

Dear Senators PATRICK, Guthrie, Ward-Engelking, and
Representatives BARBIERI, Clow, Smith:

The Legislative Services Office, Research and Legislation, has received the enclosed rules of the
Division of Building Safety:

IDAPA 07.01.06 - Rules Governing the Use of National Electrical Code - Proposed Rule (Docket
No. 07-0106-1701);

IDAPA 07.02.04 - Rules Governing Plumbing Safety Inspections - Proposed Rule (Docket No.
07-0204-1701);

IDAPA 07.02.06 - Rules Concerning Idaho State Plumbing Code - Proposed Rule (Docket No.
07-0206-1701);

IDAPA 07.03.01 - Rules of Building Safety - Proposed Rule (Docket No. 07-0301-1701);

IDAPA 07.03.11 - Rules Governing Manufactured/Mobile Home Industry Licensing - Proposed
Rule (Docket No. 07-0311-1701);

IDAPA 07.03.12 - Rules Governing Manufactured or Mobile Home Installations - Proposed Rule
(Docket No. 07-0312-1701).

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 09/29/2017. 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 10/30/2017.

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: Principal Legislative Research Analyst - Ryan Bush

DATE: September 12, 2017

SUBJECT: Division of Building Safety

IDAPA 07.01.06 - Rules Governing the Use of National Electrical Code - Proposed Rule (Docket No. 07-0106-1701)

IDAPA 07.02.04 - Rules Governing Plumbing Safety Inspections - Proposed Rule (Docket No. 07-0204-1701)

IDAPA 07.02.06 - Rules Concerning Idaho State Plumbing Code - Proposed Rule (Docket No. 07-0206-1701)

IDAPA 07.03.01 - Rules of Building Safety - Proposed Rule (Docket No. 07-0301-1701)

IDAPA 07.03.11 - Rules Governing Manufactured/Mobile Home Industry Licensing - Proposed Rule (Docket No. 07-0311-1701)

IDAPA 07.03.12 - Rules Governing Manufactured or Mobile Home Installations - Proposed Rule (Docket No. 07-0312-1701)

(1) 07.01.06 - Rules Governing the Use of National Electrical Code - Proposed Rule (Docket No. 07-0106-1701)

The Division of Building safety submits notice of proposed rulemaking at IDAPA 07.01.06 - Rules Governing the Use of National Electrical Code. This rulemaking updates the incorporation by reference of the National Electrical Code by amending the adoptions and exceptions. Specifically, the Division states that this update will conform the rules to the requirements of Section 54-1001A, Idaho Code, that provide for the use of submersible well pumps.

The Division states that negotiated rulemaking was conducted and that Notice of Intent to Promulgate Rules was published in the May 2016 edition of the Idaho Administrative Bulletin. There is no fiscal impact associated with this rulemaking.

The proposed rule appears to be within the statutory authority granted to the Division in Section 54-1001A, Idaho Code.

(2) 07.02.04 - Rules Governing Plumbing Safety Inspections - Proposed Rule (Docket No. 07-0204-1701)

Mike Nugent, Manager
Research & Legislation

Paul Headlee, Manager
Budget & Policy Analysis

April Renfro, Manager
Legislative Audits

Glenn Harris, Manager
Information Technology

The Division of Building safety submits notice of proposed rulemaking at IDAPA 07.02.04 - Rules Governing Plumbing Safety Inspections. This rulemaking eliminates reference to the Cross Connection Control Manual for the installation of cross connection control and back flow prevention devices. The Division states that it would prefer to use the Idaho State Plumbing Code.

The Division states that negotiated rulemaking was conducted and that Notice of Intent to Promulgate Rules was published in the April 2017 edition of the Idaho Administrative Bulletin. There is no fiscal impact associated with this rulemaking.

The proposed rule appears to be within the statutory authority granted to the Division in Section 54-2606, Idaho Code.

(3) 07.02.06 - Rules Concerning Idaho State Plumbing Code - Proposed Rule (Docket No. 07-0206-1701)

The Division of Building safety submits notice of proposed rulemaking at IDAPA 07.02.06 - Rules Concerning Idaho State Plumbing Code. This rulemaking updates the incorporation by reference of the Idaho State Plumbing Code by amending an adoption and exception. Specifically, this rule change amends the section on outlets with hose attachments and adds an exception regarding tracer wires and pumps installed in the same trench as the water line.

The Division states that negotiated rulemaking was conducted and that Notice of Intent to Promulgate Rules was published in the April 2017 edition of the Idaho Administrative Bulletin. There is no fiscal impact associated with this rulemaking.

The proposed rule appears to be within the statutory authority granted to the Division in Section 54-2606, Idaho Code.

(4) 07.03.01 - Rules of Building Safety - Proposed Rule (Docket No. 07-0301-1701)

The Division of Building safety submits notice of proposed rulemaking at IDAPA 07.03.01 - Rules of Building Safety. This rulemaking updates the incorporation by reference of the International Building Code and the International Residential Code. Specifically, the change to the International Building Code amends the requirements for allowable stress design lap lengths. The changes to the International Residential Code add requirements for "tiny homes." These additions include definitions; requirements for ceilings, lofts, stairways and ladders; and windows for escape and rescue.

The Division states that negotiated rulemaking was conducted and that Notice of Intent to Promulgate Rules was published in the March 2017 edition of the Idaho Administrative Bulletin. There is no fiscal impact associated with this rulemaking.

The proposed rule appears to be within the statutory authority granted to the Division in Sections 39-4107 and 39-4109, Idaho Code.

(5) 07.03.11 - Rules Governing Manufactured/Mobile Home Industry Licensing - Proposed Rule (Docket No. 07-0311-1701)

The Division of Building safety submits notice of proposed rulemaking at IDAPA 07.03.11 - Rules Governing Manufactured/Mobile Home Industry Licensing. This rulemaking changes the name of the Manufactured Housing Board to the Factory Built Structures Board. Also, the continuing education requirement for renewal of a license as an installer of manufactured/mobile homes is changed from four hours every year to eight hours every three years.

The Division states that negotiated rulemaking was conducted and that Notice of Intent to Promulgate Rules was published in the April 2017 edition of the Idaho Administrative Bulletin. There is no fiscal impact associated with this rulemaking.

The proposed rule appears to be within the statutory authority granted to the Division in Section 44-2104, Idaho Code.

(6) 07.03.12 - Rules Governing Manufactured or Mobile Home Installations - Proposed Rule (Docket No. 07-0312-1701)

The Division of Building safety submits notice of proposed rulemaking at IDAPA 07.03.12 - Rules Governing Manufactured or Mobile Home Installations. This rulemaking adds locations where a copy of the 2018 edition of the Idaho Manufactured Home Installation Standard can be viewed and copied. Also, the continuing education requirement for installation inspectors is changed from four hours every year to eight hours every three years.

The Division states that negotiated rulemaking was conducted and that Notice of Intent to Promulgate Rules was published in the April 2017 edition of the Idaho Administrative Bulletin. There is no fiscal impact associated with this rulemaking.

The proposed rule appears to be within the statutory authority granted to the Division in Section 44-2104, Idaho Code.

cc: Division of Building Safety
Patrick Grace

IDAPA 07 – DIVISION OF BUILDING SAFETY
07.01.06 – RULES GOVERNING THE USE OF NATIONAL ELECTRICAL CODE
DOCKET NO. 07-0106-1701
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 54-1001 and 54-1006, 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 September 20, 2017.

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 2016 Idaho Legislature passed HB 643, which established Section 54-1001A, Idaho Code that directs the Idaho Division of Building Safety to promulgate rules governing the use, inspection and safety of submersible well pumps in Idaho's lakes, rivers, ponds and streams. This rulemaking amends the electrical code relating to installation and safety requirements of non-listed submersible well pumps in Idaho's waters where authorized swimming and marine activities take place. The DBS conducted negotiated rulemaking with the pump and electrical industry in order to develop these amendments. Pursuant to the negotiated rule notice, which published in the May 2016 Administrative Bulletin under Docket No. 07-0106-11601, meetings occurred in 2016, which included informal collaborative meetings with industry, and these rule changes were again discussed in the 2017 Electrical Board meetings.

This rulemaking would amend the 2017 National Electric Code (NEC) to add a new section permitting the installation of disconnects grouped in one- and two-family dwelling units where multiple feeders enter the building in certain circumstances. Additionally, the rulemaking provides exceptions to several articles of the NEC addressing the installation of submersible well pumps in swimming and marine areas, and the electrical equipment used therein such installations.

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(1), Idaho Code, negotiated rulemaking was conducted. The Notice of Intent to Promulgate Rules - Negotiated Rulemaking was published in the May 4, 2016 Idaho Administrative Bulletin, [Vol. 16-5, pages 38 through 39](#).

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:

This rulemaking would amend the 2017 National Electric Code (NEC) to add a new section permitting the installation of disconnects grouped in one and two family dwelling units where multiple feeders enter the building in certain circumstances. Additionally, the rulemaking provides exceptions to several articles of the NEC addressing the installation of submersible well pumps in swimming and marine areas, and the electrical equipment used therein such installations.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the proposed rule, contact Warren Wing at (208) 332-7147.

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 September 27, 2017.

DATED this 9th day of August, 2017.

