

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 582

BY BUSINESS COMMITTEE

AN ACT

1 RELATING TO BUILDING CODES; AMENDING SECTION 54-1016, IDAHO CODE, TO PROVIDE
2 AN EXEMPTION FOR NONPROFIT ELECTRICAL INSTALLATION, TO PROVIDE COR-
3 RECT TERMINOLOGY, AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION
4 54-2602, IDAHO CODE, TO PROVIDE AN EXEMPTION FOR NONPROFIT PLUMBING
5 INSTALLATION, TO PROVIDE CORRECT TERMINOLOGY, AND TO MAKE TECHNICAL
6 CORRECTIONS; AMENDING SECTION 54-5002, IDAHO CODE, TO PROVIDE AN EXEMP-
7 TION FOR NONPROFIT HVAC INSTALLATION; AND DECLARING AN EMERGENCY AND
8 PROVIDING AN EFFECTIVE DATE.
9

10 Be It Enacted by the Legislature of the State of Idaho:

11 SECTION 1. That Section 54-1016, Idaho Code, be, and the same is hereby
12 amended to read as follows:

13 54-1016. EXEMPTIONS. (1) Nothing in this chapter shall be deemed to
14 apply to:

15 (a) Any regulated utility, telephone company, rural telephone cooper-
16 ative or municipal communications utility, or its employees, in the in-
17 stallation or maintenance of communication circuits, wires and apparat-
18 us by or for such entities or their communications service customers;

19 (b) Any electrical public utility, or its employees, in the instal-
20 lation and maintenance of electrical wiring, circuits, apparatus and
21 equipment by or for such public utility, or comprising a part of its
22 plants, lines or system;

23 (c) Modular buildings as defined in section 39-4301, Idaho Code, that
24 are constructed in the state of Idaho for installation on building sites
25 outside the state; provided however, that no modular building shall be
26 installed on a building site in the state of Idaho until it has been ap-
27 proved and bears the insignia of approval of the division as being in
28 compliance with the requirements set forth in section 39-4304, Idaho
29 Code.

30 (2) The licensing provisions of this chapter shall not apply to:

31 (a) Any property owner performing noncommercial electrical work in the
32 owner's primary or secondary residence, or associated outbuildings or
33 land associated with the entire property on which those buildings sit,
34 except that homeowner installations of renewable power generation con-
35 nected to the community power grid shall be subject to a preplan review
36 in accordance with local jurisdictions' policies and procedures prior
37 to the purchase of a permit;

38 (b) Any person regularly employed as a maintenance electrician per-
39 forming electrical maintenance work on the premises owned and operated
40 by his employer, provided that electrical work is limited to mainte-
41 nance and replacement of electrical fixtures, electrical conductors,

1 electrical equipment and electrical apparatus on a like-for-like ba-
2 sis;

3 (c) Any telephone company, rural telephone cooperative, or municipal
4 communications utility, its employees, its subsidiaries, and employees
5 of the subsidiaries performing work on customer-owned facilities under
6 the exclusive control of the telephone company, rural telephone cooper-
7 ative, or municipal communications utility;

8 (d) Any telephone company, rural telephone cooperative, or municipal
9 communications utility, its employees, its subsidiaries, and employ-
10 ees of the subsidiaries performing repair work on customer-owned facil-
11 ities at the request of the customer;

12 (e) Any electrical public utility, rural electrical cooperative, mu-
13 nicipal power utility, its employees, its subsidiaries, and employees
14 of the subsidiaries performing work on customer-owned facilities under
15 the exclusive control of the electrical public utility, rural electri-
16 cal cooperative, or municipal power utility; and

17 (f) Any electrical public utility, rural electrical cooperative, mu-
18 nicipal power utility, its employees, its subsidiaries, and employees
19 of the subsidiaries performing emergency repair work on customer-owned
20 facilities at the request of the customer-;

