state. Unsafe HVAC

Division of Building Safety & HVAC Board – HVAC Journeyman & Specialty Journeyman Licenses

installations can lead to loss of life or serious injury to the public, as well as damage to property and expenses. More specifically, such risks may include poor air quality, carbon dioxide poisoning, the improper exhausting or venting of hazardous materials into occupied spaces within structures, or other incorrect installations could be a legitimate consequence without a licensure and qualification program. While inspections of such installations are an important aspect of the safety program, they are not a substitute for a professionally qualified HVAC installer, particularly if installations are made without having secured an inspection permit - nor cost-effective if significant corrections are required due to unqualified practitioners.

F. Recommendations for Improvement, Modification, or Elimination of Requirements

The Division and Board make the following recommendations to eliminate barriers to entry into, or improvements to the HVAC profession:

- Extend from (1) year to (2) years the time in which an expired journeyman license may be revived without the applicant having to successfully complete another journeyman examination (§54-5013); or alternatively eliminate the requirement altogether regardless of the amount of time that has passed.
- Work with Idaho education providers to allow journeyman applicants who have practiced the HVAC trade for a specified period of time to “test out” of the schooling requirement, by successfully completing an equivalency examination that adequately tests the applicant’s knowledge of all four years of schooling.

G. Public Comments

The DBS and HVAC Board did not receive any public comment through the DBS email/website regarding HVAC journeyman or specialty journeyman licenses.

Division of Building Safety and Factory Built Structures Board

Manufactured & Mobile Home Licensing

Board/Commission Members: (8) members: Chairman – Markus Alley, Vice Chairman – Jeff Chrisman, Members – Spencer McLean, Ken Roche, Kenna Draper, Mike Jensen, Michael Hampton, and Brian Mattson <https://dbs.idaho.gov/boards/fbsboard/fbsmembers.html>

Board/Commission Composition: (8) members make up the Factory Built Structures (FBS) Advisory Board as follows: One (1) member shall represent a manufacturer of commercial modular buildings, one (1) member shall be a consumer who lives in a manufactured home, two (2) members shall be licensed as a retailer or installer of manufactured or mobile homes, one (1) member shall represent a manufacturer of manufactured homes, two (2) members shall be either a dealer or installer of modular buildings, and one (1) member shall be a consumer who uses or has used modular buildings.

Idaho Code §39-4302 - <https://legislature.idaho.gov/statutesrules/idstat/Title39/T39CH43/SECT39-4302/>

The FBS advisory board is comprised of individuals in both the manufactured home industry and the modular building industry. Manufactured homes are only residential units of closed construction built in a factory setting in accordance with standards adopted by the U.S. Department of Housing and Urban Development (HUD) and the State of Idaho, and regulated by Idaho through a program at DBS approved by HUD. Various participants involved in the manufactured home industry (manufacturers, retailers, installers, etc.) are required to be licensed by the State of Idaho (and HUD). “Manufactured homes” are units constructed after June 1976, and “mobile homes” are those constructed prior to that date (and prior to the establishment of the HUD regulatory program over manufactured homes). Modular buildings are also built in a factory setting – and are structures of closed construction prefabricated or assembled at a location other than the building site. Modular buildings may be residential or commercial, and are built in accordance with the state’s adopted residential and building codes – just like site-built structures. Those who construct or sell modular buildings are *not* required to be licensed by the State of Idaho.

Summary

The information contained herein this report reflects the licensing details of Manufactured Home licensing over the period of time between January 1, 2017 to December 31, 2017 (calendar year 2017). As of January 2018, the Division of Building Safety (DBS) and Factory Built Structures advisory board license approximately (169) participants in six different categories of manufactured home licensure – manufacturers (10), retailers (46), installers (46), resale brokers (2), salesman (51), and responsible managing employees (RME) (14). Upon issuance, all such licenses are valid for a period of one (1) year, and fees and bonds for such work shall be paid exclusively to DBS and supersede any program of any political subdivision of the state which sets fee or bond requirements for the same services (I.C. §44-2103).

Division of Building Safety & Factory Built Structures Board - Manufactured & Mobile Home Licensing

The following provides more detail about the various types of manufactured home license categories: **manufacturers** manufacture the home in a factory; **retailers** are in the business of selling new or used homes to a consumer; installers install the homes at the site of occupancy; **resale brokers** are those in the business of selling used or third-party homes; a **salesman** works for retailers or resale brokers and negotiates the sale of new or used units for a wage (salary, commission, etc.); and **RMEs** are those designated by a manufacturer, retailer, resale broker, or installer to supervise other employees.

A. Index of Statute, Rule, and Policy Requirements for Licensure and Renewal

Manufactured & Mobile Home Licensing	
Issuance Requirements	<p>All Manufactured Home Licenses are issued for a period of one (1) upon the submission and/or completion of the following:</p> <ul style="list-style-type: none"> ▪ Submission of a complete written application and payment of the license fees; ▪ Proof of age (18 years old) if the DBS has reason to seek such ▪ Evidence of a performance bond for the following categories of licensure in the following amounts: <ul style="list-style-type: none"> Manufacturer \$20,000 bond Retailer \$40,000 bond Resale broker \$30,000 bond Installer \$5,000 bond <p>A deposit of cash or securities in lieu of a bond may also be accepted by the Administrator</p> <ul style="list-style-type: none"> ▪ If the applicant for licensure is a legal entity such as corporation, partnership, trust, society, club, association, or other organization - the written designation of a natural person to represent the licensee, ▪ Any proof the Division may deem necessary that the applicant is actually a manufacturer, retailer, resale broker, or installer. ▪ Any proof the Division may require of the applicant's good character and reputation and of his fitness to engage in the activities for which the license is sought; ▪ Any proof the Division may require that the applicant has a principal place of business (see below)

Division of Building Safety & Factory Built Structures Board - Manufactured & Mobile Home Licensing

<p>Issuance Requirements <i>(cont.)</i></p>	<p>Additional Requirements for Specific Licenses:</p> <ul style="list-style-type: none"> ▪ For retailers, resale brokers, and installers, successful completion of an examination (70%). There is no cost for the exam. ▪ Original retailer or resale broker licenses are required to submit to a fingerprint-based criminal history background check of the Idaho central criminal database and the federal bureau of investigation criminal history database. Submission of a full set of the applicant’s fingerprints and the fees to cover the cost of the criminal history background check for such person ▪ Additionally, retailer or resale brokers have additional requirements related to their business office and retail sales locations, including the identity and maintenance of their principle place of business, and certain requirements thereof including the display of signage, the display of their license, hours of operation, ownership changes, and their authority to sell (franchise dealer of) a manufacturer’s product. (I.C. §44-2108). ▪ Salesman and Responsible Managing Employee (RME) license applicants must be verified by their employer and include their residential and employer’s address, any previous manufactured home salesman licensure history, and any other relevant information the Division deems necessary. ▪ Original Installer license applicants must demonstrate proof of completion of (8) hours of initial education ▪ Note that while a license is required to engage in various activities related to manufactured homes (as identified above), an individual may buy, sell, broker, trade or offer for resale up to two (2) manufactured or mobile homes, or a combination thereof, in any one (1) calendar year without being licensed under this chapter if all of the units have been properly titled in the name of that individual. (I.C. §44-2107) <p>Idaho Code §§ 44-2101 through 44-2108 https://legislature.idaho.gov/statutesrules/idstat/Title44/T44CH21/</p> <p>IDAPA 07.03.11 - Rules Governing Manufactured/Mobile Home Industry Licensing https://adminrules.idaho.gov/rules/current/07/0311.pdf</p>
<p>Statute I.C. §</p>	<p>I.C. §§ 44-2101 through 44-2108. Title 44, Chapter 21 - Manufacture Home Licensing: https://legislature.idaho.gov/statutesrules/idstat/Title44/T44CH21/</p>
<p>Rule IDAPA</p>	<p>IDAPA 07.03.11 - Rules Governing Manufactured/Mobile Home Industry Licensing https://adminrules.idaho.gov/rules/current/07/0311.pdf</p>
<p>Policy</p>	<p>DBS follows the governing statutes and rules. There are no applicable policies.</p>

Division of Building Safety & Factory Built Structures Board - Manufactured & Mobile Home Licensing

<p>Application</p>	<p>https://dbs.idaho.gov/forms/mfg_housing/</p>
<p>Time from Complete Application to Final Action</p>	<p>Range The timeframe range may be anywhere between 3 to 10 business days.</p> <p>Average On average, a valid & complete original application will take approximately 3-5 days to process any of the manufactured home licenses. If items are missing (fees, background checks, required documentation, etc.) then it may take as long as it takes for the applicant to submit such. Applications are left open by DBS for 6 months during which applicants have the time to submit required documentation.</p> <p>Open book exams may be scheduled on any day with 1-2 days advance notice, and taken at any one of three locations around the state.</p>
<p>Basis to Deny or Not Accept Application</p>	<p>For all license categories:</p> <ul style="list-style-type: none"> ▪ Failure to submit a complete written application and payment of the application fees; ▪ Failure to provide proof of age (18 years old) - if the DBS has reason to seek such ▪ Failure to provide evidence of a performance bond (or a deposit of cash or securities in lieu of a bond) for those categories of licensure that require such (manufacturer, retailer, resale broker, and installer) ▪ If the applicant for licensure is a legal entity such as corporation, partnership, etc. – failure to designate in writing a natural person to represent the licensee, ▪ Failure to provide proof the Division may deem necessary that the applicant is actually a manufacturer, retailer, resale broker, or installer. ▪ Failure to provide proof the Division may require of the applicant's good character and reputation and of his fitness to engage in the activities for which the license is sought; ▪ Failure to provide proof the Division may require that the applicant has a principal place of business (see below) <p>Additional requirements for specific licenses:</p> <ul style="list-style-type: none"> ▪ Failure of retailers, resale brokers, and installers, applicants to successfully complete an examination (70%). ▪ For original retailer or resale broker licenses applications – failure to submit to a fingerprint-based criminal history background check of the Idaho central criminal database and the federal bureau of investigation criminal history database.