Ron Whitney, Deputy Administrator
Division of Building Safety
1090 E. Watertower St., Ste. 150
P. O. Box 83720
Meridian, ID 83642
Phone: (208) 332-7150
Fax: (877) 810-2840

THE FOLLOWING IS THE PROPOSED TEXT OF DOCKET NO. 07-0106-1701
(Only Those Sections With Amendments Are Shown.)

011. ADOPTION AND INCORPORATION BY REFERENCE OF THE NATIONAL ELECTRICAL CODE.

01. Documents. Under the provisions of Section 54-1001, Idaho Code, the National Electrical Code, 2017 Edition, (herein NEC) is hereby adopted and incorporated by reference for the state of Idaho and shall be in full force and effect on and after July 1, 2017, with the following amendments: (3-29-17)

a. Article 110.3(A) and 110.3(B) shall not apply to submersible well pumps installed in swimming and marine areas; provided however, such articles shall apply to all other equipment required in the installation of a submersible well pump in such areas except for the actual submersible well pump itself. ()

b. Article 210.8(A)(7) Sinks. Delete article 210.8(A)(7) and replace with the following: Sinks - located in areas other than kitchens where receptacles are installed within one and eight tenths (1.8) meters (six (6) feet) of the outside edge of the sink. (3-20-14)

c. Article 210.8(A)(10). Delete article 210.8(A)(10). (3-20-14)

d. Article 210.8(D). Delete article 210.8(D). (3-20-14)

e. Article 210.52(E)(3). Delete article 210.52(E)(3) and replace with the following: Balconies, Decks, and Porches. Balconies, decks, and porches having an overall area of twenty (20) square feet or more that are accessible from inside the dwelling unit shall have at least one (1) receptacle outlet installed within the perimeter of the balcony, deck, or porch. The receptacle shall not be located more than two (2.0) meters (six and one half (6½) feet) above the balcony, deck, or porch surface. (3-20-14)

f. Add a new Article 225.30(F) – One (1)- or Two (2)-Family Dwelling Unit(s). For a one (1)- or two (2)-family dwelling unit(s) with multiple feeders with conductors one aught (1/0) or larger, it shall be permissible to install not more than six (6) disconnects grouped at one (1) location where the feeders enter the building, provided that the feeder conductors originate at the same switchboard, panelboard, or overcurrent protective device location. ()

g. Where the height of a crawl space does not exceed one and four tenths (1.4) meters or four and one half (4.5) feet it shall be permissible to secure NM cables, that run at angles with joist, to the bottom edge of joist. NM cables that run within two and one tenth (2.1) meters or seven (7) feet of crawl space access shall comply with Article 320.23. (3-20-14)

h. Article 675.8(B). Compliance with Article 675.8(B) will include the additional requirement that a disconnecting means always be provided at the point of service from the utility no matter where the disconnecting means for the machine is located. (3-20-14)

i. Article 682.10 shall not apply to submersible well pumps installed in swimming and marine areas; provided however, such articles shall apply to all other equipment required in the installation of a submersible well pump in such areas except for the actual submersible well pump itself. ()

j. Article 682.11. Add the following exception to Article 682.11: This article shall not apply to service equipment that is located on or at the dwelling unit and which is not susceptible to flooding. ()

k. Article 682.13. Add the following exceptions to Article 682.13: ()

i. Exception No 1. Wiring methods such as HDPE schedule eighty (80) electrical conduit or its equivalent or greater, and clearly marked at a minimum "Caution Electrical" to indicate that it contains electrical conductors shall be approved. It shall be buried whenever practical, and in accordance with the requirements of the authority having jurisdiction. The use of gray HDPE water pipe rated at 250 PSI (eg. SIDR-7 or DR-9) is suitable for use as a chase only when the following conditions are met: ()

(1) When internal conductors are jacketed submersible pump cable. ()

(2) When used in continuous lengths, directly buried, or secured on a shoreline above and below the water line. ()

(3) When submersible pump wiring terminations in the body of water according to 682.13 Exception No. 2 are met. ()

ii. Exception No 2. Any listed and approved splices required to be made at the submersible well pump itself, outside of a recognized submersed pump sleeve or housing, when wires are too large to be housed inside such sleeve, shall be covered with a non-metallic, impact resistant material, no less than .25 (one quarter) inches thick, such as heavy duty heat shrink or other equivalent method approved by the authority having jurisdiction. (Eg. install a heat shrink over the sleeve or housing that the submersible well pump is installed in, and then recover (apply heat) the heat shrink over both the HDPE and the water line). At least six (6) inches shall be over the sleeve and at least twelve (12) inches over the HDPE and water line. ()

iii. Exception No. 3. Pipe, conduit, PVC well casing, or other electrically unlisted tubing may be used as a chase, but not as a raceway, to protect conductors or cables from physical damage. Conductors or cables within a chase shall be rated for the location. ()

l. Article 682.14. Add the following additional exception to Article 682.14: For installations of submersible well pumps installed in public swimming and marine areas, submersible well pumps shall be considered directly connected and shall be anchored in place. Ballast is an acceptable form of anchoring. ()

m. Article 682.14(A). Add the following exception to Article 682.14(A): For installations of submersible well pumps installed in public swimming and marine areas, motor controller circuits such as remotely located stop pushbutton/s, disconnect/s, relay/s or switches shall be permitted as a required disconnecting means. Such circuits shall be identified at a minimum as "Emergency Pump Stop", or "Emergency Stop" with other obvious indications on the visible side of the enclosure, that it controls a submersible pump in the body of water. ()

n. Article 682.15. Add the following exceptions to Article 682.15: ()

i. Exception No. 1. Submersible pumps, and their motor leads, located in bodies of water, and that are rated sixty (60) amperes maximum, two hundred fifty (250) volts maximum of any phase, shall have GFCI or Ground Fault Equipment Protection designed to trip at a maximum of thirty (30) milliamps or less, protected by means selected by a licensed installer, meeting listing or labeling requirements, and inspected by the AHJ prior to submersion in bodies of water. ()

ii. Exception No. 2. Installations or repair and replacement of submersible pumps located in bodies of water, that are rated over sixty (60) amperes, and rated at any voltage, shall be evaluated by a qualified designer or experienced licensed contractor, or involve engineering or be engineered, for each specific application, with the goal

of public safety. Whenever possible, GFCI or Ground Fault Equipment Protection designed to trip at a maximum of thirty (30) milliamps or less, meeting listing or labeling requirements, shall be installed, and inspected by the AHJ prior to submersion in bodies of water. ()

g. Article 550.32(B). Compliance with Article 550.32(B) shall limit installation of a service on a manufactured home to those homes manufactured after January 1, 1992. (5-3-03)

h. Poles used as lighting standards that are forty (40) feet or less in nominal height and that support no more than four (4) luminaires operating at a nominal voltage of three hundred (300) volts or less, shall not be considered to constitute a structure as that term is defined by the National Electrical Code (NEC). The disconnecting means shall not be mounted to the pole. The disconnecting means may be permitted elsewhere in accordance with NEC, Article 225.32, exception 3. SEC special purpose fuseable connectors (model SEC 1791-DF or model SEC 1791-SF) or equivalent shall be installed in a listed handhole (underground) enclosure. The enclosure shall be appropriately grounded and bonded per the requirements of the NEC applicable to Article 230-Services. Overcurrent protection shall be provided by a (fast-acting – minimum - 100K RMS Amps 600 VAC) rated fuse. Wiring within the pole for the luminaires shall be protected by supplementary overcurrent device (time-delay – minimum - 10K RMS Amps 600 VAC) in break-a-away fuse holder accessible from the hand hole. Any poles supporting or incorporating utilization equipment or exceeding the prescribed number of luminaires, or in excess of forty (40) feet, shall be considered structures, and an appropriate service disconnecting means shall be required per the NEC. All luminaire-supporting poles shall be appropriately grounded and bonded per the NEC. (4-6-05)

i. Compliance with Article 210.12 Arc-Fault Circuit-Interrupter Protection. Article 210.12 shall apply in full. Exception: In dwelling units Arc-Fault Circuit-Interrupter Protection shall only apply to all branch circuits and outlets supplying bedrooms. All other locations in dwelling units are exempt from the requirements of Article 210.12. (3-29-17)

02. Availability. A copy of the National Electrical Code is available at the offices of the Division of Building Safety at 1090 E. Watertower Street, Suite 150, Meridian, Idaho 83642, 1250 Ironwood Drive, Suite 220, Coeur d'Alene, Idaho 83814, and 2055 Garrett Way, Suite 7, Pocatello, Idaho 83201. (3-20-14)

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:

DIVISION OF BUILDING SAFETY

IDAPA 07.01.06 - Rules Governing the Use of National Electrical Code

Proposed Rulemaking - Docket No. 07-0106-1701

The National Electrical Code (NEC) as published by the National Fire Protection Association (NFPA) is adopted as the electrical code by the State of Idaho, and incorporated by reference into IDAPA 07.01.06 - Rules Governing the Use of National Electrical Code. The 2017 NEC is currently in force and effect, and it provides that inappropriately listed submersible well pumps are not permitted to be installed in open bodies of water where marine recreational and swimming activities take place. NEC article 110.3(A) and 110.3(B) require that submersible well pumps be examined, identified and installed in accordance with the manufacturer's stated use and product certification, which use most often does not include in bodies of water where marine recreational and swimming activities take place. In 2016, the legislature established Section 54-1001A, Idaho Code, in HB 643, which provided that listed submersible well pumps are approved for use in lakes, rivers, ponds and streams in Idaho, and NEC articles 110.3(A) & (B) and Article 682 shall not apply to the use of such pumps. NEC Article 682 addresses the installation of electrical equipment in natural and artificially made bodies of water. Section 54-1001A also directed the Idaho Division of Building Safety to promulgate rules governing the use, inspection and safety of submersible well pumps in Idaho's lakes, rivers, ponds and streams. HB 643 also has a sunset provision, and is null, void and of no force and effect on or after March 31, 2018. Through negotiated rulemaking, DBS and the Electrical Board created several amendments to the NEC that would outline how submersible well pumps shall be installed in swimming and marine areas to be effective upon the expiration of HB 643. These additional NEC articles or amendments thereto are contained in this rulemaking and establish standards regarding the installation of submersible well pumps in swimming and marine areas. These amendments are necessary due to the fact that such pumps were not intended to be used in swimming and marine areas, and the NEC, without amendment, does not address ways to install them in these applications.