21 (g) A fire department employee who is acting in his official capacity
22 as a representative of his agency when he is replacing, maintaining, or
23 repairing a hard-wired smoke or carbon monoxide alarm at the request of
24 a homeowner in a one (1) or two (2) family dwelling unit, provided that
25 such fire department employee has received annual training regarding
26 electrical safety and installation of the devices identified in this
27 paragraph-;

28 (h) A limited electrical contractor, limited electrical installer,
29 or employee of a company holding a limited electrical contractor li-
30 cense who is replacing or installing a fire alarm communication device
31 (DACT). A person provided for in this paragraph shall obtain a permit if
32 required by the authority having jurisdiction but must not be required
33 to submit design plans. The fire alarm communication device (DACT) may
34 be inspected if required by the authority having jurisdiction after
35 replacement of the fire alarm communication device (DACT). The fee for a
36 permit shall not exceed one hundred twenty-five dollars (\$125)-; or

37 (i) A nonprofit organization and its volunteers performing electrical
38 installations for a single-family dwelling unit.

39 (3) The licensing provisions of this chapter shall not apply to indi-
40 viduals licensed pursuant to chapter 50, title 54, Idaho Code, or certifi-
41 cated pursuant to chapter 26, title 54, Idaho Code, as follows:

42 (a) Individuals holding a current heating, ventilation and air condi-
43 tioning (HVAC) license or a current plumbing certification may install
44 electrical circuitry and make connections from the disconnecting means
45 to a water heater as long as the disconnect is in sight from the unit and
46 the circuit from the disconnecting means to the water heater is no more
47 than fifty (50) feet long.

48 (b) Individuals holding a current HVAC license may install:

49 (i) Electrical space heaters with no attached ductwork;

1 (ii) Electrical connections to HVAC equipment from the discon-
 2 necting means to the unit as long as the disconnect is in sight from
 3 the unit and the circuit from the disconnecting means to the HVAC
 4 equipment is no more than fifty (50) feet long; and

5 (iii) Ventilating fans, except ducted range hoods in residences.

6 (c) HVAC licensees may install control wiring of twenty-four (24) volts
 7 or less for HVAC equipment of five (5) tons or less in capacity. Plumb-
 8 ing certificate holders are not authorized to install control wiring in
 9 HVAC equipment, regardless of voltage.

10 (d) Individuals holding a current limited energy electrical license
 11 may install electrical circuitry and make connections from utilization
 12 equipment installed under the restricted category of the limited elec-
 13 trical installer license to outlets, as long as those outlets are in
 14 sight from such utilization equipment and not more than fifty (50) feet
 15 from such utilization equipment. Outlets shall be installed by others.

16 (4) To the extent that a plumbing or HVAC installation permit issued
 17 by the Idaho division of ~~building safety~~ occupational and professional li-
 18 licenses includes any part of an electrical installation, the permit issued
 19 and inspection performed shall be sufficient to satisfy the permitting and
 20 inspecting requirements of this chapter if all required permit fees have
 21 been paid.

22 (5) Approval and certification requirements of product and equipment
 23 as set forth in this chapter and in the adopted edition of the national elec-
 24 trical code do not apply to industrial machinery unless the board has made a
 25 determination that such product, machine or classes of products and machines
 26 present an undue hazard to life and property.

27 (6) Apprentice registration requirements shall not apply to high
 28 school students enrolled in an educational program recognized by the board
 29 in which the performance of electrical installation is a formal component of
 30 the program. The exemption is limited to students performing residential
 31 installations as part of such program under the constant on-the-job super-
 32 vision of a licensed journeyman electrician, and a permit for the work is
 33 obtained from the authority having jurisdiction. Work hours performed by
 34 such students shall not apply toward apprentice work requirements.

35 (7) Neither local jurisdictions nor the state fire marshal shall have
 36 the authority to amend the exemptions provided for in this section or to
 37 adopt any ordinance, law, or rule in conflict with the provisions of this
 38 section.