Division of Building Safety & Factory Built Structures Board - Manufactured & Mobile Home Licensing

<p>Basis to Deny or Not Accept Application (cont.)</p>	<ul style="list-style-type: none"> ▪ Failure of retailer or resale brokers applicants to provide evidence of the additional requirements related to their business office and retail sales locations, including the identity and maintenance of their principle place of business, and certain requirements thereof including the display of signage, the display of their license, hours of operation, ownership changes, and their authority to sell (franchise dealer of) a manufacturer’s product. (I.C. §44-2108). ▪ Failure of Salesman and Responsible Managing Employee (RME) license applicants to provide employment verification from their employer and include their residential and employer’s address, any previous manufactured home salesman licensure history, and any other relevant information the Division deems necessary. <p>Idaho Code §§ 44-2101 through 44-2108 https://legislature.idaho.gov/statutesrules/idstat/Title44/T44CH21/</p> <p>IDAPA 07.03.11 - Rules Governing Manufactured/Mobile Home Industry Licensing https://adminrules.idaho.gov/rules/current/07/0311.pdf</p>
<p>Basis to Refuse Renewal</p>	<p>For all license categories:</p> <ul style="list-style-type: none"> ▪ Failure to submit a complete written application and payment of the license fees; ▪ Failure to provide proof of age (18 years old) - if the DBS has reason to seek such ▪ Failure to provide evidence of a performance bond (or a deposit of cash or securities in lieu of a bond) for those categories of licensure that require such (manufacturer, retailer, resale broker, and installer) ▪ If the applicant for licensure is a legal entity such as corporation, partnership, etc. – failure to designate in writing a natural person to represent the licensee, or notify the DBS if an individual’s working relationship with the licensee was terminated ▪ Failure to provide proof the Division may deem necessary that the applicant is actually a manufacturer, retailer, resale broker, or installer. ▪ Failure to provide proof the Division may require of the applicant's good character and reputation and of his fitness to engage in the activities for which the license is sought; ▪ Failure to provide proof the Division may require that the applicant has a principal place of business (see below) <p>Additional requirements for specific licenses:</p> <ul style="list-style-type: none"> ▪ Failure of retailer or resale brokers applicants to provide evidence of the additional requirements related to their business office and retail sales locations, including the identity and maintenance of their principle place of business, and certain

Division of Building Safety & Factory Built Structures Board - Manufactured & Mobile Home Licensing

	<p>requirements thereof including the display of signage, the display of their license, hours of operation, ownership changes, and their authority to sell (franchise dealer of) a manufacturer’s product. (I.C. §44-2108).</p> <ul style="list-style-type: none"> ▪ Failure of Salesman and Responsible Managing Employee (RME) license applicants to provide employment verification from their employer and include their residential address and employer’s address, or failure to provide any other relevant information the Division deems necessary. ▪ Renewal Installer license applicants must demonstrate proof of completion of (8) hours of an approved course of continuing education in the three years prior to licensure renewal <p>Idaho Code §§ 44-2101 through 44-2108 https://legislature.idaho.gov/statutesrules/idstat/Title44/T44CH21/</p> <p>IDAPA 07.03.11 - Rules Governing Manufactured/Mobile Home Industry Licensing https://adminrules.idaho.gov/rules/current/07/0311.pdf</p>
<p>Fees</p>	<p>The following licenses issued annually may be obtained on an initial and renewal basis for the following fees:</p> <p>For Manufacturers: There is no cost to submit the application Manufacturer initial and renewal license fee - \$440</p> <p>For Retailers and Resale Brokers: There is no cost to submit the application or to take the examination Criminal background check through Idaho Central Criminal Database - \$39.75 Retailer and Resale Broker initial and renewal license fee - \$440</p> <p>For Installers: There is no cost to submit the application Installer initial and renewal license fee - \$220</p> <p>For Salesperson: There is no cost to submit the application Salesperson initial and renewal license fee - \$45</p>

Division of Building Safety & Factory Built Structures Board - Manufactured & Mobile Home Licensing

<p>Fees <i>(cont)</i></p>	<p>For Responsible Managing Employee (RME): There is no cost to submit the application RME initial and renewal license fee - \$45</p> <p>Idaho Code §§ 44-2103 https://legislature.idaho.gov/statutesrules/idstat/Title44/T44CH21/SECT44-2103/</p> <p>IDAPA 07.03.11 § 019 - Rules Governing Manufactured/Mobile Home Industry Licensing https://adminrules.idaho.gov/rules/current/07/0311.pdf</p>
<p>Cost per applicant or licensee</p>	<p>Costs per license is the amount of the license fee, and the application administration fee</p>
<p>Renewal Requirements</p>	<p>For all license categories:</p> <ul style="list-style-type: none"> ▪ Submission of a complete written application and payment of the license fees; ▪ Proof of age (18 years old) - if the DBS has reason to seek such ▪ Evidence of a performance bond (or a deposit of cash or securities in lieu of a bond) for those categories of licensure that require such (manufacturer, retailer, resale broker, and installer) ▪ If the applicant for licensure is a legal entity such as corporation, partnership, etc. – written designation of a natural person to represent the licensee, or notification to the DBS if an individual’s working relationship with the licensee was terminated ▪ Proof the Division may deem necessary that the applicant is actually a manufacturer, retailer, resale broker, or installer. ▪ Proof the Division may require of the applicant's good character and reputation and of his fitness to engage in the activities for which the license is sought; ▪ Proof the Division may require that the applicant has a principal place of business (see below) <p>Additional requirements for specific licenses:</p> <ul style="list-style-type: none"> ▪ Retailer or Resale Brokers applicants - evidence of the additional requirements related to their business office and retail sales locations, including the identity and maintenance of their principle place of business, and certain requirements thereof including the display of signage, the display of their license, hours of operation, ownership changes, and their authority to sell (franchise dealer of) a manufacturer’s product. (I.C. §44-2108). ▪ Salesman and Responsible Managing Employee (RME) license applicants - employment verification from their employer along with their residential address and employer’s address, or failure to provide any other relevant information the Division deems necessary.

Division of Building Safety & Factory Built Structures Board - Manufactured & Mobile Home Licensing

	<ul style="list-style-type: none"> ▪ Installer license applicants must demonstrate proof of completion of (8) hours of an approved course of continuing education in the three years prior to licensure renewal <p>Idaho Code §§ 44-2101 through 44-2108 https://legislature.idaho.gov/statutesrules/idstat/Title44/T44CH21/</p> <p>IDAPA 07.03.11§§012-014 - Rules Governing Manufactured/Mobile Home Industry Licensing https://adminrules.idaho.gov/rules/current/07/0311.pdf</p> <p>Note – for all license categories – if a licensee fails to submit a completed application for renewal or to pay the renewal fee on or before the expiration date, the administrator may accept a later application for reinstatement subject to such conditions as the board may require by rule including, but not limited to, the assessment of a late fee (I.C. §44-2101(3)).</p> <p>https://legislature.idaho.gov/statutesrules/idstat/Title44/T44CH21/SECT44-2103/</p>
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B. Applications and Renewals Denied (*1 January 2017 through 31 December 2017*)

Refusal to Issue **Initial** License [Total Number: # **0**]

	Application/ Identification Number	Number of Applicants	Statutory Authority	Factual Summary (optional)
1	All categories of Manufactured Home Licenses	169	I.C. 44-2101 through 44-2108	Applications are left open by DBS for 6 months during which applicants have the time to submit required documentation.

Refusal to **Renew** License [Total Number: # **0**]

	License/ Identification Number	Number of Applicants	Statutory Basis	Factual Summary (optional)
1				The DBS system which tracks licensure applications does not differentiate between original or renewal licensure denial.

Division of Building Safety & Factory Built Structures Board - **Manufactured & Mobile Home Licensing**

- C. Disciplinary Actions** (suggested past 5 years) The statutory basis for the discipline of licensees to include revocation, suspension, refusal to renew or re-instate, or take other disciplinary action against any license is contained at I.C. § 44-2105. In accordance with that statute, the Administrator may do so if the license was obtained through error or fraud, or if the holder thereof is shown to be grossly incompetent, or has willfully violated any provision of this chapter or the rules adopted thereunder, or has been convicted of conduct constituting a felony or any theft or fraud offense, or has ever had a business license revoked in this or any other state or territory of the United States. Pursuant to I.C. § 44-2105, a list of various reasons for which the Administrator may take disciplinary action is contained at IDAPA 07.03.11 § 016.

Case No	Date of Final Action	Action Taken	Statutory Basis	Factual Basis (optional)
	NONE			

- D. Law, Rule, or Policy Changes or Attempted Changes in Last 5 Years to Eliminate Barriers to Entry**

Session	Legislation or Rule	Summary
2018	IDAPA 07-0311-1701 https://adminrules.idaho.gov/bulletin/2017/09.pdf (page 60)	Modification of Installer continuing education requirements from (4) every year to (8) every three years
2013 2014	H0028 http://legislature.idaho.gov/sessioninfo/2013/legislation/H0028/ IDAPA 07-0311-1301 https://adminrules.idaho.gov/bulletin/2017/09.pdf (page 68)	Elimination of the Service Company license – which previously required that individuals and companies who provided service and repair work on manufactured and mobile homes be licensed

- E. Assessment of Public Interest**

[Provide an assessment or statement as to whether the licensure, or requirements relating thereto, are in the public interest, together with the reasons for such assessment or opinion. Executive Order 2.a.]

The Agency and Board believe that manufactured and mobile home licenses are in the public interest because it helps ensure that those who manufacture, sell, and install manufactured or mobile homes are properly qualified through experience, integrity, and financial ability to provide such homes to the

Division of Building Safety & Factory Built Structures Board - **Manufactured & Mobile Home Licensing**

public. Effective licensing procedures protect the public health and safety, and ensure that contractors of integrity provide services related to manufactured homes – which can often represent a large financial investment by members of the public; and which, due to their itinerant nature may be sold, re-sold, moved, re-set, and renovated numerous times without homeowners’ full understanding and appreciation of the manufactured home construction and installation standards, as well as possible financial lending ramifications. Additionally, as it relates to the Installer license category, much of the state’s licensing requirements are required by federal HUD requirements.

F. Recommendations for Improvement, Modification, or Elimination of Requirements

The Division and Board make the following recommendations to eliminate barriers to entry into, or improvements to the Manufactured Home profession:

- Establish provisions regarding the renewal of all manufactured home licenses from an annual one to a three-year license cycle (§§44-2101 & IDAPA 07.03.11 § 012).
- Consider elimination of the retailer and resale broker license category, or transfer the license to a different regulatory agency. While the retailer and resale broker license may provide protections to consumers with regard to the sale of manufactured homes, there is no nexus to building safety or construction standards – for which the DBS and Factory Built Structures Board is primarily tasked with establishing and enforcing.
- Elimination of the resale broker, salesperson, and RME license (for all categories – manufacturer, retailer and installer) in favor of the following: resale broker be required to obtain a retailer license and equivalent bond, and make retailers and installers responsible for their own employees without the need for designating one or more of them as RMEs – by amending the statutes to require retailers and installers to take on the responsibilities of the RME. (This recommendation was submitted by the Idaho Housing Alliance dated March 7, 2018)

G. Public Comments

The DBS and Factory Built Structures Board received **one (1)** comments through the DBS email/website regarding manufactured and mobile home licensing. It was as follows:

- Elimination of the resale broker, salesperson, and RME license (for all categories – manufacturer, retailer and installer) in favor of the following: resale broker be required to obtain a retailer license and equivalent bond, and make retailers and installers responsible for their own employees without the need for designating one or more of them as RMEs – by amending the statutes to require retailers and installers to take on the responsibilities of the RME. (This recommendation was submitted by the Idaho Housing Alliance dated March 7, 2018)

Division of Building Safety and Plumbing Board

Plumbing Apprentice and Specialty Apprentice Registrations

Board/Commission Members: (5) members: Chairman – Matt Gardner, Vice Chairman – Gilbert Pond, Members – Shaun Irwin, Debbie Oberhofer, and Rick Garrett <https://dbs.idaho.gov/boards/pbboard/pbmembers.html>

Board/Commission Composition: (5) members as follows: Two (2) members shall be members of the public at large with an interest in the rights of consumers of plumbing services; one (1) member shall be an active plumbing contractor with not less than five (5) years' experience in the plumbing contracting business; one (1) member shall be an active plumbing contractor with not less than five (5) years in the plumbing contracting business with an additional background of experience in gas piping installations in buildings; and one (1) member shall be a journeyman plumber.