Additionally, currently feeding a structure with multiple feeders is not allowed. The NFPA code-making panel intended to allow this but it ran into issues regarding details about the minimum size of the feeders. The Board has added language stating a minimum feeder size which would allow for multiple feeders to structures.

IDAPA 07 – DIVISION OF BUILDING SAFETY
07.02.04 – RULES GOVERNING PLUMBING SAFETY INSPECTIONS
DOCKET NO. 07-0204-1701
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 54-2601, 54-2605, 54-2606 and 54-2607, 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 September 20, 2017.

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 Cross Connection Control Manual published by the American Water Works Association (AWWA) has previously been used as the standard for the installation of cross connection control and back flow prevention devices. However, the Idaho State Plumbing Code (ISPC) already contains provisions related to backflow installations. The plumbing industry would prefer to reference only one book – the ISPC. This rulemaking creates clarity by eliminating the need for plumbers and inspectors to reference the Cross Connection Control Manual. It also saves the industry and the state money inasmuch as plumbers and inspectors will no longer need to reference and purchase two code books.

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(1), Idaho Code, negotiated rulemaking was conducted. The Notice of Intent to Promulgate Rules - Negotiated Rulemaking was published in the April 5, 2017 Idaho Administrative Bulletin, [Vol. 17-4, pages 12 through 13](#).

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: N/A

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the proposed rule, contact John Nielsen at (208) 332-7112.

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 September 27, 2017.

DATED this 3rd day of August, 2017.

Ron Whitney, Deputy Administrator
Division of Building Safety
1090 E. Watertower St., Ste. 150
P. O. Box 83720
Meridian, ID 83642
Phone: (208) 332-7150
Fax: (877) 810-2840

THE FOLLOWING IS THE PROPOSED TEXT OF DOCKET NO. 07-0204-1701
(Only Those Sections With Amendments Are Shown.)

012. REQUIREMENTS IN ADDITION TO THE PLUMBING CODE.

~~01. Cross-Connection Control Manual. The "Cross-Connection Control Manual" published by the Pacific Northwest Section of the American Water Works Association (April, 2012 7th Edition) is hereby adopted as the standard for cross connection control and back flow prevention devices. (4-11-15)~~

021. Jurisdiction/Septic Systems. Septic tank and drain fields: Under the definition of a plumbing system as set forth in Section 54-2604(h), Idaho Code, the plumbing contractor's interest and responsibility ceases with the "connection" to the septic tank. (11-14-85)

032. Waste Disposal. The Department of Environmental Quality is the inspection authority on waste disposal. (6-4-76)

IDAPA 07 – DIVISION OF BUILDING SAFETY
07.02.06 – RULES CONCERNING IDAHO STATE PLUMBING CODE
DOCKET NO. 07-0206-1701
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 Section 54-2601, 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 September 20, 2017.

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:

Amendment to Section 603.5.7 of the 2017 Idaho State Plumbing Code would eliminate freezing issues the industry is currently having because code currently requires installing hose bibb-type vacuum breaker on freeze resistant sanitary yard hydrants. Amendment to Section 604.10.1 is expected to assist homeowners and contractors in saving money by not requiring a tracer wire for non-metallic pipe if the electrical wiring for the well is contained in the same trench from the well to the structure.

This rulemaking would amend the Idaho State Plumbing Code (ISPC) to remove a requirement that sanitary yard hydrants be protected by a non-removable hose bibb-type backflow preventer and to eliminate the need for installing an additional tracer wire in a trench in situations where the electrical wiring for the pump is also installed in the same trench.

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(1), Idaho Code, negotiated rulemaking was conducted. The Notice of Intent to Promulgate Rules - Negotiated Rulemaking was published in the April 5, 2017 Idaho Administrative Bulletin, [Vol. 17-4, pages 14 through 15](#).

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:

This rulemaking would amend the 2017 Idaho State Plumbing Code (ISPC) to remove a requirement that sanitary yard hydrants be protected by a non-removable hose bibb-type backflow preventer, and to eliminate the need for installing an additional tracer wire in a trench in situations where the electrical wiring for the pump is also installed in the same trench.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the proposed rule, contact John Nielsen at (208) 332-7112.

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 September 27, 2017.

DATED this 9th day of August, 2017.

Ron Whitney, Deputy Administrator
Division of Building Safety
Phone: (208) 332-7150 / Fax: (877) 810-2840

1090 E. Watertower St., Ste. 150
P. O. Box 83720
Meridian, ID 83642

THE FOLLOWING IS THE PROPOSED TEXT OF DOCKET NO. 07-0206-1701
(Only Those Sections With Amendments Are Shown.)

011. ADOPTION AND INCORPORATION BY REFERENCE OF THE IDAHO STATE PLUMBING CODE.

The Idaho State Plumbing Code published in 2017, including Appendices “A, B, C, D, E, G, I, J, K and L,” (herein ISPC) is adopted and incorporated by reference with amendments as prescribed by the Idaho Plumbing Board and contained in this Section. The Idaho State Plumbing Code is modeled after the 2015 Uniform Plumbing Code (UPC). The Idaho State Plumbing Code is available at the Division of Building Safety offices located at 1090 E. Watertower St., Suite 150, Meridian, Idaho 83642; 1250 Ironwood Dr., Ste. 220, Coeur d’Alene, Idaho 83814; and 2055 Garrett Way, Building 1, Suite 4, Pocatello, Idaho 83201. It may also be accessed electronically online at <http://dbs.idaho.gov/>. (3-29-17)

01. Section 105.3 Testing of Systems. (3-29-17)

a. Delete and replace the following: Plumbing systems shall be tested and approved in accordance with this code or the Authority Having Jurisdiction. Tests may be conducted in the presence of the Authority Having Jurisdiction or the Authority Having Jurisdiction’s duly appointed representative. (3-29-17)

b. No test or inspection shall be required where a plumbing system, or part thereof, is set up for exhibition purposes and has no connection with a water or drainage system. In cases where it would be impractical to provide the required water or air tests, or the presences of the Authority Having Jurisdiction, or for minor installations and repairs, the Authority Having Jurisdiction, in accordance with procedures established thereby, shall be permitted to make such inspection as deemed advisable in accordance with the intent of this code. Joints and connections in the plumbing system shall be gastight and watertight for the pressures required by the test. (3-29-17)

02. Section 218 Definitions. Delete definition of “Plumbing System.” Incorporate definition of “Plumbing System” as set forth in Section 54-2604, Idaho Code. (3-29-17)

03. Section 314.4 Excavations. Add: Where unsuitable or soft material is encountered, excavate to a depth not less than two (2) pipe diameters below the pipe and replace with select backfill. Such backfill shall be sand, fine gravel, or stone and shall provide lateral support for the pipe. Where rock is encountered, the trench shall be excavated to a minimum depth of six (6) inches (152 mm) below the bottom of the pipe. Sand shall be added to provide uniform bedding and support for the pipe. The pipe shall not rest on any rock at any point, including joints. (3-29-17)

04. Section 401.2 Qualities of Fixtures. Replace with the following: Plumbing fixtures shall be constructed of dense, durable, non-absorbent materials and shall have smooth, impervious surfaces, free from unnecessary concealed fouling surfaces. (3-29-17)

05. Section 403.3 Exposed Pipes and Surfaces. Delete. (3-29-17)

06. Section 407.4 Transient Public Lavatories. Self-closing or self-closing metering faucets may be installed on lavatories intended to serve the transient public, such as those in, but not limited to, service stations, train stations, airports, restaurants, convention halls, and rest stops. Installed metered faucets shall deliver a maximum of zero point two six (0.26) gallons (one point zero (1.0) liter) of water per use. (3-29-17)

07. Section 408.5 Finished Curb or Threshold. Delete the last sentences of the first paragraph and replace with the following: The finished floor of the receptor shall slope uniformly from the sides toward the drain not less than one-eighth (1/8) inch per foot (20.8 mm/m), nor more than one-half (1/2) inch per foot (41.8 mm/m). (3-29-17)