39 SECTION 2. That Section 54-2602, Idaho Code, be, and the same is hereby
 40 amended to read as follows:

41 54-2602. EXCEPTIONS. (1) Certificate of competency requirements of
 42 this chapter shall not be deemed to apply to:

43 (a) Any person who does plumbing work in a single or duplex family
 44 dwelling, including accessory buildings, quarters and grounds in con-
 45 nection with such dwelling; provided that such person owns or is a
 46 contract purchaser of the premises, and provided further that such
 47 person shall comply with the minimum standards and rules applicable to
 48 plumbing practices provided by this chapter.

1 (b) Farm buildings located outside the incorporated limits of any city
2 unless such buildings are connected to a public water or sewer system;
3 and a farm building is hereby defined to be a structure located on agri-
4 cultural zoned property and designed and constructed to house farm im-
5 plements, hay, grain, poultry, livestock or other horticultural prod-
6 ucts and includes sheds, barns, corrals or fences. This definition does
7 not include a place for human habitation or a place of regular employ-
8 ment where agricultural products are extracted, processed, treated or
9 packaged; a place used by the public; or conditioned livestock housing.

10 (c) Logging, mining or construction camps when plumbing installations
11 are made to conform with the recommendations of the department of health
12 and welfare.

13 (d) Piping systems in industrial processing plants located outside the
14 incorporated limits of any city unless such systems are connected to a
15 public water or sewer system.

16 (e) Work on plumbing systems on premises owned or operated by an em-
17 ployer who regularly employs maintenance or construction plumbers,
18 provided that alterations, extensions and new construction shall
19 comply with the minimum standards and rules applicable to plumbing
20 practices provided by this chapter.

21 (f) Nothing contained in this section or any other provision of this
22 code shall be construed or applied to require a sewer contractor, sewage
23 disposal contractor, or any excavating or utility contractor who gener-
24 ally engages in the business of installing, altering or repairing sew-
25 ers, private and public sewage disposal systems, and water distribu-
26 tion and/or drainage lines outside the foundation walls of any build-
27 ing or structure, to obtain a valid contractor's certificate of compe-
28 tency or to employ only journeymen plumbers possessing a valid journey-
29 man plumber's certificate of competency or registration, or to in any
30 way require that his employees be registered, licensed or declared com-
31 petent by the board.

32 (g) Water treatment installations and repairs when installed in res-
33 idential or business properties, provided the same, when installed,
34 repaired or completed, shall be inspected by a designated, quali-
35 fied and properly identified agent of the division of ~~building safety~~
36 occupational and professional licenses as to quality of workmanship and
37 compliance with the applicable provisions of this chapter.

38 (h) Plumbing work within modular buildings as defined in section
39 39-4301, Idaho Code, that are constructed in the state of Idaho for in-
40 stallation on building sites outside the state; provided however, that
41 no modular building shall be installed on a building site in the state of
42 Idaho until it has been approved and bears the insignia of approval of
43 the division as being in compliance with the requirements set forth in
44 section 39-4304, Idaho Code.

45 (i) Individuals holding a current installer license pursuant to the
46 provisions of chapter 21, title 44, Idaho Code, may make connections
47 from manufactured home or mobile home sewer or water facilities to ex-
48 isting sewer or water facilities on-site.

49 (j) Individuals licensed pursuant to chapter 10, title 54, Idaho Code,
50 or chapter 50, title 54, Idaho Code, as follows:

1 (i) Individuals holding a current HVAC or electrical license may
 2 install electrical circuitry from the disconnecting means to a wa-
 3 ter heater and electrical connections to the water heater as long
 4 as the disconnect is in sight from the unit and the circuit from the
 5 disconnecting means to the water heater is no more than fifty (50)
 6 feet long.

7 (ii) Individuals holding a current HVAC license may install gas
 8 piping and piping for hydronic systems.

9 (iii) Individuals holding a current HVAC license may install boil-
 10 ers that are not otherwise subject to inspection by the industrial
 11 commission or its authorized agent.

