

Dear Senators PATRICK, Martin, Schmidt, and
Representatives BARBIERI, Clow, Smith:

The Legislative Services Office, Research and Legislation, has received the enclosed rules of the Bureau of Occupational Licenses - Idaho State Liquefied Petroleum Gas Safety Board:
IDAPA 24.22.01 - Rules of the Idaho State Liquefied Petroleum Gas Safety Board - Proposed Rule
(Docket No. 24-2201-1601).

Pursuant to Section 67-454, Idaho Code, a meeting on the enclosed rules may be called by the cochairmen or by two (2) or more members of the subcommittee giving oral or written notice to Research and Legislation no later than fourteen (14) days after receipt of the rules' analysis from Legislative Services. The final date to call a meeting on the enclosed rules is no later than 10/25/2016. If a meeting is called, the subcommittee must hold the meeting within forty-two (42) days of receipt of the rules' analysis from Legislative Services. The final date to hold a meeting on the enclosed rules is 11/23/2016.

The germane joint subcommittee may request a statement of economic impact with respect to a proposed rule by notifying Research and Legislation. There is no time limit on requesting this statement, and it may be requested whether or not a meeting on the proposed rule is called or after a meeting has been held.

To notify Research and Legislation, call 334-4834, or send a written request to the address on the memorandum attached below.



Eric Milstead
Director

Legislative Services Office

Idaho State Legislature

Serving Idaho's Citizen Legislature

MEMORANDUM

TO: Rules Review Subcommittee of the Senate Commerce & Human Resources Committee and the House Business Committee

FROM: Legislative Research Analyst - Kristin Ford

DATE: October 05, 2016

SUBJECT: Bureau of Occupational Licenses - Idaho State Liquefied Petroleum Gas Safety Board

IDAPA 24.22.01 - Rules of the Idaho State Liquefied Petroleum Gas Safety Board - Proposed Rule (Docket No. 24-2201-1601)

The Idaho State Liquefied Petroleum Gas Safety Board submits notice of proposed rulemaking at IDAPA 24.22.01. The proposed rule updates the edition of the Liquefied Petroleum Gas Code, NFPA 58, published by the National Fire Protection Association, referenced in the rules, from the 2011 edition to the 2017 edition. According to the Board, the 2017 edition incorporates the latest safety protocols used in most states and by the U.S. Department of Transportation. There is no fiscal impact to the General Fund. This rulemaking appears to be within the agency's statutory authority under Section 54-5310(11).

cc: Bureau of Occupational Licenses - Idaho State Liquefied Petroleum Gas Safety Board
Tana Cory

IDAPA 24 - BUREAU OF OCCUPATIONAL LICENSES

24.22.01 - RULES OF THE IDAHO STATE LIQUEFIED PETROLEUM GAS SAFETY BOARD

DOCKET NO. 24-2201-1601

NOTICE OF RULEMAKING - PROPOSED RULE

AUTHORITY: In compliance with Section 67-5221(1), Idaho Code, notice is hereby given that this agency has initiated proposed rulemaking procedures. The action is authorized pursuant to Sections 54-5303 and 54-5310, Idaho Code.

PUBLIC HEARING SCHEDULE: Public hearing(s) concerning this rulemaking will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than October 19, 2016.

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

DESCRIPTIVE SUMMARY: The following is a nontechnical explanation of the substance and purpose of the proposed rulemaking:

The Board is amending the rule to incorporate by reference the 2017 edition of the Liquefied Petroleum Gas Code, NFPA 58, published by National Fire Protection Association (NFPA) to keep abreast of the most current safety standards.

FEE SUMMARY: The following is a specific description of the fee or charge imposed or increased: N/A

FISCAL IMPACT: The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year resulting from this rulemaking: N/A

NEGOTIATED RULEMAKING: Pursuant to Section 67-5220(2), Idaho Code, negotiated rulemaking was not conducted because the proposed changes to these rules were discussed during noticed, open meetings of the Board.

INCORPORATION BY REFERENCE: Pursuant to Section 67-5229(2)(a), Idaho Code, the following is a brief synopsis of why the materials cited are being incorporated by reference into this rule:

The current rules incorporate by reference the 2011 Edition of NFPA 58. The 2017 version includes the latest safety protocols used in most state and referenced by the U.S. Department of Transportation. It includes minimum requirements for safe handling during LP-Gas transfer, including operator qualifications, maximum filling quantity in containers, and pre-transfer inspections to ensure containers are fit for continued service. The most current standards of safety address the latest in LPG technology and protect the public from hazards not covered by previous editions.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the proposed rule, contact Mitchell Toryanski at (208) 334-3233. Anyone may submit written comments regarding this proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before October 26, 2016.

DATED this 2nd day of September, 2016.

Tana Cory, Bureau Chief
Bureau of Occupational Licenses
700 W State St.
P O Box 83720
Boise, ID 83720-0063
Phone: (208) 334-3233
Fax: (208) 334-3945

THE FOLLOWING IS THE PROPOSED TEXT OF DOCKET NO. 24-2201-1601
(Only Those Sections With Amendments Are Shown.)

004. INCORPORATION BY REFERENCE (RULE 4).

The document titled Liquefied Petroleum Gas Code, 201~~4~~⁷ Edition, commonly known as NFPA 58, published by National Fire Protection Association (NFPA), is herein incorporated by reference and is available for public inspection at the Board's office. Copies of the 201~~4~~⁷ Liquefied Petroleum Gas Code are available for purchase from the National Fire Protection Association, 11 Tracy Drive, Avon, MA 02322. ~~(3-29-12)~~()

INCORPORATION BY REFERENCE SYNOPSIS

In compliance with Section 67-5223(4), Idaho Code, the following is a synopsis of the differences between the materials previously incorporated by reference in this rule that are currently of full force and effect and newly revised or amended versions of these same materials that are being proposed for incorporation by reference under this rulemaking.

The following agency of the state of Idaho has prepared this synopsis as part of the proposed rulemaking for the chapter cited here under the docket number specified:

Idaho Bureau of Occupational Licenses
IDAPA 24.22.01 - Rules Governing the Idaho State Liquefied Petroleum Gas Safety Board
Proposed Rulemaking - Docket No. 24-2201-1601

The current rules incorporate by reference the 2011 Edition of NFPA 58. The 2017 version includes the latest safety protocols used in most states and referenced by the U.S. Department of Transportation. It includes minimum requirements for safe handling during LP-Gas transfer, including operator qualifications, maximum filling quantity in containers, and pre-transfer inspections to ensure containers are fit for continued service. The most current standards of safety address the latest in LPG technology and protect the public from hazards not covered by previous editions.