08. Section 408.7.5 Tests for Shower Receptors. Delete. (3-29-17)

- 09. Section 409.4 Limitation of Hot Water in Bathtubs and Whirlpool Bathtubs.** Delete. (3-29-17)
- 10. Section 503.1 Inspection of Chimneys or Vents.** Add the following to the end of section 503.1: Water heating appliances using Category 3 or 4 exhaust venting shall be tested in its entirety with five (5) pounds of air for fifteen (15) minutes. Plastic vents shall be constructed using manufacturer's instructions. (3-29-17)
- 11. Section 507.2 Seismic Provisions.** Delete. (3-29-17)
- 12. Section 507.13 Installation in Garages.** Replace 507.13 with the following: Any plumbing appliance or appurtenance in residential garages and in adjacent spaces that open to the garage and are not part of the living space of a dwelling unit shall be installed so that burners, burner-ignition devices or other sources of ignition are located not less than eighteen (18) inches (450 mm) above the floor unless listed as flammable vapor ignition resistant. (3-29-17)
- 13. Table 603.2 Backflow Prevention Devices, Assemblies and Methods.** (3-29-17)
- a.** Delete from the table the entire row related to freeze resistant sanitary yard hydrant devices. (3-29-17)
- b.** Delete the backflow preventer for Carbonated Beverage Dispensers text from the first column of the table and replace with the following: Backflow preventer for Carbonated Beverage Dispensers (Reduced Pressure Principle Backflow Prevention Assembly). (3-29-17)
- 14. Section 603.5.7 Outlets with Hose Attachments.** Delete and replace with the following: Potable water outlets with hose attachments, other than water heater drains, boiler drains, freeze resistant yard hydrants and clothes washer connections, shall be protected by a nonremovable hose bibb-type backflow preventer, a nonremovable hose bibb-type vacuum breaker, or by an atmospheric vacuum breaker installed not less than six (6) inches (one hundred fifty-two (152) mm) above the highest point of usage located on the discharge side of the last valve. In climates where freezing temperatures occur, a listed self-draining frost-proof hose bibb with an integral backflow preventer or vacuum breaker shall be used. ()
- 145. Section 603.5.12 Beverage Dispensers.** Delete and replace with the following: Potable water supply to beverage dispensers, carbonated beverage dispensers, or coffee machines shall be protected by an air gap or a Reduced Pressure Principle Backflow Prevention Assembly in accordance with ASSE 1013. For carbonated beverage dispensers, piping material installed downstream of the backflow preventer shall not be affected by carbon dioxide gas. (3-29-17)
- 156. Section 603.5.17 Potable Water Outlets and Valves.** Delete. (3-29-17)
- 167. Section 603.5.21 Chemical Dispensers.** Add the following new section 603.5.21: The water supply to chemical dispensers shall be protected against backflow. The chemical dispenser shall comply with ASSE 1055 or the water supply shall be protected by one of the following methods: (3-29-17)
- a.** Air gap; (3-29-17)
- b.** Atmospheric vacuum breaker (AVB); (3-29-17)
- c.** Pressure vacuum breaker backflow prevention assembly (PVB); (3-29-17)
- d.** Spill-resistant pressure vacuum breaker (SVB); or (3-29-17)
- e.** Reduced-pressure principle backflow prevention assembly (RP). (3-29-17)
- 18. Section 604.10.1 Tracer Wire.** Add the following exception: Where the electrical wiring for the pump is installed in the same trench as the water line, from the point of origin to the structure, a tracer wire shall not be required. ()

179. **Section 605.6.2 Mechanical Joints.** Add to the end of the section the following: Listed PE (polyethylene), one hundred sixty (160) psi minimum, water service and yard piping may be installed within a building (above ground and below ground) with one (1) joint, provided that only listed and approved metallic transition fittings shall be used. Polyethylene (PE) plastic pipe or tubing and fitting joining methods shall be installed in accordance with the manufacturer's installation instructions. (3-29-17)

1820. **Section 609.1 Installation.** Delete the following sentence: Building supply yard piping shall be not less than twelve (12) inches (305 mm) below the average local frost depth; and replace it with the following: The cover shall be not less than forty-two (42) inches (1068mm) below grade. (3-29-17)

1921. **Section 609.4 Testing.** Testing. Deleting the phrase "Except for plastic piping," at the beginning of the third sentence and add the following sentence at the end of the section: Plastic piping is to be tested in accordance with manufacturer's installation standards. (3-25-13)

202. **Section 609.10 Water Hammer.** Does not apply to residential construction. (3-25-13)

213. **Section 609.11 Pipe Insulation.** Delete. (3-29-17)

224. **Table 610.3 and Appendix Table A 103.1.** Change fixture unit loading value for both public and private for bathtub or combination bath/shower, and clothes washers to two (2) fixture units. (3-29-17)

235. **Section 610.2 Pressure Loss.** Add the following: All new one (1) and two (2) family residences built slab on grade or that will have a finished basement at the time of final inspection must have a pre-plumbed water softener loop. The kitchen sink must have one (1) hot soft line and one (1) cold soft line and one (1) cold hard line. Exterior cold hose bibbs intended for irrigation purposes must be piped with hard water. (3-29-17)

246. **Table 611.4 Sizing of Residential Softeners.** Amend Footnote 3 to read: Over four (4) bathroom groups, softeners shall be sized according to the manufacturer's standards. (3-29-17)

257. **Section 612.0 Residential Sprinkler System.** Add the following to the end of the first sentence in section 612.1: and the requirements of the Authority Having Jurisdiction (AHJ). (3-29-17)

268. **Table 702.1 Drainage Fixture Unit Valves (DFU).** Change fixture unit loading value for clothes washers, domestic for private to two (2) fixture units. (3-29-17)

279. **Section 703.1 Minimum Size.** Add the following at the end of section 703.1: No portion of the drainage or vent system installed underground, underground under concrete or below a basement or cellar shall be less than two (2) inches in diameter. (3-29-17)

2830. **Section 704.2 Single Vertical Drainage Pipe.** Two inch (2") and smaller double sanitary tees may be used for back to back or side by side fixture trap arms without increasing the barrel size. (3-29-17)

2931. **Section 704.3 Commercial Sinks.** Delete. (3-29-17)

302. **Table 703.2 Maximum Unit Loading and Maximum Length of Drainage and Vent Piping.** Change fixture unit loading value for one and a half (1 1/2) inch horizontal drainage to two (2) fixture units. (3-29-17)

313. **Section 705.5.2 Solvent Cement Joints.** Add to the end of the section the following: PVC DWV may be joined by the use of one-step solvent cement listed or labeled per U.P.C. Section 301.1.1. (3-29-17)

324. **Section 707.4 Locations.** Add the following: A clean out shall be installed for double sanitary tees two (2) inches (50 mm) or less in diameter that receive the discharge from fixture connections. Exception in Section 707.4 shall not apply. A full-sized accessible cleanout shall be installed in the vertical immediately above the floor or at the base of each waste or soil stack. A full-size cleanout extending to or above finished grade line shall be installed at the junction of the building drain and the building sewer. Cleanouts shall be installed at fifty (50) foot intervals in

horizontal drain lines two (2) inches or smaller. (3-29-17)

335. **Section 710.3(4) Sewage Ejectors and Pumps.** Add: Exception (4): One (1) pump shall be permitted for “public use” occupancies provided that such tank receives the discharge of not more than one (1) water closet and ten (10) fixture units (See Section 710.9 Alarms). (3-29-17)

346. **Section 710.5 Size Building Drains and Sewers.** Add the following exception: In single family dwellings, one (1) fixture unit may be allowed for each gallon per minute of flow from a pump or a sump ejector. (3-29-17)

357. **Section 712.1 Media.** In the first sentence, delete the phrase “except that plastic pipe shall not be tested with air.” (3-25-13)

368. **Section 717.0 Size of Building Sewers.** Add the following to the end of section 717.1: Exception: The building drain and building sewer is not less than four (4) inches extending from its connection with the city or private sewer system and shall run full size to inside the foundation or building lines. (3-29-17)

379. **Section 723.0 General.** Delete the following sentence: “Plastic DWV piping systems shall not be tested by the air test method.” (3-29-17)

3840. **Section 801.3.3 Food Handling Fixtures.** Add: Food preparation sinks, pot sinks, scullery sinks, dishwashing sinks, silverware sinks, commercial dishwashing machines, silverware-washing machines, steam kettles, potato peelers, ice cream dipper wells, and other similar equipment and fixtures must be indirectly connected to the drainage system by means of an air gap. The piping from the equipment to the receptor must not be smaller than the drain on the unit, but it must not be smaller than one (1) inch (twenty-five and four tenths (25.4) mm). (3-29-17)

3941. **Section 805.41 General.** Add to the end of the first paragraph the following: Provisions must be made for the discharge of the water softener to terminate in an approved location. The drain line for a water softener must be three-fourths (3/4) inch minimum. A washer box with a dual outlet is an approved location as long as it is on the same floor or one (1) floor below the softener unit and the water softener drain line is a minimum three-fourths (3/4) inch. (3-29-17)

402. **Section 807.3 Domestic Dishwashing Machines.** A domestic dishwashing machine may be installed without the use of an airgap if the drain hose is looped to the bottom side of the counter top and secured properly. (3-29-17)

413. **Section 906.1 Roof Termination.** Delete the existing provision and replace with the following: (3-29-17)

a. Roof venting. When conventional roof venting is utilized, each vent pipe or stack shall extend through its flashing and shall terminate vertically not less than six (6) inches (one hundred fifty-two (152) mm) above the roof nor less than one (1) foot (three hundred five (305) mm) from any vertical surface. (4-2-08)

b. Sidewall venting. When sidewall venting is utilized, the vent shall extend flush with the eaves/gable end, shall turn down using a ninety (90) degree ell, and shall terminate as close to the roof peak as possible. The vent end must be properly screened. Sidewall venting is acceptable on new or remodel construction on cabins, log homes, and residential or commercial buildings. (4-2-08)

c. Sidewall venting must meet the intent of Section 906.2 of the ISPC. (3-25-13)