12 (k) A nonprofit organization and its volunteers performing plumbing
 13 installations for a single-family dwelling unit.

14 (2) To the extent that an electrical or HVAC installation permit issued
 15 by the Idaho division of ~~building safety~~ occupational and professional li-
 16 licenses includes any part of a plumbing installation, the permit issued and
 17 inspection performed shall be sufficient to satisfy the permitting and in-
 18 specting requirements of this chapter if all required permit fees have been
 19 paid.

20 (3) Apprentice registration requirements shall not apply to high
 21 school students enrolled in an educational program recognized by the board
 22 in which the performance of plumbing installation is a formal component of
 23 the program. The exemption is limited to students performing residential
 24 installations as part of such program under the constant on-the-job supervi-
 25 sion of a licensed journeyman plumber, and a permit for the work is obtained
 26 from the authority having jurisdiction. Work hours performed by such stu-
 27 dents shall not apply toward apprentice work requirements.

28 (4) Any person, firm, copartnership, association or corporation making
 29 water treatment installations and/or repairs in accordance with the provi-
 30 sions of this chapter shall maintain a surety bond in the amount of two thou-
 31 sand dollars (\$2,000).

32 SECTION 3. That Section 54-5002, Idaho Code, be, and the same is hereby
 33 amended to read as follows:

34 54-5002. EXCEPTIONS. (1) Certificate of competency requirements of
 35 this chapter shall not apply to:

36 (a) Any person who installs or maintains a heating, ventilation and
 37 air conditioning system in a single or duplex family dwelling, includ-
 38 ing accessory buildings, quarters and grounds in connection with such
 39 dwelling; provided that such person owns or is a contract purchaser of
 40 the premises; and provided further that such person shall comply with
 41 the standards and rules applicable to heating, ventilation and air con-
 42 ditioning installation or repairs as provided in this chapter.

43 (b) Farm buildings located outside the incorporated limits of any
 44 city; and a farm building is hereby defined to be a structure located
 45 on agricultural zoned property and designated and constructed to house
 46 farm implements, hay, grain, poultry, livestock or other horticultural
 47 products and includes sheds, barns, corrals or fences. This definition
 48 does not include a place for human habitation or a place of regular em-
 49 ployment where agricultural products are extracted, processed, treated

1 or packaged; a place used by the public; or conditioned livestock hous-
2 ing.

3 (c) Logging, mining or construction camps when heating, ventilation or
4 air conditioning installations are made to conform to the recommenda-
5 tions of the department of health and welfare.

6 (d) Work on heating, ventilation or air conditioning systems on
7 premises owned or operated by an employer who regularly employs main-
8 tenance or construction heating, ventilation and air conditioning
9 journeymen, provided that alterations, extensions and new construction
10 shall comply with the minimum standards and rules applicable to heat-
11 ing, ventilation and air conditioning practices in accordance with the
12 provisions of this chapter.

13 (e) Modular buildings, as defined in section 39-4301, Idaho Code, that
14 are constructed in the state of Idaho for installation on building sites
15 outside the state; provided however, that no modular building shall be
16 installed on a building site in the state of Idaho until it has been ap-
17 proved and bears the insignia of approval of the division as being in
18 compliance with the requirements set forth in section 39-4304, Idaho
19 Code.

20 (f) A nonprofit organization and its volunteers performing HVAC in-
21 stallations for a single-family dwelling unit.

22 (2) Apprentice registration requirements shall not apply to high
23 school students enrolled in an educational program recognized by the board
24 in which the performance of HVAC installation is a formal component of
25 the program. The exemption is limited to students performing residential
26 installations as part of such program under the constant on-the-job supervi-
27 sion of a licensed journeyman, and a permit for the work is obtained from the
28 authority having jurisdiction. Work hours performed by such students shall
29 not apply toward apprentice work requirements.

30 SECTION 4. An emergency existing therefor, which emergency is hereby
31 declared to exist, this act shall be in full force and effect on and after
32 July 1, 2022.