

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 629

BY EDUCATION COMMITTEE

AN ACT

1 RELATING TO EDUCATION; AMENDING SECTION 54-1016, IDAHO CODE, TO EXEMPT HIGH
2 SCHOOL STUDENTS FROM APPRENTICESHIP REGISTRATION REQUIREMENTS UNDER
3 CERTAIN CIRCUMSTANCES AND TO MAKE A TECHNICAL CORRECTION; AMENDING SEC-
4 TION 54-2602, IDAHO CODE, TO EXEMPT HIGH SCHOOL STUDENTS FROM APPREN-
5 TICESHIP REGISTRATION REQUIREMENTS UNDER CERTAIN CIRCUMSTANCES AND TO
6 MAKE A TECHNICAL CORRECTION; AMENDING SECTION 54-5002, IDAHO CODE, TO
7 EXEMPT HIGH SCHOOL STUDENTS FROM APPRENTICESHIP REGISTRATION REQUIRE-
8 MENTS UNDER CERTAIN CIRCUMSTANCES; AND AMENDING SECTION 54-5006, IDAHO
9 CODE, TO PROVIDE A CORRECT CODE REFERENCE.
10

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

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

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

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

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

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

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

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

39 (b) Any person regularly employed as a maintenance electrician per-
40 forming electrical maintenance work on the premises of the person's
41 employer;

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

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

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

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

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

22 (a) Individuals holding a current heating, ventilation and air condi-
23 tioning (HVAC) license or a current plumbing certification may install
24 electrical circuitry from the disconnecting means to a water heater and
25 electrical connections to the water heater as long as the disconnect is
26 in sight from the unit and the circuit from the disconnecting means to
27 the water heater is no more than fifty (50) feet long.

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

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

30 (ii) Electrical connections to HVAC equipment from the discon-
31 necting means to the unit as long as the disconnect is in sight from
32 the unit and the circuit from the disconnecting means to the HVAC
33 equipment is no more than fifty (50) feet long; and

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

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

39 (4) To the extent that a plumbing or HVAC installation permit issued by
40 the Idaho division of building safety includes any part of an electrical in-
41 stallation, the permit issued and inspection performed shall be sufficient
42 to satisfy the permitting and inspecting requirements of this chapter if all
43 required permit fees have been paid.

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

49 (6) Apprentice registration requirements shall not apply to high
50 school students enrolled in an educational program recognized by the board

1 in which the performance of electrical installation is a formal component of
2 the program. The exemption is limited to students performing residential
3 installations as part of such program under the constant on-the-job super-
4 vision of a licensed journeyman electrician, and a permit for the work is
5 obtained from the authority having jurisdiction. Work hours performed by
6 such students shall not apply toward apprentice work requirements.

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

9 54-2602. EXCEPTIONS. (1) Certificate of competency requirements of
10 this chapter shall not be deemed to apply to:

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

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

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

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

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

37 (f) Nothing contained in this section or any other provision of this
38 code shall be construed or applied to require a sewer contractor, sewage
39 disposal contractor, or any excavating or utility contractor who gener-
40 ally engages in the business of installing, altering or repairing sew-
41 ers, private and public sewage disposal systems, and water distribu-
42 tion and/or drainage lines outside the foundation walls of any build-
43 ing or structure, to obtain a valid contractor's certificate of compe-
44 tency or to employ only journeymen plumbers possessing a valid journey-
45 man plumber's certificate of competency or registration, or to in any
46 way require that his employees be registered, licensed or declared com-
47 petent by the board.

48 (g) Water treatment installations and repairs when installed in res-
49 idential or business properties, provided the same, when installed,

1 repaired or completed, shall be inspected by a designated, qualified
 2 and properly identified agent of the division of building safety as to
 3 quality of workmanship and compliance with the applicable provisions of
 4 this chapter.

5 (h) Plumbing work within modular buildings as defined in section
 6 39-4301, Idaho Code, that are constructed in the state of Idaho for in-
 7 stallation on building sites outside the state; provided however, that
 8 no modular building shall be installed on a building site in the state of
 9 Idaho until it has been approved and bears the insignia of approval of
 10 the division as being in compliance with the requirements set forth in
 11 section 39-4304, Idaho Code.

12 (i) Individuals licensed pursuant to chapter 10, title 54, Idaho Code,
 13 or chapter 50, title 54, Idaho Code, as follows:

14 (i) Individuals holding a current HVAC or electrical license may
 15 install electrical circuitry from the disconnecting means to a wa-
 16 ter heater and electrical connections to the water heater as long
 17 as the disconnect is in sight from the unit and the circuit from the
 18 disconnecting means to the water heater is no more than fifty (50)
 19 feet long.