424. **Section 908.1 Vertical Wet Venting.** Add to the end of the section the following: A horizontal wet vent may be created provided it is created in a vertical position and all other requirements of Section 908 of the ISPC are met. (3-29-17)

435. **Section 909.0 Special Venting for Island Fixtures.** Add: Parameters for the limited use of Air Admittance Valves (A.A.V.). (3-29-17)

- a. An A.A.V. may be used only in residential buildings. (4-2-08)
- b. In remodels, an A.A.V. may be used with island fixtures or remotely located sinks such as in bar, kitchen, or laundry tray locations. An A.A.V. shall not be used in bathroom groups. (4-2-08)
- c. In new construction, an A.A.V. may be used on island fixture sinks. (4-2-08)
- d. Each A.A.V. may be used to vent only one (1) floor. (4-2-08)
- e. Each A.A.V. must be readily accessible. (4-2-08)
- f. The cross-sectional area of venting must remain the same and must meet the largest required building drain. (4-2-08)
- g. An A.A.V. shall only be installed in accordance with the manufacturer's installation standards as per ASSE 1051. (4-2-08)
- h. An A.A.V. may not be used in an attic, crawl space, outside installation, or in connection with chemical or acid waste systems. (4-2-08)
- 446. Section 1002.3 Change of Direction.** Trap arms may not exceed one hundred eighty (180) degrees of horizontal turn without the use of a cleanout. (3-29-17)
- 457. Section 1007.0 Trap Seal Protection.** Delete section 1007.1 and replace with the following: Floor drains or similar traps directly connected to the drainage system and subject to infrequent use shall be protected with a trap seal primer or other approved trap seal protection device, except where not deemed necessary for safety or sanitation by the Authority Having Jurisdiction. Trap seal primers shall be accessible for maintenance. (3-29-17)
- 468. Section 1016.1 Discharge.** Add the following to the end of section 1016.1: Floor drains installed in residential garages shall be permitted to use the interceptor as the fixture trap. (3-29-17)
- 479. Section 1502.1 General.** Add to this section the following paragraph: Plumbing for a gray water system from any fixture up to, but not to include the exterior irrigation system tank shall be inspected by the Authority Having Jurisdiction. The Idaho Department of Environmental Quality (IDEQ) shall have jurisdiction to inspect and approve the installation of the exterior irrigation system tank and all piping therefrom to the point of disposal in accordance with IDAPA 58.01.03, "Individual/Subsurface Sewage Disposal Rules." Gray water system location and design criteria requirements related to irrigation and leaching shall be determined in accordance with the requirements as established by the IDEQ. (3-29-17)

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:

DIVISION OF BUILDING SAFETY
IDAPA 07.02.06 - Rules Concerning the Idaho State Plumbing Code,
Division of Building Safety
Proposed Rulemaking - Docket No. 07-0206-1701

The Idaho State Plumbing Code (ISPC) as published by the International Association of Plumbing and Mechanical Officials (IAPMO) is adopted as the plumbing code by the State of Idaho, and incorporated by reference into IDAPA 07.02.06 – Rules Concerning the Idaho State Plumbing Code. The 2015 ISPC is currently in force and effect, but does not have adequate provisions regarding several situations that the Board desires to address. The current provision of code (§604.10.1) requires a tracer wire to be installed in a trench where plastic piping is installed in order to be able to locate the pipe when buried. This rulemaking adds an exception to the tracer wire requirement when electrical wiring for a pump is also installed in the same trench, and can serve to locate the pipe. Additionally, this rulemaking includes freeze resistant yard hydrants into an existing ISPC provision (§603.5.7) as another item of plumbing equipment that does not require the protection of hose bib backflow prevention. More detailed information about any changes to the ISPC may be available upon request to the Division of Building Safety.

IDAPA 07 – DIVISION OF BUILDING SAFETY

07.03.01 – RULES OF BUILDING SAFETY

DOCKET NO. 07-0301-1701

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 39-4107 and 39-4109, 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 September 20, 2017.

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 2012 International Residential Code (IRC) is currently utilized by building jurisdictions throughout the state; however, it does not provide adequate guidance related to the construction of “Tiny Homes.” The construction of tiny homes in Idaho has increased significantly in the past several years and there is a need to establish specific residential code provisions to properly address some of the unique characteristics of tiny homes. The tiny home provisions contained in this rulemaking would be added as an appendix to the IRC, and may be adopted by building code jurisdictions to address the installation of such homes. Additionally, because of increases to allowable design stresses in the 2012 International Building Code (IBC), masonry allowable stress design (ASD) lap lengths could exceed strength design laps. Placing a limit on the required lap length corrects this problem and provides consistency between masonry design methods.

This rulemaking adds several provisions to the residential code (IRC) in the form of a new appendix addressing certain aspects of “Tiny Homes.” These include key definitions, as well as provisions related to ceiling height, lofts, stairways and ladders, and escape and rescue roof access windows. This rulemaking will also add an amendment that will place a limit on the required length of reinforcement lap splices for allowable stress design (ASD) of masonry. It will make the allowable stress maximum lap length equivalent to the current strength design maximum lap length.

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(1), Idaho Code, negotiated rulemaking was conducted. The Notice of Intent to Promulgate Rules - Negotiated Rulemaking was published in the March 1, 2017 Idaho Administrative Bulletin, [Vol. 17-3, pages 16 through 17](#).

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:

This rulemaking adds several provisions to the 2012 International Residential Code (IRC) in the form of a new appendix addressing certain aspects of “Tiny Homes.” This rulemaking also add an amendment to the 2015 International Building Code (IBC) that will place a limit on the required length of reinforcement lap splices for allowable stress design (ASD) of masonry.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the proposed rule, contact Arlan Smith at (208) 332-7123.

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 September 27, 2017.

DATED this 9th day of August, 2017.

Ron Whitney, Deputy Administrator
Division of Building Safety
1090 E. Watertower St., Ste. 150
P. O. Box 83720
Meridian, ID 83642
Phone: (208) 332-7150
Fax: (877) 810-2840

THE FOLLOWING IS THE PROPOSED TEXT OF DOCKET NO. 07-0301-1701
(Only Those Sections With Amendments Are Shown.)

004. ADOPTION AND INCORPORATION BY REFERENCE.

Under the provisions of Section 39-4109, Idaho Code, the codes enumerated in this Section are hereby adopted and incorporated by reference into IDAPA 07.03.01, "Rules of Building Safety," Division of Building Safety. Pursuant to Section 39-4109, Idaho Code, the effective date of any edition of the codes adopted in this Section, or any amendments identified thereto, shall be January 1 of the succeeding year following legislative approval of the rulemaking establishing the edition or amendment. Copies of these documents may be reviewed at the office of the Division of Building Safety. The referenced codes may be obtained from International Code Council, 5360 Workman Mill Road, Whittier, California 90601-2298 or the International Code Council at <http://www.iccsafe.org>. (3-20-14)

01. International Building Code. 2015 Edition with the following amendments: (3-29-17)

a. Delete section 305.2.3 and replace with the following: Twelve (12) or fewer children in a dwelling unit. A facility such as the above within a dwelling unit and having twelve (12) or fewer children receiving such day care shall be classified as a Group R-3 occupancy or shall comply with the International Residential Code. (3-20-14)

b. Delete section 308.6.4 and replace with the following: Persons receiving care in a dwelling unit. A facility such as the above within a dwelling unit and having twelve (12) or fewer children receiving day care or having five (5) or fewer persons receiving custodial care shall be classified as a Group R-3 occupancy or shall comply with the International Residential Code. (3-20-14)

c. Delete section 310.5 and replace with the following: Residential Group R-3. Residential Group R-3 occupancies where the occupants are primarily permanent in nature and not classified as Group R-1, R-2, R-4, E or I, including: (3-29-17)

- i. Buildings that do not contain more than two (2) dwelling units; (3-20-14)
- ii. Boarding houses (nontransient) with sixteen (16) or fewer occupants; (3-20-14)
- iii. Boarding houses (transient) with ten (10) or fewer occupants; (3-20-14)
- iv. Care facilities that provide accommodations for five (5) or fewer persons receiving care; (3-20-14)
- v. Congregate living facilities (nontransient) with sixteen (16) or fewer occupants; (3-20-14)
- vi. Congregate living facilities (transient) with ten (10) or fewer occupants; or (3-20-14)
- vii. Dwelling units providing day care for twelve (12) or fewer children. (3-20-14)

viii. Lodging houses with five (5) or fewer guest rooms. (3-29-17)

d. Delete section 310.5.1 and replace with the following: Care facilities within a dwelling, Care facilities for twelve (12) or fewer children receiving day care or for five (5) or fewer persons receiving care that are within a single-family dwelling are permitted to comply with the International Residential Code. (3-20-14)

e. Delete the last paragraph of section 2107.2.1 Lap Slices, and replace with the following: In regions of moment where the design tensile stresses in the reinforcement are greater than eighty percent (80%) of the allowable steel tension stress, FS, the lap length of splices shall be increased not less than fifty percent (50%) of the minimum required length, but need not be greater than 72 db. Other equivalent means of stress transfer to accomplish the same fifty percent (50%) increase shall be permitted. Where epoxy coated bars are used, lap length shall be increased by fifty percent (50%). ()

e.f Add footnote (f) in the header row of the table column labeled “Drinking Fountains” of Table 2902.1 Minimum Number of Required Plumbing Fixtures, and add footnote (f) under Table 2902.1 to state the following: Drinking fountains are not required for an occupant load of thirty (30) or fewer. (3-29-17)

f.g. Delete footnote (e) contained under Table 2902.1 Minimum Number of Required Plumbing Fixtures and replace with the following: For business occupancies, excluding restaurants, and mercantile occupancies with an occupant load of thirty (30) or fewer, service sinks shall not be required. (3-29-17)