Idaho Code §54-2605 - <https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH26/SECT54-2605/>

Summary

The information contained herein this report reflects the registration details of plumbing apprentices and plumbing specialty apprentices over the period of time between January 1, 2017 to December 31, 2017 (calendar year 2017). As of January 2018, the Division of Building Safety (DBS) and plumbing board register approximately (1850) plumbing apprentices and (98) plumbing specialty apprentices. Upon issuance, apprentice registrations are valid for a period of five (5) years, and specialty apprentice registrations for a period of three (3) years. Plumbing apprentice registrations may only be directly issued to individuals, and not companies, corporations, or other legal entities. Additionally, various exceptions exist which allow individuals to perform plumbing in certain contexts without the need for a license/registration (I.C. §54-2602). Cities may not require additional plumbing licensure on those who are licensed by the DBS, except those cities that have qualified plumbing inspectors (I.C. §54-2619).

Division of Building Safety & Plumbing Board – Plumbing Apprentice & Specialty Apprentice Registrations

A. Index of Statute, Rule, and Policy Requirements for Licensure and Renewal

	Plumbing Apprentice & Plumbing Specialty Apprentice
Issuance Requirements	<p>For apprentice: submission of an application, and payment of the application fee; proof of age (16 y/o) (if age is an issue), enrollment in school.</p> <p>I.C. §§54-2610 thru 2616 https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH26/</p> <p>IDAPA 07.02.05 §011 https://adminrules.idaho.gov/rules/current/07/0205.pdf</p> <p>For specialty apprentice – payment of the application fees; proof of age (16 y/o) (if age is an issue)</p> <p>IDAPA 07.02.05 §§ 017 https://adminrules.idaho.gov/rules/current/07/0205.pdf</p>
Statute I.C. §	<p>I.C. §§ 54-2601 thru 54-2630. Title 54, Chapter 26 - Plumbing and Plumbers https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH26/</p>
IDAPA Rule	<p>For apprentice and Specialty apprentice:</p> <p>IDAPA 07.02.05 -- Rules Governing Plumbing Safety Licensing https://adminrules.idaho.gov/rules/current/07/0205.pdf</p>
Policy	<p>DBS follows the governing statutes and rules. There are no applicable policies.</p>
Application	<p>https://dbs.idaho.gov/forms/plumbing/</p>

Division of Building Safety & Plumbing Board – Plumbing Apprenticeship & Specialty Apprenticeship Registrations

<p>Time from Complete Application to Final Action</p>	<p>Range The timeframe range may be anywhere between a few days to 10 business days.</p> <p>Average On average, a valid & complete original application will take approximately 3-5 days to process. If items are missing (fees, school registration, etc.) then it may take as long as it takes the applicant to submit such. Applications are left open by DBS for 1 year during which applicants have the time to submit required documentation.</p> <p>I.C. § 54-2613 https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH26/SECT54-2613/</p> <p>There is no exam required to register as a plumbing apprentice or specialty apprentice</p> <p>IDAPA 07.02.05 §011 https://adminrules.idaho.gov/rules/current/07/0205.pdf</p>
<p>Basis to Deny or Not Accept Application</p>	<p>For Apprentice: failure to pay application fee; failure to show proof of age (16 y/o) (if age is an issue); failure to be employed by a licensed contractor; failure to provide proof of enrollment in a board-approved training.</p> <p>I.C. §54-2614; 54-2611 https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH26/SECT54-2614/</p> <p>IDAPA 07.02.05 https://adminrules.idaho.gov/rules/current/07/0205.pdf</p> <p>I.C. §54-2614 and 2614A https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH26/</p> <p>IDAPA 07.02.05 §§011-012 https://adminrules.idaho.gov/rules/current/07/0205.pdf</p> <p>For specialty apprentice - failure to pay application fees; failure to show proof of age (16 y/o) (if age is an issue); failure to be employed by a licensed contractor; failure to provide proof of enrollment in a board-approved training.</p> <p>I.C. § 54-14; 2614A https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH26/</p>

Division of Building Safety & Plumbing Board – Plumbing Apprentice & Specialty Apprentice Registrations

	<p>IDAPA 07.02.05 §§ 018-019 https://adminrules.idaho.gov/rules/current/07/0205.pdf</p> <p>For out of state applicants - previous licensure as a journeyman or master plumber in another recognized jurisdiction</p> <p>IDAPA 07.02.05 § 010 https://adminrules.idaho.gov/rules/current/07/0205.pdf</p>
<p>Basis to Refuse Renewal</p>	<p>For Apprentice: failure to submit a renewal application and payment of the fee; failure to be employed by a licensed contractor; failure to provide proof of enrollment in a board-approved training.</p> <p>I.C. §54-2614 and 2614A https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH26/SECT54-2614/</p> <p>IDAPA 07.02.05 §011 https://adminrules.idaho.gov/rules/current/07/0205.pdf</p> <p>For specialty apprentice - failure to submit a renewal application and payment of the fee; failure to show proof of age (16 y/o) (if age is an issue); failure to be employed by a licensed contractor; failure to provide proof of enrollment in a board-approved training.</p> <p>I.C. § 54-2614; 54-2614A https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH26/</p> <p>IDAPA 07.02.05 §§ 018-019 https://adminrules.idaho.gov/rules/current/07/0205.pdf</p>
<p>Fees</p>	<p>For an apprentice: \$50 for a (5) year registration</p> <p>For a specialty apprentice: \$30 for a 3yr registration</p> <p>I.C. §54-2614, and 2614A https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH26/SECT54-2614/</p>

Division of Building Safety & Plumbing Board – Plumbing Apprentice & Specialty Apprentice Registrations

<p>Cost per applicant or licensee</p>	<p>Costs per license is the amount of the registration fee, and the application administration fee</p>
<p>Renewal Requirements</p>	<p>For Apprentice: submission of the renewal application and payment of the fee (\$50); employment with a licensed contractor; proof of enrollment in a board-approved training, if still required.</p> <p>I.C. §54-2614 and 2614A; https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH26/SECT54-2614/</p> <p>IDAPA 07.02.05 §011 https://adminrules.idaho.gov/rules/current/07/0205.pdf</p> <p>For specialty apprentice: submission of the renewal application and payment of the fee (\$30); employment with a licensed contractor; proof of enrollment in a board-approved training, if still required.</p> <p>I.C. § 54-2614; 54-2614A https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH26/</p> <p>IDAPA 07.02.05 §§ 018-019 https://adminrules.idaho.gov/rules/current/07/0205.pdf</p>

Division of Building Safety & Plumbing Board – Plumbing Apprentice & Specialty Apprentice Registrations

B. Applications and Renewals Denied (*1 January 2017 through 31 December 2017*)

Refusal to Issue Initial License [Total Number: # 11]

	Application/ Identification Number	Number of Applicants	Statutory Authority	Factual Summary (optional)
1	Apprentice Applications	9	I.C. 54-2601 thru 54-2630	Failure to meet one or more of the requirements for original registration or renewal.
2	Specialty Apprentice Applications	2	I.C. 54-2601 thru 54-2630	Failure to meet one or more of the requirements for original registration or renewal.

Refusal to Renew License [Total Number: # X]

	License/ Identification Number	Number of Applicants	Statutory Authority	Factual Summary (optional)
1				The DBS system which tracks registration applications does not differentiate between original or renewal registration denial.

C. Disciplinary Actions (suggested past 5 years) – The statutory basis for the discipline of licensees to include revocation, suspension, or refusal to renew is contained at I.C. § 54-2608. In accordance with that statute, the Administrator may do so upon the recommendation of the Plumbing Board if the license (certificate of competency) was obtained through error or fraud, or if the holder thereof is shown to be grossly incompetent or has a second time violated any of the rules prescribed by the board, or as prescribed by this act.

Division of Building Safety & Plumbing Board – Plumbing Apprentice & Specialty Apprentice Registrations

Case No	Date of Final Action	Action Taken	Statutory Basis	Factual Basis (optional)
	NONE			

D. Law, Rule, or Policy Changes or Attempted Changes in Last 5 Years to Eliminate Barriers to Entry

Session	Legislation or Rule	Summary
2018	HO481 (I.C. §54-2602) https://legislature.idaho.gov/sessioninfo/2018/legislation/H0481/	Clarifies that homeowners may perform plumbing installations on the entire premises of their residential property.
2018	HO629 (I.C. §54-2602) https://legislature.idaho.gov/sessioninfo/2018/legislation/H0629/	Allows high school students to perform plumbing work as part of a formal supervised educational course without having to register as an apprentice

E. Assessment of Public Interest

[Provide an assessment or statement as to whether the licensure, or requirements relating thereto, are in the public interest, together with the reasons for such assessment or opinion. Executive Order 2.a.]

The Agency and Board believe that the plumbing apprentice and specialty apprentice registrations are in the public interest in that it helps ensure the proper training and supervision of individuals who will progress to a qualified journeyman and perform plumbing installations without any supervision. Such registrations and periods of initial training, which include schooling and on-the-job supervision by a qualified journeyman is intended to protect the health and safety of the public by ensuring those new to the trade are being properly instructed about the plumbing code and how to safely make plumbing installations. Unsafe plumbing installations could lead to loss of life or serious injury to the public, as well as loss of property and money as a result of flooding damage, contamination of domestic (drinking) water systems, or incorrect plumbing installations.

F. Recommendations for Improvement, Modification, or Elimination of Requirements

Division of Building Safety & Plumbing Board – Plumbing Apprentice & Specialty Apprentice Registrations

The Division and Board make the following recommendations to eliminate barriers to entry into, or improvements to the practice of plumbing apprentice:

- Elimination of the authority of cities to impose additional occupational licensing fees above and beyond that required of the Division of Building Safety to perform plumbing within a particular city jurisdiction (I.C. §54-2619).
- Elimination of the prohibition on issuing apprentice registrations to those who have been previously licensed as a journeyman plumbing in another recognized jurisdiction. (IDAPA 07.02.05 §010)
- Eliminate the on-going requirement for initial apprentice applicants and renewal applicants to provide proof of employment with a licensed contractor; and proof of enrollment in a board-approved training.

G. Public Comments

The DBS and Plumbing Board received **one (1)** comment through the DBS email/website regarding plumbing licenses. It was as follows:

- The comment indicated that it is more important than ever to ensure the licensing and registration of plumbers in the trade to protect the health and safety of the public. The commenter believed that it was time to elevate the level of professionalism in the trade, and ensure the public understands the benefits to all of us in having professional tradesmen. One recommendation was to increase the level of education the apprentices receive, including standards for those who teach the apprentices. Additionally, the commenter recommended an ability for a contractor to put their license in an inactive status if it is not currently being used – without having to re-test.

