

IDAPA 07 – DIVISION OF BUILDING SAFETY

07.02.05 – RULES GOVERNING PLUMBING SAFETY LICENSING

DOCKET NO. 07-0205-1901

NOTICE OF INTENT TO PROMULGATE RULES – NEGOTIATED RULEMAKING

AUTHORITY: In compliance with Sections 67-5220(1) and 67-5220(2), Idaho Code, notice is hereby given that this agency intends to promulgate rules and desires public comment prior to initiating formal rulemaking procedures. This negotiated rulemaking action is authorized pursuant to Section 54-2606, Idaho Code.

MEETING SCHEDULE: A public meeting on the negotiated rulemaking will be held as follows:

PUBLIC MEETING	
Thursday, May 16, 2019 – 9:30 a.m. (MDT)	
Idaho Division of Building Safety 1090 E. Watertower Street, Suite 150 Meridian, ID 83642	
Via VIDEO TELECONFERENCE (same date and time as above) At the following Division of Building Safety locations:	
Coeur d’Alene Regional Office 1250 Ironwood Drive, Suite 220 Coeur d’Alene, ID 83814	Pocatello Regional Office 2055 Garrett Way, Bldg. 1, Suite 4 Pocatello, ID 83201

Additional negotiated rulemaking meetings may be established, if necessary. Adequate notice of the dates, locations, and manner of participation of any such additional meetings will be posted on the Idaho Division of Building Safety (Division) website at <http://dbs.idaho.gov/>.

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

METHOD OF PARTICIPATION: Persons wishing to participate in the negotiated rulemaking must do the following:

Interested members of the public who wish to participate must submit any written comments, questions, recommendations, or ideas to the Idaho Plumbing Board (Board) on designated forms available at the Division’s website at <http://dbs.idaho.gov/> and at the Division’s offices in Meridian, Coeur d’Alene, and Pocatello. Individuals may also attend the public meeting to be conducted on the date listed above. The Board invites oral comments or presentations to be made at the meeting. More information on the meeting is available by contacting Deputy Administrator Ron Whitney at (208) 332-7150 or at ron.whitney@dbs.idaho.gov.

Upon conclusion of the negotiated rulemaking, any unresolved issues, all key issues considered, and conclusion reached during the negotiated rulemaking will be addressed in a written summary. The summary will be made available to interested persons who contact the agency or, if the agency chooses, the summary may be posted on the agency website.

DESCRIPTIVE SUMMARY AND STATEMENT OF PURPOSE: The following is a statement in nontechnical language of the substance and purpose of the intended negotiated rulemaking and the principal issues involved:

IDAPA 07.02.05.016.03.b. conflicts with Idaho Code section 54-2617(3). Idaho Code section 54-2617(3) allows revival of a lapsed plumbing license without examination within two years of the lapse. IDAPA 07.02.05.016.03.b. allows revival of an expired plumbing license without examination within one year of the expiration.

Additionally, the Board and plumbing industry have questioned the relevance, purpose, and efficacy of the practical portion of the plumbing journeyman examination in preparing examinees for the work of a plumbing journeyman.

The purpose of the intended negotiated rulemaking is to invite public comment regarding the following:

The proposed amendments would align IDAPA 07.02.05.016.03.b. with Idaho Code section 54-2617(3), allowing revival of a lapsed plumbing license without examination within two years of the lapse.

The proposed amendments would also eliminate the practical portion of the plumbing journeyman examination referenced throughout IDAPA 07.02.05.

In addition, this rulemaking would eliminate or simplify provisions in IDAPA 07.02.05 to comply with the Red Tape Reduction Act (Executive Order 2019-02).

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS, OBTAINING DRAFT COPIES: For assistance on technical questions concerning this negotiated rulemaking or to obtain a preliminary draft copy of the rule text, if available, contact John Nielsen, Plumbing Program Manager, Division of Building Safety at (208) 332-7112 or at john.nielsen@dbb.idaho.gov. Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the Division's website at <http://dbb.idaho.gov/>.

Anyone may submit written comments regarding this negotiated rulemaking. All written comments must be directed to the undersigned and delivered by May 11, 2019.

Dated this 5th day of April, 2019.

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