02. International Residential Code. 2012 Edition with the following amendments: (3-20-14)

a. Delete exception No. 1 contained under IRC section R101.2 - Scope. (3-20-14)

b. Delete exception No. 2 contained under IRC section R101.2 - Scope, and replace with the following: Owner-occupied lodging houses with five (5) or fewer guestrooms shall be permitted to be constructed in accordance with the International Residential Code for One- and Two-family Dwellings. (4-11-15)

c. Delete item No. 7 contained under the “Building” subsection of IRC section R105.2 - Work exempt from permit, and replace with the following: Prefabricated swimming pools that are not greater than four (4) feet (one thousand, two hundred nineteen (1219) mm) deep. (4-7-11)

d. Add the following item No. 11 at the end of the “Building” subsection of IRC section R105.2 - Work exempt from permit: Flag poles. (3-20-14)

e. Delete IRC section R109.1.3 and replace with the following: Floodplain inspections. For construction in areas prone to flooding as established by Table R301.2(1), upon placement of the lowest floor, including basement, the building official is authorized to require submission of documentation of the elevation of the lowest floor, including basement, required in section R322. (3-29-10)

f. IRC Table R302.1(1) Exterior Walls -- delete Table R302.1(1) and replace with the following:

TABLE R302.1(1)
EXTERIOR WALLS

EXTERIOR WALL ELEMENT		MINIMUM FIRE-RESISTANCE RATING	MINIMUM FIRE SEPARATION DISTANCE
Walls	Fire-resistance rated	1 hour-tested in accordance with ASTM E 119 or UL263 with exposure from both sides	< 3 feet
	Not fire-resistance rated	0 hours	≥ 3 feet

EXTERIOR WALL ELEMENT		MINIMUM FIRE-RESISTANCE RATING	MINIMUM FIRE SEPARATION DISTANCE
Projections	Fire-resistance rated	1 hour on the underside	≥ 2 feet to < 3 feet
	Not fire-resistance rated	0 hours	≥ 3 feet
Openings in Walls	Not allowed	N/A	< 3 feet
	25% maximum of wall area	0 hours	≥ 3 feet to < 5 feet
	Unlimited	0 hours	5 feet
Penetrations	All	Comply with Section R302.4	< 3 feet
		None required	≥ 3 feet

For SI: 1 foot = 304.8 mm.
 N/A = Not Applicable

(4-11-15)

g. Delete the exception contained under IRC section R302.2 -- Townhouses, and replace with the following two (2) exceptions: (3-25-16)

i. When provided with an automatic fire sprinkler system per section R313.1, a common one (1)-hour fire-resistance-rated wall assembly tested in accordance with ASTM E 119 or UL 263 is permitted for townhouses if such walls do not contain plumbing or mechanical equipment, ducts, or vents in the cavity of the common wall. The wall shall be rated for fire exposure from both sides, and shall extend to and be tight against exterior walls and the underside of the roof sheathing. Penetrations of electrical outlet boxes shall be in accordance with Section R302.4. (3-25-16)

ii. Two (2) one (1)-hour fire-resistance-rated wall assemblies (as specified in Section R302.1) or a common two (2)-hour fire-resistance-rated wall assembly tested in accordance with ASTM E 119 or UL 263 are permitted for townhouses. If two (2) one (1)-hour fire-resistance-rated walls are used, plumbing and electrical installations within the wall cavity shall conform to fire-resistance penetration requirements in accordance with section R302.4 through R302.4.2 for each of the two (2) one (1)-hour rated walls penetrated. The two (2)-hour fire-resistance-rated common wall shall not contain plumbing or mechanical equipment, ducts or vents within its wall cavity. The wall shall be rated for fire exposure from both sides, and shall extend to and be tight against the exterior walls and the underside of the roof sheathing. Penetrations of electrical outlet boxes shall be in accordance with Section R302.4. (3-25-16)

h. Delete IRC section R303.4 and replace with the following: R303.4 Mechanical Ventilation. Dwelling units shall be provided with whole-house mechanical ventilation in accordance with Section M1507.3

Exception: Where the air infiltration rate of a dwelling unit is equal to 5 air changes per hour or greater when tested with a blower door at a pressure of 0.2 inch w.c. (50 pa) in accordance with Section N1102.4.1.2. (4-11-15)

i. Delete the exception contained under IRC section R313.1 -- Townhouse automatic fire sprinkler systems, and replace with the following: Exception: Automatic residential fire sprinkler systems shall not be required in townhouses where either two (2) one (1)-hour fire-resistance-rated walls or a common two (2)-hour fire-resistance rated wall, as specified in exception 2 of section R302.2 is installed between dwelling units or when additions or alterations are made to existing townhouses that do not have an automatic residential fire sprinkler system installed. (3-25-16)

j. Delete IRC section R313.2. (3-29-10)

k. Add the following to IRC section R315.3 - Where required in existing dwellings: Exceptions: 1. Work involving the exterior surfaces of dwellings, such as, but not limited to, replacement of roofing or siding, or the addition or replacement of windows or doors, or the addition of a porch or deck or electrical permits, are exempt from

the requirements of this section; and 2. Installation, alteration or repairs of noncombustion plumbing or mechanical systems are exempt from the requirements of this section. (3-20-14)

l. Delete IRC section R322.1.10. (3-29-10)

m. Delete IRC section R322.2.2 subparagraph 2.2, and replace with the following: The total net area of all openings shall be at least one (1) square inch (645 mm²) for each square foot (0.093 m²) of enclosed area, or the opening shall be designed and the construction documents shall include a statement that the design and installation of the openings will provide for equalization of hydrostatic flood forces on exterior walls by allowing the automatic entry and exit of floodwaters. (3-20-14)

n. Delete IRC section R501.3 and its exceptions. (3-20-14)

o. Delete IRC section R602.10 and replace with the following: Wall bracing. Buildings shall be braced in accordance with this section or, when applicable section R602.12, or the most current edition of APA System Report SR-102 as an alternate method. Where a building, or portion thereof, does not comply with one (1) or more of the bracing requirements in this section, those portions shall be designated and constructed in accordance with section R301.1. (3-20-14)

p. Chapter 11 [RE] Energy Efficiency - The following sections and tables of chapter 11 shall be amended in accordance with the requirements contained below in Subsection 004.04 of these rules which correspond to the appropriate section: (3-20-14)

i. Table N1102.1.1 (Table R402.1.1) - Insulation and Fenestration Requirements by Component; (3-20-14)

ii. Table N1102.1.3 (Table R402.1.3 - Equivalent U-Factors; (3-20-14)

iii. Table N1102.2.6 (Table R402.2.6) - Steel-Frame Ceiling, Wall and Floor Insulation (R-Value); (3-20-14)

iv. Section N1102.4.1 (R402.4.1) Building Thermal Envelope; (3-20-14)

v. Section N1102.4.1.1 (R402.4.1.1) - Insulation; (3-20-14)

vi. Table N1102.4.1.1 (Table R402.4.1.1) - Air Barrier and Insulation Installation; (3-20-14)

vii. Section N1102.4.1.2 (R402.4.1.2) Testing Option; (3-20-14)

viii. Add Section N1102.4.1.3 (R402.4.1.3) - Visual Inspection Option; (3-20-14)

ix. Add Section N1102.6 (R402.6) - Residential Log Home Thermal Envelope; (3-20-14)

x. Add Table N1102.6 (Table R402.6) - Log Home Prescriptive Thermal Envelope Requirements by Component; and (3-20-14)

xi. Section N1104.1 (R404.1) - Lighting Equipment. (3-20-14)

q. Add an Appendix R, titled Tiny Homes to include the following provisions: ()

i. Section AR101 Scope. This appendix shall be applicable to tiny houses used as single dwelling units. Tiny houses shall comply with this code except as otherwise stated in this appendix. ()

ii. Section AR102 Definitions. The following words and terms shall, for the purposes of this appendix, have the meanings shown herein. Refer to Chapter 2 of this code for general definitions. ()

(1) Tiny House. A dwelling that is four hundred (400) square feet (37 m) or less in floor area excluding

lofts. ()

(2) Escape and Rescue Roof Access Window. A skylight or roof window designed and installed to satisfy the emergency escape and rescue opening requirements in Section R310. ()

(3) Landing Platform. A landing provided as the top step of a stairway accessing a loft. ()

(4) Loft. A floor level located more than thirty (30) inches (762 mm) above the main floor and open to it on at least one (1) side with a ceiling height of less than six (6) feet eight (8) inches (2032 mm), used as a living or sleeping space. ()

(iii) Section AR103 Minimum Ceiling Height. Habitable space and hallways in tiny houses shall have a ceiling height of not less than six (6) feet eight (8) inches (2032 mm). Bathrooms, toilet rooms, and kitchens shall have a ceiling height of not less than six (6) feet four (4) inches (1930 mm). Obstructions shall not extend below these minimum ceiling heights including beams, girders, ducts, lighting and other obstructions. Exception: Ceiling heights in lofts are permitted to be less than six (6) feet eight (8) inches (2032 mm). ()

iv. Section AR104 Lofts. ()