Division of Building Safety and Plumbing Board

Plumbing Contractor & Plumbing Specialty Contractor Licenses (Certificate of Competency)

Board/Commission Members: (5) members: Chairman – Matt Gardner, Vice Chairman – Gilbert Pond, Members – Shaun Irwin, Debbie Oberhofer, and Rick Garrett <https://dbs.idaho.gov/boards/pbboard/pbmembers.html>

Board/Commission Composition: (5) members as follows: Two (2) members shall be members of the public at large with an interest in the rights of consumers of plumbing services; one (1) member shall be an active plumbing contractor with not less than five (5) years' experience in the plumbing contracting business; one (1) member shall be an active plumbing contractor with not less than five (5) years in the plumbing contracting business with an additional background of experience in gas piping installations in buildings; and one (1) member shall be a journeyman plumber.

Idaho Code §54-2605 - <https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH26/SECT54-2605/>

Summary

The information contained herein this report reflects the licensing details of plumbing contractors and plumbing specialty contractors over the period of time between January 1, 2017 to December 31, 2017 (calendar year 2017). As of January 2018, the Division of Building Safety (DBS) and plumbing board license approximately (801) plumbing contractors and (306) plumbing specialty contractors. Upon issuance, all such licenses (certificate of competencies) are valid for a period of three (3) years. Four (4) industrial accounts are registered with the DBS which provide employers who employ maintenance and journeyman plumbers the ability to receive inspections for certain plumbing work on the premises of the employer. Industrial account holders are not licenses, but rather registered accounts that allow the employers exempt from licensure under I.C. §54-2602 to obtain permits and receive inspections of installations performed on their premises. Additionally, (291) unlicensed individuals are registered with the Division of Building Safety in order that such individuals may obtain permits to perform various aspects of the plumbing trade (such as install sewer/water lines, sprinkler systems, water treatment equipment, etc), which do not require licensure, but require permits and inspections.

Plumbing contractor licenses may only be directly issued to individuals, and not companies, corporations, or other legal entities. Additionally, various exceptions exist which allow individuals to perform plumbing in certain contexts without the need for a license (I.C. §54-2602). Cities may not require additional plumbing licensure on those who are licensed by the DBS, except those cities that have qualified plumbing inspectors (I.C. §54-2619).

Division of Building Safety & Plumbing Board – Plumbing Contractor & Specialty Contractor Licenses

A. Index of Statute, Rule, and Policy Requirements for Licensure and Renewal

Plumbing Contractor & Plumbing Specialty Contractor	
Issuance Requirements	<p>For contractors – payment of the application fees; possession of an active plumbing journeyman license in Idaho for 2.5 years; successful completion of the contractor exam (75%); proof of a compliance bond in the amount of \$2,000 or evidence of such coverage by a corporate industry group bond acceptable to the board</p> <p>I.C. §54-2606</p> <p>IDAPA 07.02.05 §§013-017 https://adminrules.idaho.gov/rules/current/07/0205.pdf</p> <p>Out of state journeyman applicants must provide the same information, but may provide satisfactory evidence of 2.5 years as a journeyman in the state they earned their experience. If from a non-recognized jurisdiction, they must obtain a Idaho journeyman license first.</p> <p>For specialty contractors – payment of the application fees; possession of an active plumbing specialty journeyman license in Idaho for 30 months; successful completion of the specialty contractor exam (75%); proof of a compliance bond in the amount of \$2,000</p> <p>In lieu of 30 months experience as a specialty journeyman, specialty contractors may provide proof of 3-5 years of owning and operating a business where this specialty applies, and (72) hours of an approved training course.</p> <p>IDAPA 07.02.05 §§ 018-019 https://adminrules.idaho.gov/rules/current/07/0205.pdf</p>
Statute I.C. §	<p>I.C. §§ 54-2601 thru 54-2630. Title 54, Chapter 26 - Plumbing and Plumbers</p> <p>https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH26/</p>
Rule IDAPA	<p>For Contractors and Specialty Contractors:</p> <p>IDAPA 07.02.05 -- Rules Governing Plumbing Safety Licensing https://adminrules.idaho.gov/rules/current/07/0205.pdf</p>

Division of Building Safety & Plumbing Board – Plumbing Contractor & Specialty Contractor Licenses

Policy	DBS follows the governing statutes and rules. There are no applicable policies.
Application	https://dbs.idaho.gov/forms/plumbing/
Time from Complete Application to Final Action	<p>Range The timeframe range may be anywhere between a few days to 10 business days.</p> <p>Average On average, a valid & complete original application will take approximately 3-5 days to process. If items are missing (fees, bond documentation, etc.) then it may take as long as it takes for the applicant to submit such. Applications are left open by DBS for 1 year during which applicants have the time to submit required documentation.</p> <p>Open book exams may be scheduled on any day with 1-2 days advance notice, and taken at any one of three locations around the state.</p>
Basis to Deny or Not Accept Application	<p>For contractors - failure to pay application fees; failure to possess an active plumbing journeyman license in Idaho for 2.5 years or employment of a journeyman; failure to pass the contractor exam (75%); failure to provide proof of A compliance bond in the amount of \$2,000 or evidence of such coverage by a corporate industry group bond acceptable to the board</p> <p>I.C. §54-2606</p> <p>IDAPA 07.02.05 §§013-017 https://adminrules.idaho.gov/rules/current/07/0205.pdf</p> <p>For specialty contractors - failure to pay application fees; failure to possess an active plumbing specialty journeyman license in Idaho for 30 months; failure to pass the specialty contractor exam (75%); failure to provide proof of a compliance bond in the amount of \$2,000</p> <p>In lieu of 30 months experience as a specialty journeyman, specialty contractors may provide proof of 3-5 years of owning and operating a business where this specialty applies, and (72) hours of an approved training course.</p> <p>IDAPA 07.02.05 §§ 018-019 https://adminrules.idaho.gov/rules/current/07/0205.pdf</p>
	I.C. § 54-2617

Division of Building Safety & Plumbing Board – Plumbing Contractor & Specialty Contractor Licenses

<p>Basis to Refuse Renewal</p>	<p>Failure to pay renewal fee; failure to possess a an active journeyman license or employment of a journeyman, failure to pay an outstanding civil penalties, permit, or other fees; failure to maintain a bond in the amount of \$2,000 or evidence of other such coverage; or failure to complete continuing education requirement (16 hours every 3 years), or previous revocation for cause.</p> <p>§§54-2606 & 2617</p> <p>IDAPA 07.02.05 https://adminrules.idaho.gov/rules/current/07/0205.pdf</p> <p>For specialty contractors - failure to pay the application fees; failure to possess an active plumbing specialty journeyman license; failure to provide proof of a compliance bond in the amount of \$2,000</p> <p>IDAPA 07.02.05 https://adminrules.idaho.gov/rules/current/07/0205.pdf</p> <p>For both contractor and specialty contractor licensees – successful completion of examination if the original license has expired for more than (2) years. I.C. 54-2617</p>
<p>Fees</p>	<p>\$22.50 application fee</p> <p>\$75/3yr original license fee, and \$36/3 yr renewal fee for both contractor and specialty contractor on a prorated basis (if applicable) I.C. §54-2616</p> <p>Inactive license – \$36 for each category to make inactive and renew such annually; \$30 fee to revival of an inactive license to active status I.C §2617</p> <p>Examination Fee is \$75; and application fee: \$22.50 for both contractor and specialty contractor I.C. 54-2614</p>
<p>Cost per applicant or licensee</p>	<p>Costs per license is the amount of the license fee, and the application administration fee</p>

Division of Building Safety & Plumbing Board – Plumbing Contractor & Specialty Contractor Licenses

Renewal Requirements	<p>I.C. § 54-2617 For a contractor - Payment of the renewal fee, possession of an active journeyman license or employment of a journeyman, payment of any outstanding civil penalties, permit, or other fees; proof of a bond in the amount of \$2,000 or evidence of other such coverage; and completion of continuing education requirement (16 hours every 3 years).</p> <p>§§54-2606 & 2617 IDAPA 07.02.05 https://adminrules.idaho.gov/rules/current/07/0205.pdf</p> <p>For specialty contractors - failure to pay the application fees; failure to possess an active plumbing specialty journeyman license; failure to provide proof of a compliance bond in the amount of \$2,000</p> <p>IDAPA 07.02.05 https://adminrules.idaho.gov/rules/current/07/0205.pdf</p> <p>For both contractor and specialty contractor licensees – successful completion of examination if the original license has expired for more than (2) years. I.C. 54-2617</p>
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B. Applications and Renewals Denied (1 January 2017 through 31 December 2017)

Refusal to Issue Initial License [Total Number: # 12]

	Application/ Identification Number	Number of Applicants	Statutory Authority	Factual Summary (optional)
1	Contractor Applications	8	I.C. 54-2601 thru 54-2630	Failure to meet one or more of the requirements for original licensure or renewal.
2	Specialty Contractor Applications	4	I.C. 54-2601 thru 54-2630	Failure to meet one or more of the requirements for original licensure or renewal.

Division of Building Safety & Plumbing Board – Plumbing Contractor & Specialty Contractor Licenses

Refusal to Renew License [Total Number: # X]

	License/ Identification Number	Number of Applicants	Statutory Authority	Factual Summary (optional)
1				The DBS system which tracks licensure applications does not differentiate between original or renewal licensure denial.

C. Disciplinary Actions (suggested past 5 years) – The statutory basis for the discipline of licensees to include revocation, suspension, or refusal to renew is contained at I.C. § 54-2608. In accordance with that statute, the Administrator may do so upon the recommendation of the Plumbing Board if the license (certificate of competency) was obtained through error or fraud, or if the holder thereof is shown to be grossly incompetent or has a second time violated any of the rules prescribed by the board, or as prescribed by this act.

Case No	Date of Final Action	Action Taken	Statutory Basis	Factual Basis (optional)
	NONE			

D. Law, Rule, or Policy Changes or Attempted Changes in Last 5 Years to Eliminate Barriers to Entry

Session	Legislation or Rule	Summary
2018	HO484 https://legislature.idaho.gov/sessioninfo/2018/legislation/H0484/	Eliminates a requirement for plumbing contractors to annually renew their license in an inactive status, along with the fee of \$36, in favor of a one-time renewal as inactive in which status it would stay until re-activated by the contractor.
2018	HO481 (I.C. §54-2602) https://legislature.idaho.gov/sessioninfo/2018/legislation/H0481/	Clarifies that homeowners may perform plumbing installations on the entire premises of their residential property.

Division of Building Safety & Plumbing Board – Plumbing Contractor & Specialty Contractor Licenses

2015	HO059 (I.C. §54-2617) http://legislature.idaho.gov/sessioninfo/2015/legislation/H0059/	Creates an inactive license status for contractors and specialty contractors who may not want to actively engage in the trade, but do not want their license to expire – which may result in requiring another examination.
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E. Assessment of Public Interest

[Provide an assessment or statement as to whether the licensure, or requirements relating thereto, are in the public interest, together with the reasons for such assessment or opinion. Executive Order 2.a.]