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

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

25 (2) To the extent that an electrical or HVAC installation permit issued
 26 by the Idaho division of building safety includes any part of a plumbing in-
 27 stallation, the permit issued and inspection performed shall be sufficient
 28 to satisfy the permitting and inspecting requirements of this chapter if all
 29 required permit fees have been paid.

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

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

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

44 54-5002. EXCEPTIONS. (1) Certificate of competency requirements of
 45 this chapter shall not apply to:

46 (1a) Any person who installs or maintains a heating, ventilation and
 47 air conditioning system in a single or duplex family dwelling, includ-
 48 ing accessory buildings, quarters and grounds in connection with such
 49 dwelling; provided that such person owns or is a contract purchaser of

1 the premises; and provided further that such person shall comply with
 2 the standards and rules applicable to heating, ventilation and air con-
 3 ditioning installation or repairs as provided in this chapter.

4 (~~2~~b) Farm buildings located outside the incorporated limits of any
 5 city; and a farm building is hereby defined to be a structure located
 6 on agricultural zoned property and designated and constructed to house
 7 farm implements, hay, grain, poultry, livestock or other horticultural
 8 products and includes sheds, barns, corrals or fences. This definition
 9 does not include a place for human habitation or a place of regular em-
 10 ployment where agricultural products are extracted, processed, treated
 11 or packaged; a place used by the public; or conditioned livestock hous-
 12 ing.

13 (~~3~~c) Logging, mining or construction camps when heating, ventilation
 14 or air conditioning installations are made to conform to the recommen-
 15 dations of the department of health and welfare.

16 (~~4~~d) Work on heating, ventilation or air conditioning systems on
 17 premises owned or operated by an employer who regularly employs main-
 18 tenance or construction heating, ventilation and air conditioning
 19 journeymen, provided that alterations, extensions and new construction
 20 shall comply with the minimum standards and rules applicable to heat-
 21 ing, ventilation and air conditioning practices in accordance with the
 22 provisions of this chapter.

23 (~~5~~e) 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) Apprentice registration requirements shall not apply to high
 31 school students enrolled in an educational program recognized by the board
 32 in which the performance of HVAC installation is a formal component of
 33 the program. The exemption is limited to students performing residential
 34 installations as part of such program under the constant on-the-job supervi-
 35 sion of a licensed journeyman, and a permit for the work is obtained from the
 36 authority having jurisdiction. Work hours performed by such students shall
 37 not apply toward apprentice work requirements.

38 SECTION 4. That Section 54-5006, Idaho Code, be, and the same is hereby
 39 amended to read as follows:

40 54-5006. ADMINISTRATOR OF THE DIVISION OF BUILDING SAFETY. The admin-
 41 istrator shall exercise such powers and duties as are reasonably necessary
 42 to enforce standards provided in this chapter, and he may, among other
 43 things:

44 (1) Serve as secretary to the Idaho heating, ventilation and air condi-
 45 tioning board.

46 (2) Appoint state mechanical inspectors who shall be authorized to en-
 47 ter and inspect by and through a properly identified person, at reasonable
 48 hours, heating, ventilation and air conditioning systems.

1 (3) Make HVAC inspections for another state or local jurisdiction upon
2 request by an appropriate building official. Such inspections shall be made
3 in accordance with the applicable HVAC codes of the requesting jurisdiction.
4 Fees charged for such inspection services shall be as provided in the rules
5 promulgated by the board.

6 (4) Notwithstanding the exception provided in section 54-5002 (~~51~~) (e),
7 Idaho Code, the administrator may make inspections of modular buildings
8 constructed in Idaho upon written request from the manufacturer. Such
9 inspections shall be made in accordance with the codes adopted in this chap-
10 ter. Inspection fees for such inspections shall be as provided in section
11 39-4303, Idaho Code. The administrator may issue an insignia of approval if
12 the buildings are in compliance with the requirements set forth in chapter
13 43, title 39, Idaho Code.

14 (5) Summon witnesses to appear and testify before him on any matter
15 within the provisions of this chapter. No person shall be required to tes-
16 tify outside the county wherein he resides or where his principal place of
17 business is located. Such summons to testify shall be issued and served in
18 like manner as a subpoena to witness issued from the district court, or in
19 other manner consistent with procedure of the division of building safety.
20 In case any witness shall fail or refuse to appear and testify upon being
21 summoned as herein provided, the clerk of the district court of the county
22 shall, upon demand by said administrator or his designated agent, issue a
23 subpoena reciting the demand therefor and summoning the witness to appear
24 and testify at a time and place fixed. Violation of such subpoena or dis-
25 obedience thereto shall be deemed and punished as a violation of any other
26 subpoena issued from the district court.

27 (6) Administer oaths and take affirmations of witnesses appearing be-
28 fore him or a duly appointed hearing officer; and have the power to appoint
29 competent persons to issue subpoenas, administer oaths and take testimony.

30 (7) Impose civil penalties as provided in this chapter and rules of the
31 board.