(1) AR104.1 Minimum loft area and dimensions. Lofts used as a sleeping or living space shall meet the minimum area and dimension requirements of Sections AR104.1.1 through AR104.1.3. ()

(a) AR104.1.1 Minimum area. Lofts shall have a floor area of not less than thirty-five (35) square feet (3.25 m). ()

(b) AR104.1.2 Minimum dimensions. Lofts shall be not less than five (5) feet (1524 mm) in any horizontal dimension. ()

(c) AR104.1.3 Height effect on loft area. Portions of a loft with a sloping ceiling measuring less than three (3) feet (914 mm) from the finished floor to the finished ceiling shall not be considered as contributing to the minimum required area for the loft. Exception: Under gable roofs with a minimum slope of 6:12, portions of a loft with a sloping ceiling measuring less than 16 inches (406 mm) from the finished floor to the finished ceiling shall not be considered as contributing to the minimum required area for the loft. ()

(2) AR104.2 Loft Access. The access to and primary egress from lofts shall be any type described in Sections AR104.3 through AR104.6. ()

(3) AR104.3. Stairways. Stairways accessing lofts shall comply with this code or with Sections AR104.3.1 through AR104.3.5. ()

(a) AR104.3.1 Width. Stairways accessing a loft shall not be less than seventeen (17) inches (432 mm) in clear width at or above the handrail. The minimum width below the handrail shall be not less than twenty (20) inches (508 mm). ()

(b) AR104.3.2 Headroom. The headroom in stairways accessing a loft shall be not less than six (6) feet two (2) inches (1880 mm), as measured vertically, from a sloped line connecting the tread or landing platform nosings in the middle of their width. Exception: The headroom for a landing platform, where stairways access lofts, shall be not less than four (4) feet six (6) inches (1372 mm). ()

(c) AR104.3.3 Treads and Risers. Risers for stairs accessing a loft shall be not less than seven (7) inches (178 mm) and not more than twelve (12) inches (305 mm) in height. Tread depth and riser height shall be calculated in accordance with one of the following formulas: ()

(i) The tread depth shall be twenty (20) inches (508 mm) minus 4/3 of the riser height, or ()

(ii) The riser height shall be fifteen (15) inches (381 mm) minus 3/4 of the tread depth. ()

(d) AR104.3.4 Landing Platforms. The top tread and riser of stairways accessing lofts shall be constructed as a landing platform where the loft ceiling height is less than six (6) feet two (2) inches (1880 mm) where the stairway meets the loft. The landing platform shall be eighteen (18) inches to twenty-two (22) inches (457 to 559 mm) in depth measured from the nosing of the landing platform to the edge of the loft, and sixteen (16) to eighteen (18) inches (406 to 457 mm) in height measured from the landing platform to the loft floor. ()

(e) AR104.3.5 Stairway Handrails. Handrails shall comply with Section R311.7.8. ()

(f) AR104.3.6 Stairway Guards. Guards at open sides of stairways shall comply with Section R312.1. ()

(4) AR104.4 Ladders. Ladders accessing lofts shall comply with Sections AR104.4.1 and AR104.4.2. ()

(a) AR104.4.1 Ladder Size and Capacity. Ladders accessing lofts shall have a rung width of not less than twelve (12) inches (305 mm) and ten (10) inches (254 mm) to fourteen (14) inches (356 mm) spacing between rungs. Ladders shall be capable of supporting a two hundred (200) pound (75 kg) load on any rung. Rung spacing shall be uniform within 3/8-inch (9.5 mm). ()

(b) AR104.4.2 Ladder Incline. Ladders shall be installed at seventy (70) to eighty (80) degrees from horizontal. ()

(5) AR104.5 Alternating Tread Devices. Alternating tread devices accessing lofts, and handrails of alternating tread devices shall comply with sections 1011.14.1 and 1011.14.2 of the International Building Code, excluding the exception. The clear width at and below the handrails shall be not less than twenty (20) inches (508 mm). ()

(6) AR104.6. Ships Ladders. Ships ladders accessing lofts, and treads and handrails of ships ladders shall comply with sections 1011.15.1 and 1011.15.2 of the International Building Code. The clear width at and below handrails shall be not less than twenty (20) inches (508 mm). ()

(7) AR104.7 Loft Guards. Loft guards shall be located along the open side of lofts. Loft guards shall not be less than thirty-six (36) inches (914 mm) in height or one (1)-half of the clear height to the ceiling, whichever is less. ()

v. SECTION AR105. Emergency Escape and Rescue Openings. Tiny houses shall meet the requirements of Section R310 for emergency escape and rescue openings. Exception: Escape and rescue roof access windows in lofts used as sleeping rooms shall be deemed to meet three (3) requirements of Section R310 where installed such that the bottom of the opening is not more than forty-four (44) inches (1118 mm) above the loft floor, provided the escape and rescue roof access window complies with the minimum opening area requirements of Section R310. ()

03. International Existing Building Code. 2015 Edition. (3-29-17)

04. International Energy Conservation Code. 2015 Edition with the following amendments: (3-29-17)

a. Delete the Residential Provisions of the 2015 International Energy Conservation Code (IECC) set forth in chapters 1 [RE] through 6 [RE], including Appendix RA (pages R-1 through R-57), and replace with the Residential Provisions of the 2012 IECC set forth therein in chapters 1 [RE] through 5 [RE] (pages R-1 through R-47) and as such provisions may be further amended herein these rules. (3-29-17)

b. Add the following as new subsection C101.5.3: Industrial, electronic, and manufacturing equipment. Buildings or portions thereof that are heated or cooled exclusively to maintain the required operating temperature of industrial, electronic, or manufacturing equipment shall be exempt from the provisions of this code. Such buildings or portions thereof shall be separated from connected conditioned space by building thermal envelope assemblies complying with this code. (3-25-16)

c. Add the following exception No. (10) under section C403.3 Economizers (Prescriptive): Unusual outdoor air contaminate conditions – Systems where special outside air filtration and treatment for the reduction and treatment of unusual outdoor contaminants, makes an air economizer infeasible. (3-29-17)

d. Delete the values contained in Table R402.1.1 (Table N1102.1.1) for climate zone “5 and Marine 4” and climate zone “6” and replace with the following:

TABLE R402.1.1										
INSULATION AND FENESTRATION REQUIREMENTS BY COMPONENT										
Climate Zone	Fenestration U- Factor	Skylight U-factor	Glazed Fenestration SHGC	Ceiling R-Value	Wood Frame Wall R-Value	Mass Wall R-Value	Floor R-Value	Basement Wall R-Value	Slab R-Value	Crawlspace Wall R-Value
5 and Marine 4	0.35	0.60	NR	38	20 or 13+5 ^h	13/17	30 ^g	10/13	10, 2 ft	10/13
6	0.35	0.60	NR	49	20 or 13+5 ^h	15/19	30 ^g	15/19	10, 4 ft	10/13

(3-20-14)

e. Add the following footnote to the title of Table R402.1.1 - Insulation and Fenestration Requirements by Component: ^k For residential log home building thermal envelope construction requirements see section R402.6. (3-25-16)

f. Delete the values contained in Table R402.1.3 (Table N1102.1.3) for climate zone “5 and Marine 4” and climate zone “6” and replace with the following:

TABLE R402.1.3								
EQUIVALENT U-FACTORS								
Climate Zone	Fenestration U-factor	Skylight U-factor	Ceiling R-Value	Wood Frame Wall R-Value	Mass Wall R-Value	Floor R-Value	Basement Wall R-Value	Crawlspace Wall R-Value
5 and Marine 4	0.35	0.60	0.030	0.057	0.082	0.033	0.059	0.065
6	0.35	0.60	0.026	0.057	0.060	0.033	0.050	0.065

(3-20-14)

g. Delete Table R402.2.6 (Table N1102.2.6) and replace with the following:

TABLE R402.2.6	
STEEL-FRAME CEILING, WALL AND FLOOR INSULATION	
(R-VALUE)	
Wood Frame R-value Requirement	Cold-formed Steel Equivalent R-value^a
Steel Truss Ceilings^b	
R-30	R-38 or R-30 + 3 or R-26 + 5
R-38	R-49 or R-38 + 3
R-49	R-38 + 5
Steel Joist Ceilings^b	
R-30	R-38 in 2 x 4 or 2 x 6 or 2 x 8 R-49 in any framing
R-38	R-49 in 2 x 4 or 2 x 6 or 2 x 8 or 2 x 10
Steel-Framed Wall	
R-13	R-13 + 5 or R-15 + 4 or R-21 + 3 or R-0 + 10
R-19	R-13 + 9 or R-19 + 8 or R-25 + 7
R-21	R-13 + 10 or R-19 + 9 or R-25 + 8
Steel Joist Floor	
R-13	R-19 in 2 x 6 R-19 + 6 in 2 x 8 or 2 x 10
R-19	R-19 + 6 in 2 x 6 R-19 + 12 in 2 x 8 or 2 x 10
a. Cavity insulation R-value is listed first, followed by continuous insulation R-value.	
b. Insulation exceeding the height of the framing shall cover the framing.	