The Agency and Board believe that the plumbing contractor and specialty contractor licenses are in the public interest in that it helps ensure that qualified persons who are appropriately bonded are offering to provide professional plumbing services to the public. Ensuring that each contractor is able to pass the contractor’s exam, as well as maintain a qualified journeyman plumber on staff helps to ensure that the consumer receives a proper plumbing installation in accordance with the adopted Idaho State Plumbing Code. It also helps ensure that installations are performed by a reputable business entity that may be subject to licensure discipline for misconduct such as fraud, gross incompetence, or willful violations of the plumbing statutes or rules.

F. Recommendations for Improvement, Modification, or Elimination of Requirements

The Division and Board make the following recommendations to eliminate barriers to entry into, or improvements to the plumbing profession:

- Elimination of the authority of cities to impose additional occupational licensing fees above and beyond that required of the Division of Building Safety to perform plumbing within a particular city jurisdiction (I.C. §54-2619).
- Allow legal entities such as corporations, companies, partnerships, etc. to obtain a plumbing contractor license.
- Elimination of the requirement for those previously licensed as contractors or specialty contractors in Idaho to take another exam if they let their license expire for more than (2) years.

G. Public Comments

The DBS and Plumbing Board received **three (3)** comment through the DBS email/website regarding plumbing contractor licenses. It was as follows:

Division of Building Safety & Plumbing Board – Plumbing Contractor & Specialty Contractor Licenses

- The first comment indicated they believed there were too many technicalities in the laws. Recent CEU changes were made with no grace period and left some unable to renew. Additionally, a comment about the ability to work effectively with inspectors was made related to time constraints getting inspections performed, as well as working with new inspectors/personnel.
- The second comment indicated that it is more important than ever to ensure the licensing and registration of plumbers in the trade to protect the health and safety of the public. The commenter believed that it was time to elevate the level of professionalism in the trade, and ensure the public understands the benefits to all of us in having professional tradesmen. One recommendation was to increase the level of education the apprentices receive, as well as the standards for those who teach the apprentices. Additionally, the commenter recommended an ability for a contractor to put their license in an inactive status if it is not currently being used – without having to re-test.
- The third comment objected to any removal of continuing education units (CEU) requirements from plumbing contractor licensing. However, while such a recommendation was originally considered for inclusion in this report, ultimately the Plumbing Board did not make it. The comment argued there were several reasons to keep CEUs, including refresher training, changes in technology and new trends, on-going changes to the plumbing code, and that the CEU requirements are not burdensome (16 hours every three years for a contractor)

Division of Building Safety and Plumbing Board

Plumbing Journeyman and Specialty Journeyman Licenses (Certificate of Competency)

Board/Commission Members: (5) members: Chairman – Matt Gardner, Vice Chairman – Gilbert Pond, Members – Shaun Irwin, Debbie Oberhofer, and Rick Garrett <https://dbs.idaho.gov/boards/pbboard/pbmembers.html>

Board/Commission Composition: (5) members as follows: Two (2) members shall be members of the public at large with an interest in the rights of consumers of plumbing services; one (1) member shall be an active plumbing contractor with not less than five (5) years' experience in the plumbing contracting business; one (1) member shall be an active plumbing contractor with not less than five (5) years in the plumbing contracting business with an additional background of experience in gas piping installations in buildings; and one (1) member shall be a journeyman plumber.

Idaho Code §54-2605 - <https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH26/SECT54-2605/>

Summary

The information contained herein this report reflects the licensing details of plumbing journeyman and plumbing specialty journeyman over the period of time between January 1, 2017 to December 31, 2017 (calendar year 2017). As of January 2018, the Division of Building Safety (DBS) and plumbing board license approximately (2077) plumbing journeymen and (812) plumbing specialty journeymen. Upon issuance, all such licenses (certificates of competency) are valid for a period of three (3) years. Additionally, (291) unlicensed individuals are registered with the Division of Building Safety in order that such individuals may obtain permits to perform various aspects of the plumbing trade (such as install sewer/water lines, sprinkler systems, water treatment equipment, etc), which do not require licensure, but require permits and inspections per statute.

Plumbing journeyman licenses may only be directly issued to individuals, and not companies, corporations, or other legal entities. Additionally, various exceptions exist which allow individuals to perform plumbing in certain contexts without the need for a license (I.C. §54-2602). Cities may not require additional plumbing licensure on those who are licensed by the DBS, except those cities that have qualified plumbing inspectors (I.C. §54-2619).

Division of Building Safety & Plumbing Board – Plumbing Journeyman & Specialty Journeyman Licenses

A. Index of Statute, Rule, and Policy Requirements for Licensure and Renewal

	Plumbing Journeyman & Plumbing Specialty Journeyman
Issuance Requirements	<p>For Journeyman: payment of the application fee; showing proof of work hours (8000 hrs) as a registered apprentice; proof of completion of required schooling (4 years); successful completion of the journeyman exam (75%);</p> <p>I.C. §§54-2610 thru 2616</p> <p>https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH26/</p> <p>IDAPA 07.02.05 §§012 & 015</p> <p>https://adminrules.idaho.gov/rules/current/07/0205.pdf</p> <p>For specialty journeyman – payment of the application fees; 18 months of registered specialty apprentice work experience; completion of 72 hours of board approved continuing education; successful completion of specialty journeyman exam (75%);</p> <p>In lieu of 18 months experience as a specialty apprentice, specialty journeymen may provide proof of 3-5 years experience working for a business where this specialty applies, and a IRS form W2 evidencing such.</p> <p>IDAPA 07.02.05 §§ 018-019</p> <p>https://adminrules.idaho.gov/rules/current/07/0205.pdf</p> <p>Out of state journeyman applicants may provide evidence of a license issued in another jurisdiction if that jurisdiction is recognized by the board (as having adequate schooling and work experience requirements)</p> <p>Out of state applicants from jurisdictions that don't issue licenses recognized by the board may provide proof of 4 years of schooling and 4 years of work experience equivalent to what an Idaho plumbing apprentice must complete.</p> <p>IDAPA 07.02.05 § 012</p> <p>https://adminrules.idaho.gov/rules/current/07/0205.pdf</p>

Division of Building Safety & Plumbing Board – Plumbing Journeyman & Specialty Journeyman Licenses

Statute I.C. §	I.C. §§ 54-2601 thru 54-2630. Title 54, Chapter 26 - Plumbing and Plumbers https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH26/
Rule IDAPA	For Journeyman and Specialty Journeyman: IDAPA 07.02.05 – Rules Governing Plumbing Safety Licensing https://adminrules.idaho.gov/rules/current/07/0205.pdf
Policy	DBS follows the governing statutes and rules. There are no applicable policies.
Application	https://dbs.idaho.gov/forms/plumbing/
Time from Complete Application to Final Action	<p>Range The timeframe range may be anywhere between a few days to 10 business days.</p> <p>Average On average, a valid & complete original application will take approximately 3-5 days to process. If items are missing (fees, school/work documentation, etc.) then it may take as long as it takes for the applicant to submit such. Applications are left open by DBS for 1 year during which applicants have the time to submit required documentation.</p> <p>Open book exams may be scheduled on any day with 1-2 days advance notice, and taken at any one of three locations around the state.</p>
Basis to Deny or Not Accept Application	<p>For journeyman - failure to pay application fees; failure to provide proof of completion of work experience requirements (8000 hours as a registered apprentice); proof of completion of a board-approved course of instruction (4 years) with a grade of at least 70%; failure to pass the written and practical portion of the journeyman exam (75%); or failure to work in the employ of a licensed contractor</p> <p>I.C. §54-2610; 54-§§2613 and 2614 https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH26/</p> <p>IDAPA 07.02.05 §§011-012 https://adminrules.idaho.gov/rules/current/07/0205.pdf</p>

Division of Building Safety & Plumbing Board – Plumbing Journeyman & Specialty Journeyman Licenses

	<p>For specialty journeyman - failure to pay application fees; failure to provide proof of work experience as a registered apprentice (18 months); failure to provide proof of completion of board-approved related training (72 hours); or failure to successfully complete the specialty journeyman exam (75%).</p> <p>I.C. § 54-2606; 54-2611 https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH26/</p> <p>IDAPA 07.02.05 §§ 018-019 https://adminrules.idaho.gov/rules/current/07/0205.pdf</p> <p>In lieu of 18 months experience as an apprentice, specialty - failure to provide proof of 3-5 years of experience working for a business where this specialty applies, and proof thereof in the form of an IRS form W2.</p> <p>IDAPA 07.02.05 §§ 018-019 https://adminrules.idaho.gov/rules/current/07/0205.pdf</p> <p>For out of state journeyman applicants from a recognized jurisdiction – failure to exhibit a journeyman license, or other proof of licensure from that jurisdiction; failure to pay the fees, and failure to successfully complete the journeyman examination (75%).</p> <p>For out of state applicants from a non board-recognized jurisdiction – failure to provide proof of 4 years of experience and 4 years of school equivalent to what an Idaho apprentice must complete, or alternatively failure to provide proof of 16,000 hours of work experience requirements for those coming from states where schooling is not offered; failure to pay the fees, or failure to pass the exam</p> <p>IDAPA 07.02.05 § 012 https://adminrules.idaho.gov/rules/current/07/0205.pdf</p>
<p>Basis to Refuse Renewal</p>	<p>I.C. § 54-2617 Failure to pay renewal fee; failure to complete continuing education requirement (8 hours every 3 years, or the successful completion of an exam).</p> <p>§§54-2606 & 2611 & 54-2616 https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH26/</p> <p>IDAPA 07.02.05 §§012 & 016 https://adminrules.idaho.gov/rules/current/07/0205.pdf</p>

Division of Building Safety & Plumbing Board – Plumbing Journeyman & Specialty Journeyman Licenses

	<p>For specialty contractors - failure to pay the application fees.</p> <p>I.C. §54-2616 https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH26/</p> <p>IDAPA 07.02.05 https://adminrules.idaho.gov/rules/current/07/0205.pdf</p> <p>For both journeyman and specialty journeyman licensees – successful completion of examination if the original license has expired for more than (2) years.</p> <p>I.C. §54-2617 https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH26/</p>
<p>Fees</p>	<p>\$15/3yr original license fee, and \$7.50/3 year renewal fee for both journeyman and specialty journeyman on a prorated basis (if applicable) I.C. §54-2616 https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH26/</p> <p>Examination fee is \$75; and application fee: \$22.50 for both contractor and specialty contractor</p> <p>I.C. 54-2614 https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH26/</p> <p>I.C. §67-2601A https://legislature.idaho.gov/statutesrules/idstat/Title67/T67CH26/SECT67-2601A/</p>
<p>Cost per applicant or licensee</p>	<p>Costs per license is the amount of the license fee, and the application administration fee</p>

Division of Building Safety & Plumbing Board – Plumbing Journeyman & Specialty Journeyman Licenses

Renewal Requirements	<p>For journeyman - Payment of the application renewal fee, completion of continuing education requirement (8 hours every 3 years, or the successful completion of an exam).</p> <p>I.C. §§ 54-2616 and 2617 https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH26/</p> <p>IDAPA 07.02.05 https://adminrules.idaho.gov/rules/current/07/0205.pdf</p> <p>For specialty journeyman - – payment of pay the application renewal fees.</p> <p>https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH26/</p> <p>IDAPA 07.02.05 https://adminrules.idaho.gov/rules/current/07/0205.pdf</p> <p>For both journeyman and specialty journeyman licensees – successful completion of examination if the original license has expired for more than (2) years.</p> <p>I.C. 54-2617 https://adminrules.idaho.gov/rules/current/07/0205.pdf</p>
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B. Applications and Renewals Denied (1 January 2017 through 31 December 2017)

Refusal to Issue Initial License [Total Number: # 24]

	Application/ Identification Number	Number of Applicants	Statutory Authority	Factual Summary (optional)
1	Journeyman Applications	23	I.C. 54-2601 thru 54-2630	Failure to meet one or more of the requirements for original licensure or renewal.

Division of Building Safety & Plumbing Board - Plumbing Journeyman & Specialty Journeyman Licenses

2	Specialty Journeyman Applications	1	I.C. 54-2601 thru 54-2630	Failure to meet one or more of the requirements for original licensure or renewal.

Refusal to Renew License [Total Number: # X]

	License/ Identification Number	Number of Applicants	Statutory Authority	Factual Summary (optional)
1				The DBS system which tracks licensure applications does not differentiate between original or renewal licensure denial.

C. **Disciplinary Actions** (suggested past 5 years) – The statutory basis for the discipline of licensees to include revocation, suspension, or refusal to renew is contained at I.C. § 54-2608. In accordance with that statute, the Administrator may do so upon the recommendation of the Plumbing Board if the license (certificate of competency) was obtained through error or fraud, or if the holder thereof is shown to be grossly incompetent or has a second time violated any of the rules prescribed by the board, or as prescribed by this act.

Case No	Date of Final Action	Action Taken	Statutory Basis	Factual Basis (optional)
	NONE			

D. Law, Rule, or Policy Changes or Attempted Changes in Last 5 Years to Eliminate Barriers to Entry

Session	Legislation or Rule	Summary
2018	HO481 (I.C. §54-2602) https://legislature.idaho.gov/sessioninfo/2018/legislation/H0481/	Clarifies that homeowners may perform plumbing installations on the entire premises of their residential property.
2017	IDAPA 07.02.05 § 012 https://adminrules.idaho.gov/rules/current/07/0205.pdf	Allows an applicant for a journeyman license from out of state who did not go through schooling to submit 16000 hours of on-the-job work experience in lieu of school.
2012	IDAPA 07.02.05 §011 https://adminrules.idaho.gov/rules/current/07/0205.pdf	Allowed apprentices to take the written portion of journeyman exam as soon as they finish school, even if they have not met the work experience requirements (8000 hrs). Exam pass rates were found to be higher if less time has elapsed since their completion of school.

E. Assessment of Public Interest

[Provide an assessment or statement as to whether the licensure, or requirements relating thereto, are in the public interest, together with the reasons for such assessment or opinion. Executive Order 2.a.]

The Agency and Board believe that the plumbing journeyman, and specialty journeyman licenses are in the public interest in that it helps ensure that qualified persons perform plumbing installations in the State of Idaho. It is believed that the health and safety of the public could be at risk if the state does not ensure that qualified individuals with demonstrated knowledge of the plumbing code are performing such installations in the state. Unsafe plumbing installations that could lead to loss of life or serious injury to the public, as well as damage to property and expenses due to things like flooding, contamination of domestic (drinking) water systems, or other incorrect installations could be a legitimate consequence without a licensure and qualification program. While inspections of such installations are in important aspect of the safety program, they are not a substitute for a professionally qualified plumber, particularly if installations are made without having secured an inspection permit - nor cost-effective if significant corrections are required due to unqualified practitioners.

F. Recommendations for Improvement, Modification, or Elimination of Requirements

The Division and Board make the following recommendations to eliminate barriers to entry into, or improvements to the plumbing profession:

- Elimination of the authority of cities to impose additional occupational licensing fees above and beyond that required of the Division of Building Safety to perform plumbing within a particular city jurisdiction (I.C. §54-2619).
- Elimination of the requirement for those previously licensed as journeyman or specialty journeyman in Idaho to take another exam if they let their license expire for more than (2) years. (§54-2617)
- Allow plumbing journeyman and specialty journeyman to place their license in an inactive status (similar to contractors) if they are not actively engaged in performing plumbing installations. (§54-2617)
- Work with Idaho education providers to allow journeyman applicants who have practiced the plumbing trade for a specified period of time to “test out” of the schooling requirement, by successfully completing an equivalency examination that adequately tests the applicant’s knowledge of all four years of schooling.
- Allow Idaho apprentices who have not completed the schooling requirements (4 years) to demonstrate that they have performed double the amount of the work experience requirements (16,000) similar to that of an out of state journeyman applicant. (IDAPA 07.02.05 §011)

G. Public Comments

The DBS and Plumbing Board received **three (3)** comments through the DBS email/website regarding plumbing journeyman licenses. They were as follows:

- One comment was from an out of state applicant who did not like the state’s requirement that out-of-state applicant provide proof of a certain amount of hours worked in order to be eligible to test for the journeyman license in Idaho.
- The second comment suggested a more standardized method of obtaining continuing education units (CEU). The comments indicated that some courses offered are not relevant, and that others are able to get the CEU credit by simply signing up and not actually attending courses. Ultimately, the comment was that CEUs need to be more uniform or it is just wasting licensees’ time, and not accomplishing what it was intended to do.
- The third comment objected to any removal of continuing education units (CEU) requirements from journeyman plumber licensing. However, while such a recommendation was originally considered for inclusion in this report, ultimately the Plumbing Board did not make it. The comment argued there were several reasons to keep CEUs, including refresher training, changes in technology and new trends, on-going changes to the plumbing code, and that the CEU requirements are not burdensome (8 hours every three years for a journeyman)

Division of Building Safety and Public Works Contractors License Board

Public Works Contractors Licenses (PWCL) & Construction Management (CM) Licenses

Board/Commission Members: (8) members: Chairman – Jim Roletto, Vice Chairman – Joe Jackson, Members – Gary Tolley, Brian Bailey, Evan Goodwin, Robbie Austin, Chuck Graves, and Karen Echeverria <https://dbs.idaho.gov/boards/pwboard/pwmembers.html>

Board/Commission Composition: (8) members as follows: One (1) member of the board shall be a person whose primary business is that of a "heavy construction" contractor, one (1) member shall be a person whose primary business is that of a "highway construction" contractor, one (1) member shall be a person whose primary business is that of a "building construction" contractor, one (1) member shall be a person whose primary business is that of a "specialty construction" contractor, as such construction terms are defined in chapter 19 title 54, Idaho Code, one (1) member shall be a subcontractor with a license no higher than a class "A," one (1) member shall be a "construction manager," one (1) member shall be a registered professional engineer, and one (1) member shall be a member of the general public with an interest in the rights of consumers of public works contracting services.

Idaho Code §54-1905 - <https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH19/SECT54-1905/>

Summary

The information contained herein this report reflects the licensing details of Public Works Contractors License (PWCL) contractors over the period of time between January 1, 2017 to December 31, 2017 (calendar year 2017). As of January 2018, the Division of Building Safety (DBS) and PWCL board license approximately (2593) PWCL contractors in four different branches (types) of licensure – Heavy Construction (76), Highway Construction (31), Building Construction (183), and Specialty Construction (2303). Of the (2593) total PWCL issued, (546) contractors possess licenses in multiple branches (types). Within each branch there are (8) classes of licensure (Unlimited, AAA, AA, A, B, CC, C, and D) – each authorizing a licensee to execute public works contracts up to a specified amount based on the experience, qualifications, and financial ability of the contractor. Additionally, the specialty contractor branch (type 4) is broken up into 125 specialized categories in which a contractor may obtain a license depending on the particular specialty field in which they may be engaged. Upon issuance, all such licenses are valid for a period of one (1) year.

Public works contractor licenses may be issued to individuals, and companies, corporations, or other legal entities. Additionally, various exceptions exist which allow the performance of work on public works in certain contexts without the need for a license (I.C. §54-1903). The most significant of which is that public works licensure is not required for construction of any single with an estimated cost of less than fifty thousand dollars (\$50,000). Only the DBS is authorized to grant and issue public works licenses.

Division of Building Safety & Public Works Contractors Licenses (PWCL) Board – Public Works Contractors Licenses (PWCL) & Construction Management (CM) Licensing

Additionally, the Division of Building Safety (DBS) and PWCL board license approximately (68) Construction Management (CM) who provide construction management service on public works construction projects. A CM license allows a “person” to act as either a Construction Manager Representative (CMR), or a Construction Manager/General Contractor (CM/GC).

A. Index of Statute, Rule, and Policy Requirements for Licensure and Renewal

Public Works Contractors Licenses (PWCL) & Construction Management (CM) Licenses	
Issuance Requirements	<p>For Public Works Contractors (PWCL) (1-year licenses):</p> <ul style="list-style-type: none"> ▪ Submission of a complete written sworn application and payment of the application fees; ▪ Demonstration of a degree of experience, and such general knowledge of the building, safety, health and lien laws of the state, and of the rudimentary administrative principles of the contracting business, as may be deemed necessary by the board for the safety and protection of the public; ▪ The possession by the applicant of good character (as further defined under the statute); ▪ not having ever been refused a license or had a license revoked for reasons that would preclude the granting of the license applied for. ▪ The application shall include a complete statement of the general nature of applicant’s contracting business, and stating concisely applicant’s experience and qualifications as a contractor and list of clients for whom work has been performed; a description of the value and character of contract work completed and for whom performed during the three (3) year period prior to filing the application; a general description of applicant’s machinery and equipment; a complete (annual) financial statement covering a period of time no more than 12 months prior to the submission of the application indicating compliance with any financial requirements of the Board (in rule). The financial statement may include a letter from applicant’s bonding company stating the amount of the applicant’s bonding capability per project and in the aggregate, or a written guaranty agreement with a third party - on such forms and disclosing such information as shall be required by the administrator, together with such additional information as may be required by the administrator to determine the applicant’s fitness for a license under this chapter. ▪ For Class Unlimited, AAA, AA, and A license applicants financial statements shall be accompanied by an independent auditor’s report or be reviewed. For Class B and CC license applications, financial statements must be accompanied by an independent audit report or be reviewed or compiled by a certified public accountant. For Class C and Class D license applications, financial statements must be accompanied by an independent audit report or be reviewed, compiled, or on the form provided by the administrator, and include such additional information as may be required by the administrator to determine the applicant's fitness for a license

Division of Building Safety & Public Works Contractors Licenses (PWCL) Board – Public Works Contractors Licenses (PWCL) & Construction Management (CM) Licensing

<p style="text-align: center;">Issuance Requirements (cont.)</p>	<ul style="list-style-type: none"> ▪ An application from an individual shall contain the individual’s name, social security number and business address; if by a copartnership, its business address and the names and addresses of all partners, and tax identification number; and if by a corporation, LLC, LLP, or other organization, its business address and the names and addresses of the president, vice president, secretary, and chief construction managing officers, or responsible managing employee, as well as its tax identification number. ▪ The administrator may require submission of an independent appraisal of any real or chattel property reported by an applicant or licensee. Such appraisals shall be conducted by a disinterested person or firm established and qualified to perform such services. ▪ Successful completion of an examination (70%). An applicant receiving less than a passing score on a first or second examination may be reexamined without reapplication. Before being reexamined after failing an examination the third time, an applicant must resubmit the application and fee. Before being reexamined after any further failures, an applicant for reexamination must wait until the expiration of sixty (60) days from the date of the failed examination and resubmit the application and fee for each subsequent examination ▪ Any further investigation the administrator determines is necessary <p>The following financial requirements for obtaining and maintaining a license for all four types of licensure (Heavy, Highway, Building, and Specialty Construction Class) in each class is as follows:</p> <ul style="list-style-type: none"> ➤ Class Unlimited License. An applicant shall have a minimum net worth of one million dollars (\$1,000,000) with six hundred thousand dollars (\$600,000) in working capital. ➤ Class AAA License. An applicant shall have a minimum net worth of six hundred thousand dollars (\$600,000) with two hundred thousand dollars (\$200,000) in working capital. ➤ Class AA License. An applicant shall have a minimum net worth of four hundred fifty thousand dollars (\$450,000) w/ one hundred fifty thousand dollars (\$150,000) working capital. ➤ Class A License. An applicant shall have a minimum net worth of three hundred thousand dollars (\$300,000) with one hundred thousand dollars (\$100,000) in working capital. ➤ Class B License. An applicant shall have a minimum net worth of one hundred fifty thousand dollars (\$150,000) with fifty thousand dollars (\$50,000) in working capital. ➤ Class CC License. An applicant shall have a minimum net worth of seventy-five thousand dollars (\$75,000) with twenty-five thousand dollars (\$25,000) in working capital. ➤ Class C License. An applicant shall have a minimum net worth of twenty-five thousand dollars (\$25,000) with seven thousand five hundred dollars (\$7,500) in working capital. ➤ Class D License. An applicant shall have a minimum net worth of ten thousand dollars (\$10,000) with three thousand dollars (\$3,000) in working capital.
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Division of Building Safety & Public Works Contractors Licenses (PWCL) Board – Public Works Contractors Licenses (PWCL) & Construction Management (CM) Licensing

<p style="text-align: center;">Issuance Requirements <i>(cont.)</i></p>	<ul style="list-style-type: none"> ▪ Additionally, A licensed public works contractor or construction manager who undergoes a change in business organization or structure (such as a change from an individual proprietor to a partnership, corporation, limited liability partnership, limited liability company, joint venture, or other combination thereof), or where there is a change in ownership, must file an application for a new license on behalf of such successor organization or new owners within sixty (60) days after such change occurs. <p>I.C. §54-1904 https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH19/SECT54-1904/; I.C. §§54-1910 through 54-1912 https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH19/SECT54-1910/; https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH19/SECT54-1911/</p> <p>IDAPA 07.05.01 §§ 110 & 111 https://adminrules.idaho.gov/rules/current/07/0501.pdf</p> <p>For Construction Management Licenses (CM) (1-year licenses):</p> <ul style="list-style-type: none"> ▪ Submission of a complete written application and payment of the application fees; ▪ Proof that the applicant (a) has a bachelor’s degree in architecture, engineering or construction management from a college or university that has an educational program in architecture, engineering or construction management, as the case may be, accredited by a nationally recognized accrediting organization and that he has a minimum of four (4) years’ experience in managing construction projects; or (b) has a minimum of five (5) years’ experience in managing construction projects. ▪ Successful completion of an examination (75%). If the applicant fails to score a passing grade, the applicant must pass all failed sections within one (1) year of the initial test date. If the applicant fails to achieve a passing grade in each individual section on the second examination, the applicant must wait one (1) full year before taking the examination again. The applicant must then take and pass all sections of the examination (receiving no credit for sections successfully completed during the previous year) ▪ Temporary Licenses: the administrator may issue a temporary license for a period not to exceed one (1) year to an applicant who provides satisfactory proof of possession of a valid construction manager’s license issued by another state pursuant to requirements substantially similar to those set forth in section 54-4505, Idaho Code. Temporary licenses may not be renewed nor their terms extended beyond the period set forth in this section. ▪ Licenses for Firms - No firm shall provide or hold itself out as providing construction management services unless it has a certificate of authority issued by the administrator. If one (1) or more principals or employees of a firm are licensed construction managers, the firm may apply to the administrator for a certificate of authority to provide and hold itself out as providing construction management services. An application for a certificate of authority shall: <ul style="list-style-type: none"> ○ Designate the licensed construction manager or managers, who are principals or employees of the firm in responsible charge of construction management services provided by the firm;
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Division of Building Safety & Public Works Contractors Licenses (PWCL) Board – Public Works Contractors Licenses (PWCL) & Construction Management (CM) Licensing

<p>Issuance Requirements (<i>cont.</i>)</p>	<ul style="list-style-type: none"> ○ Be accompanied by a statement signed by such licensed construction manager or managers accepting the responsibility and duty to provide construction management services for the firm; and ○ Contain such other information as the administrator reasonably may require. <ul style="list-style-type: none"> ▪ A licensed CM who undergoes a change in business organization or structure (such as a change from an individual proprietor to a partnership, corporation, limited liability partnership, limited liability company, joint venture, or other combination thereof), or where there is a change in ownership, must file an application for a new license on behalf of such successor organization or new owners within sixty (60) days after such change occurs. <p>Idaho Code §§ 54-4505 & 54-4506, and 54-4509 https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH45/SECT54-4505/ https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH45/SECT54-4506/ https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH45/SECT54-4509/</p> <p>IDAPA 07.05.01 § 600 https://adminrules.idaho.gov/rules/current/07/0501.pdf</p>
<p>Statute I.C. §</p>	<p>For Public Works Contractor License (PWCL): I.C. §§ 54-1901 through 54-1930, Title 54, Chapter 19 https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH50/</p> <p>For Construction Management (CM): I.C. §§54-4501 through 54-4514, Title 54, Chapter 45 https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH45/</p>
<p>Rule IDAPA</p>	<p>For Public Works Contractor License (PWCL) and Construction Management (CM):</p> <p>IDAPA 07.05.01 - Rules of the Public Works Contractors License Board https://adminrules.idaho.gov/rules/current/07/0501.pdf</p>
<p>Policy</p>	<p>DBS follows the governing statutes and rules. There are no applicable policies.</p>
<p>Application</p>	<p>https://dbs.idaho.gov/forms/public_works/</p>

Division of Building Safety & Public Works Contractors Licenses (PWCL) Board – Public Works Contractors Licenses (PWCL) & Construction Management (CM) Licensing

<p>Time from Complete Application to Final Action</p>	<p>Range The timeframe range may be anywhere between 3 to 10 business days.</p> <p>Average On average, a valid & complete original application will take approximately 3-5 days to process for both PWCL and CM licenses. If items are missing (fees, financial information, required documentation, etc.) then it may take as long as it takes for the applicant to submit such. Applications are left open by DBS for 1 year during which applicants have the time to submit required documentation.</p> <p>Open book exams may be scheduled on any day with 1-2 days advance notice, and taken at any one of three locations around the state.</p> <p>Extensions – PWCL applicants may request an extension of time in which to renew a PWCL upon payment of a separate fee (\$50). The extension will allow up to an additional 60 days from the date the license was due to expire during which the license remains active and the applicant may submit the renewal application.</p> <p>Expedited Licensure – A PWCL applicant may request to expedite the DBS’ review and determination of a license application upon the payment of a separate fee (\$100). An expedited license will be processed by the DBS in 1-2 business days.</p>
<p>Basis to Deny or Not Accept Application</p>	<p>For PWCL – Failure of the applicant to perform the acts, or provide proof of the requirements for initial or renewal licensure (as identified above). These may include:</p> <ul style="list-style-type: none"> ▪ Failure to submit a complete written sworn application and payment of the application fees; ▪ Failure to demonstrate the experience and knowledge requirements; ▪ The possession by the applicant of bad character (as further defined under the statute); ▪ Having been previously refused a license or had a license revoked ▪ Failing to provide a complete statement of experience, qualification, and financial ability, including the specific independent audit reports, or CPA or Administrator review. ▪ Failure to include specific individual or corporate information as required; ▪ Failure to successfully complete an examination (70%); ▪ Failure to provide documentation of experience performing similar-size projects for those applicants requesting a licensing class higher than that for which the applicant is currently licensed; ▪ Failure to provide evidence of the minimum net worth or working capital requirements for each class of license sought;

Division of Building Safety & Public Works Contractors Licenses (PWCL) Board – Public Works Contractors Licenses (PWCL) & Construction Management (CM) Licensing

<p>Basis to Deny or Not Accept Application <i>(cont.)</i></p>	<ul style="list-style-type: none">▪ Failure to file an application for a new license on behalf of a successor organization if the public works contractor undergoes a change in business organization or structure (such as individual proprietor to a partnership, corporation, LLC, etc.) <p>I.C. §§54-1910 through 54-1912 https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH19/SECT54-1910/; https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH19/SECT54-1911/</p> <p>IDAPA 07.05.01 §§ 110 & 111 https://adminrules.idaho.gov/rules/current/07/0501.pdf</p> <p>For CM – Failure of the applicant to perform the acts, or provide proof of the requirements for initial or renewal licensure (as identified above). These may include:</p> <ul style="list-style-type: none">▪ Failure to submit a complete written application and payment of the application fees;▪ Failure to demonstrate the schooling or experience requirements;▪ Failure to successfully complete an examination (75%);▪ For temporary licenses: failure to provide satisfactory proof of possession of a valid CM license issued by another state with substantially similar requirements to those in Idaho▪ Licenses for Firms – Failure of an applicant to designate the appropriate managers, and provide the required statements of responsibility required for licensure of firms.▪ Failure to file an application for a new license on behalf of a successor organization if the construction manager undergoes a change in business organization or structure (such as individual proprietor to a partnership, corporation, LLC, etc.) <p>Idaho Code §§ 54-4505 & 54-4506, and 54-4509 https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH45/SECT54-4505/ https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH45/SECT54-4506/ https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH45/SECT54-4509/</p> <p>IDAPA 07.05.01 § 600 https://adminrules.idaho.gov/rules/current/07/0501.pdf</p>
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Division of Building Safety & Public Works Contractors Licenses (PWCL) Board – Public Works Contractors Licenses (PWCL) & Construction Management (CM) Licensing

**Basis to Refuse
Renewal**

For PWCL:

- Failure to submit a renewal application and pay the renewal license fee prior to the expiration of the existing license;
- Failure to submit a complete certified financial statement, including meeting the net worth and working capital requirements for the class of license sought;
- If applicable, evidence that they continue to meet the requirements of initial licensure as identified above (good character, no previous revocations, inclusion of the specific individual or corporate information as required, information about any successor organization if they've undergone a change in business organization, etc.).
- For applicants requesting a licensing class higher than that for which the applicant is currently licensed – failure to provide documentation of having performed projects, similar in scope and character to those for which license is requested. The monetary value of those jobs must fall within a range not less than thirty percent (30%) below that for which the applicant is currently licensed.

I.C. §§54-1910 through 54-1912 <https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH19/SECT54-1910/>;
<https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH19/SECT54-1911/>

IDAPA 07.05.01

<https://adminrules.idaho.gov/rules/current/07/0501.pdf>

For CM:

- Failure to submit a renewal application and pay the renewal license fees;
- Licenses for Firms – Failure of an applicant to designate the appropriate managers, and provide the required statements of responsibility required for licensure of firms.
- Failure to file an application for a new license on behalf of a successor organization if the construction manager undergoes a change in business organization or structure (such as individual proprietor to a partnership, corporation, LLC, etc.)

Idaho Code §§ 54-4505 & 54-4506, and 54-4509

<https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH45/SECT54-4505/>

<https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH45/SECT54-4506/>

<https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH45/SECT54-4509/>

IDAPA 07.05.01 § 600

<https://adminrules.idaho.gov/rules/current/07/0501.pdf>

Division of Building Safety & Public Works Contractors Licenses (PWCL) Board – Public Works Contractors Licenses (PWCL) & Construction Management (CM) Licensing

Fees	<p>Public Works Contractors (PWCL) Examination fee: (\$75)</p> <p>I.C. §67-2601A https://legislature.idaho.gov/statutesrules/idstat/Title67/T67CH26/SECT67-2601A/</p> <p>The following licenses issued annually may be obtained on an initial and renewal basis for the following fees:</p> <ul style="list-style-type: none">➤ Class Unlimited License: \$550.➤ Class AAA License: \$450➤ Class AA License: \$350➤ Class A License: \$250➤ Class B License: \$150➤ Class CC License: \$125➤ Class C License: \$100➤ Class D License: \$50 <p>I.C. §54-1904 https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH19/SECT54-1904/;</p> <p>IDAPA 07.05.01 §201 https://adminrules.idaho.gov/rules/current/07/0501.pdf</p> <p>Additionally, PWCL applicants may request an extension of time in which to renew a PWCL upon payment of a separate prorated fee as follows: \$50 for license classes D through A, \$58.34 for class AA, \$75 for class AAA, and \$91.66 for class unlimited. The extension will allow up to an additional 60 days from the date the license was due to expire during which the license remains active and the applicant may submit the renewal application.</p> <p>Expedited Licensure – A PWCL applicant may also request to expedite the DBS’ review and determination of a license application upon the payment of a separate fee (\$100). An expedited license will be processed by the DBS in 1-2 business days.</p> <p>Construction Managers (CM): Initial examination and license: (\$200), plus any fees charged by the outside testing entity. License renewal (\$200) Inactive license (\$50) License reinstatement (\$200)</p>
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Division of Building Safety & Public Works Contractors Licenses (PWCL) Board – Public Works Contractors Licenses (PWCL) & Construction Management (CM) Licensing

<p>Fees (cont)</p>	<p>Issuing and reinstating a certificate of authority (\$100).</p> <p>Idaho Code §§ 54-4510 https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH45/SECT54-4510/</p> <p>IDAPA 07.05.01 § 201 https://adminrules.idaho.gov/rules/current/07/0501.pdf</p>
<p>Cost per applicant or licensee</p>	<p>Costs per license is the amount of the license fee, and the application administration fee</p>
<p>Renewal Requirements</p>	<p>Public Works Contractors (PWCL)</p> <ul style="list-style-type: none"> ▪ Submission of a renewal application and payment the renewal license fee prior to the expiration of the existing license; ▪ Submission of a complete certified financial statement, including meeting the net worth and working capital requirements for the class of license sought; ▪ If required - evidence that they continue to meet the requirements of initial licensure as identified above (good character, no previous revocations, inclusion of the specific individual or corporate information as required, information about any successor organization if they’ve undergone a change in business organization, etc.). ▪ For applicants requesting a licensing class higher than that for which the applicant is currently licensed –submission of documentation of having performed projects, similar in scope and character to those for which license is requested. The monetary value of those jobs must fall within a range not less than thirty percent (30%) below that for which the applicant is currently licensed. <p>I.C. §§54-1910 through 54-1912 https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH19/SECT54-1910/; https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH19/SECT54-1911/</p> <p>IDAPA 07.05.01 https://adminrules.idaho.gov/rules/current/07/0501.pdf</p> <p>Construction Management (CM)</p> <ul style="list-style-type: none"> ▪ Submission of a renewal application and payment the renewal license fees;

Division of Building Safety & Public Works Contractors Licenses (PWCL) Board – Public Works Contractors Licenses (PWCL) & Construction Management (CM) Licensing

	<ul style="list-style-type: none"> ▪ Licenses for Firms –Designation of the appropriate managers, and submission of the required statements of responsibility required for licensure of firms. ▪ If applicable – submission of an application for a new license on behalf of a successor organization if the construction manager undergoes a change in business organization or structure (such as individual proprietor to a partnership, corporation, LLC, etc.) <p>Idaho Code §§ 54-4505 & 54-4506, and 54-4509 https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH45/SECT54-4505/ https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH45/SECT54-4506/ https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH45/SECT54-4509/</p>
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B. Applications and Renewals Denied (1 January 2017 through 31 December 2017)

Refusal to Issue **Initial** License [Total Number: # **0**]

	Application/ Identification Number	Number of Applicants	Statutory Authority	Factual Summary (optional)
1	PWCL Contractor Applications	2593	I.C. 54-1901 thru 1924	Applications are left open for a year in which applicants can complete/submit all licensure requirements. Exams can be taken multiple times (if initially failed). And even if a year passes, applicants can immediately re-apply. Consequently, no applications or renewals were actually permanently denied.
2	Construction Management Applications	68	I.C. 54-4501 thru 54-4514	

Division of Building Safety & Public Works Contractors Licenses (PWCL) Board – Public Works Contractors Licenses (PWCL) & Construction Management (CM) Licensing

Refusal to **Renew** License [Total Number: # **0**]

	License/ Identification Number	Number of Applicants	Statutory Basis	Factual Summary (optional)
1				Applications are left open for a year in which applicants can complete/submit all licensure requirements. Exams can be taken multiple times (if initially failed). And even if a year passes, applicants can immediately re-apply. Consequently, no applications or renewals were actually permanently denied.

- C. Disciplinary Actions** - The statutory basis for the discipline of licensees to include revocation, suspension, reclassification, probation, defer, or precondition is contained at I.C. § 54-1914. In accordance with that statute, the Administrator may do so for any one of fourteen (14) reasons. Additionally, pursuant to I.C. § 54-1910 by operation of law, a licensee who ceases to have a qualifying individual connected with the license, and that does not notify the Division within ten (10) days of such cessation shall have such license automatically suspended.

(January 1, 2017 through December 31, 2017)

Case No	Date of Final Action	Action Taken	Statutory Basis	Factual Basis (optional)
PWCL		Five (5)	I.C. § 54-1910(a)	Five (5) PWCL licenses were suspended because the licensee failed to provide a qualifying individual who was connected with the licensee (corporation, partnership, LLC, etc.), or the qualifying individual failed to take the examination
CM		(0)		No disciplinary action against CM licenses were taken.

Division of Building Safety & Public Works Contractors Licenses (PWCL) Board – Public Works Contractors Licenses (PWCL) & Construction Management (CM) Licensing

D. Law, Rule, or Policy Changes or Attempted Changes in Last 5 Years to Eliminate Barriers to Entry

Session	Legislation or Rule	Summary
2016	Reduction in License Fee	
2014	IDAPA 07-0501-1301 https://adminrules.idaho.gov/bulletin/2013/10.pdf (page 52)	Allows for electronic submission of PWCL applications and renewals
2013	HO465 (I,C, §54-1904) http://legislature.idaho.gov/sessioninfo/2012/legislation/H0465/ IDAPA 07-0501-1201 https://adminrules.idaho.gov/bulletin/2012/09.pdf (page 22)	Created a new (CC) class of licensing for all PWCL branches (types) to allow those who may qualify to do so – the ability to perform public works projects up to \$400,000. The class above (B) authorizes projects up to \$600,000, and the class below (C) authorizes projects only up to \$200,000.
2012	IDAPA 07-0501-1101 https://adminrules.idaho.gov/bulletin/2011/10.pdf (page 156)	Created authority for PWCL applicants to receive an extension of time in which to renew their license, as well as authority for DBS to expedite a license application or renewal for those that may need to more immediately obtain a license

E. Assessment of Public Interest

[Provide an assessment or statement as to whether the licensure, or requirements relating thereto, are in the public interest, together with the reasons for such assessment or opinion. Executive Order 2.a.]

The Agency and Board believe that public works contractor (PWCL) and construction management (CM) licenses are in the public interest in that it helps ensure that those who perform public works construction and provide management services for public works construction are properly qualified through experience and financial ability to provide services to all public entities in Idaho across all levels of government including, public school districts, cities, counties and other political subdivisions, and state entities. Effective licensing procedures protect the public health and safety, and assure that contractors of integrity provide work for which they have specific experience and expertise, and that public facilities are constructed and rebuilt by efficient and cost-effective means – thus protecting and preserving public funds. Construction Management licensing also promotes the highest degree of professional conduct on the part of persons providing construction management services.

Division of Building Safety & Public Works Contractors Licenses (PWCL) Board – Public Works Contractors Licenses (PWCL) & Construction Management (CM) Licensing

F. Recommendations for Improvement, Modification, or Elimination of Requirements

The Division and Board make the following recommendations to eliminate barriers to entry into, or improvements to PWCL or CM licensure:

- Establish the ability for public works contractors (PWCL) and construction managers (CM) to renew their license in an inactive status if they are not actively engaged in their respective professions.
- Allow for renewals of PWCL which better coincide with individual contractors' annual financial or tax documentation cycles on a prorated basis, or lengthen the amount of time that applicants can seek an extension in which to renew
- Considering emphasizing an applicant's financial ability and bonding capacity rather than history performing public works projects of a certain value, size or scope when determining eligibility for a particular class of public works contractor license.

G. Public Comments

The DBS and PWCL Board did not receive any public comment through the DBS email/website regarding public works contractor or construction management licenses

The DBS and Board considered consolidation of the 125 specialty categories of public works licenses, but determined it was an accepted/ standardized method of identifying the different areas of public works construction, nor that it was an actual barrier to obtain a public works specialty license.