(3-25-16)

h. Delete section R402.4.1 (N1102.4.1) and replace with the following: Building thermal envelope. The building thermal envelope shall comply with sections R402.1.1 and either section R402.4.1.2 or R402.4.1.3. The sealing methods between dissimilar materials shall allow for differential expansion and contraction. (3-25-16)

i. Delete section R402.4.1.1 (N1102.4.1.1) and replace with the following: Installation. The components of the building thermal envelope as listed in Table R402.4.1.1 shall be installed in accordance with the manufacturer’s instructions and the criteria listed in Table R402.4.1.1, as applicable to the method of construction. (3-25-16)

j. Delete the criteria requirement for the “Fireplace” component of Table R402.4.1.1 (Table N1102.4.1.1) - Air Barrier and Insulation Installation, and replace with the following: An air barrier shall be installed on fireplace walls. (3-20-14)

k. Delete section R402.4.1.2 (N1102.4.1.2) and replace with the following: Testing option, Building envelope tightness and insulation installation shall be considered acceptable when tested air leakage is less than seven (7) air changes per hour (ACH) when tested with a blower door at a pressure of 33.5 psf (50 Pa). Testing shall occur after rough in and after installation of penetrations of the building envelope, including penetrations for utilities, plumbing, electrical, ventilation and combustion appliances. During testing: (3-25-16)

- i. Exterior windows and doors, fireplace and stove doors shall be closed, but not sealed; (3-20-14)
- ii. Dampers shall be closed, but not sealed, including exhaust, intake, makeup air, backdraft and flue dampers; (3-20-14)
- iii. Interior doors shall be open; (3-20-14)
- iv. Exterior openings for continuous ventilation systems and heat recovery ventilators shall be closed and sealed; (3-20-14)
- v. Heating and cooling system(s) shall be turned off; (3-20-14)
- vi. HVAC ducts shall not be sealed; and (3-20-14)
- vii. Supply and return registers shall not be sealed. (3-20-14)

l. Add the following as section R402.4.1.3 (N1102.4.1.3): Visual inspection option. Building envelope tightness and insulation installation shall be considered acceptable when the items listed in Table R402.4.1.1, applicable to the method of construction, are field verified. Where required by code official an approved party independent from the installer of the insulation shall inspect the air barrier and insulation. (3-25-16)

m. Add the following section: R402.6 (N1102.6) Residential Log Home Thermal Envelope. Residential log home construction shall comply with sections R401 (General), R402.4 (Air Leakage), R402.5 (Maximum Fenestration U-Factor and SHGC), R403.1 (Controls), R403.2.2 (Sealing), R403.2.3 (Building Cavities), sections R403.3 through R403.9 (referred to as the mandatory provisions), Section R404 (Electrical Power and Lighting Systems), and either i., ii., or iii. as follows: (3-25-16)

- i. Sections R402.2 through R402.3, R403.2.1, R404.1 and Table R402.6; (3-25-16)
- ii. Section R405 Simulated Performance Alternative (Performance); or (3-25-16)
- iii. REScheck (U.S. Department of Energy Building Codes Program). (4-7-11)

n. Add Table R402.6 (Table N1102.6) Log Home Prescriptive Thermal Envelope Requirements By Component to be used only in accordance with item i. of section R402.6 above to appear as follows:

TABLE R402.6
LOG HOME PRESCRIPTIVE THERMAL ENVELOPE REQUIREMENTS BY COMPONENT

For SI: 1 foot = 304.8 mm.

Climate Zone	Fenestration U-factor ^a	Skylight U-factor	Glazed Fenestration SHGC	Ceiling R-value	Min. Average Log Size In Inches	Floor R-value	Basement Wall R-value ^d	Slab R-value & Depth ^b	Crawl Space Wall R-value ^d
5, 6 - High efficiency equipment path ^c	0.32	0.60	NR	49	5	30	15/19	10, 4 ft.	10/13
5	0.32	0.60	NR	49	8	30	10/13	10, 2 ft.	10/13
6	0.30	0.60	NR	49	8	30	15/19	10, 4 ft.	10/13

- a. The fenestration U-factor column excludes skylights. The SHGC column applies to all glazed fenestration.
- b. R-5 shall be added to the required slab edge R-values for heated slabs.
- c. 90% AFUE natural gas or propane, 84% AFUE oil, or 15 SEER heat pump heating equipment (zonal electric resistance heating equipment such as electric base board electric resistance heating equipment as the sole source for heating is considered compliant with the high efficiency equipment path).
- d. "15/19" means R-15 continuous insulated sheathing on the interior or exterior of the home or R-19 cavity insulation at the interior of the basement wall. "15/19" shall be permitted to be met with R-13 cavity insulation on the interior of the basement wall plus R-5 continuous insulated sheathing on the interior or exterior of the home. "10/13" means R-10 continuous insulated sheathing on the interior or exterior of the home or R-13 cavity insulation at the interior of the basement wall.

(3-25-16)

o. Delete section R404.1 (N1104.1) and replace with the following: Lighting equipment (Mandatory). A minimum of fifty percent (50%) of the lamps in permanently installed lighting fixtures shall be high-efficacy lamps or a minimum of fifty percent (50%) of the permanently installed lighting fixtures shall contain only high efficacy lamps. (3-20-14)

05. References to Other Codes. Where any provisions of the codes that are adopted in this Section make reference to other construction and safety-related model codes or standards which have not been adopted by the involved authority having jurisdiction, to the extent possible, such reference should be construed as pertaining to the equivalent code or standard that has been duly adopted by such jurisdiction. (3-29-10)

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:

**DIVISION OF BUILDING SAFETY
IDAPA 07.03.01 - Rules of Building Safety
Proposed Rulemaking - Docket No. 07-0301-1701**

The International Residential Code (IRC) and the International Building Code (IBC) are adopted by the Idaho Building Code Board and incorporated by reference into IDAPA 07.03.01 – Rules of Building Safety. The 2012 IRC is currently in force and effect, but it does not contain adequate provisions to address the construction of “Tiny Homes,” and the several unique characteristics thereof as distinguished from traditional residential homes. Amendment to the 2012 IRC through this rulemaking would add an appendix with requirements related to certain aspects of the construction of tiny homes as an option for jurisdictions to adopt. Additionally, an amendment to a provision of the 2015 IBC that addresses allowable stress design of masonry structures would place a limit on the required length of reinforcement lap splices. A copy of an index identifying the new sections of Appendix R related to “Tiny Homes” is attached to this summary, as well as the IBC provision related to masonry lap splices. More detailed information about any changes to the IRC and IBC may be available upon request to the Division of Building Safety.

INDEX

IDAPA 07.03.01 – Rules of Building Safety

- **Section 004.02 - 2012 International Residential Code (IRC)**

Paragraph (q) Appendix R – Tiny Homes

- i. Section AR101 – Scope
- ii. Section AR102 – Definitions
- iii. Section AR103 - Ceiling Height
- iv. Section AR104 – Lofts
- v. Section AR105 – Emergency Escape and Rescue Openings

- **Section 004.01 - 2015 International Building Code (IBC)**

Paragraph (e) Masonry Lap Splices

Delete the last paragraph of section 2107.2.1 Lap Slices, and replace with the following:
In regions of moment where the design tensile stresses in the reinforcement are greater than 80 percent of the allowable steel tension stress, F_s , the lap length of splices shall be increased not less than 50 percent of the minimum required length, but need not be greater than 72 db. Other equivalent means of stress transfer to accomplish the same 50 percent increase shall be permitted. Where epoxy coated bars are used, lap length shall be increased by 50 percent.

IDAPA 07 – DIVISION OF BUILDING SAFETY

07.03.11 – RULES GOVERNING MANUFACTURED/MOBILE HOME INDUSTRY LICENSING

DOCKET NO. 07-0311-1701

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 Section 44-2104, 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 September 20, 2017.

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 name of the Manufactured Housing Board was statutorily changed to the Factory Built Structures Board in 2016. This rulemaking changes the name of the Manufactured Housing Board to the Factory Built Structures Board. Additionally, individuals licensed in the Manufactured Housing industry as installers, and retailers who are installers, are required to perform continuing education in order to renew their licenses. The Division and Board desire to establish the amount of continuing education credits in an amount consistent with the federal licensing requirements, which is eight (8) hours of continuing education during the three-year period prior to licensure renewal. This new requirement reflects a more practical and valuable schedule for licensees to acquire necessary education. The rulemaking also modifies the requirement that installers of manufactured homes, or retailers who are also installers, complete eight (8) hours of continuing education during the three-year period prior to licensure renewal in lieu of twelve (12) hours of education that is currently in the rule.

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(1), Idaho Code, negotiated rulemaking was conducted. The Notice of Intent to Promulgate Rules - Negotiated Rulemaking was published in the April 5, 2017 Idaho Administrative Bulletin, [Vol. 17-4, pages 20 through 21](#).

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: N/A

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the proposed rule, contact Ron Whitney, Deputy Administrator, at (208) 332-7150.

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 September 27, 2017.

DATED this 4th day of August, 2017.

Ron Whitney
Deputy Administrator
Division of Building Safety
1090 E. Watertower St., Ste. 150
P. O. Box 83720
Meridian, ID 83642
Phone: (208) 332-7150
Fax: (877) 810-2840

THE FOLLOWING IS THE PROPOSED TEXT OF DOCKET NO. 07-0311-1701
(Only Those Sections With Amendments Are Shown.)

000. LEGAL AUTHORITY.

The administrator of the Idaho Division of Building Safety and the Idaho ~~Manufactured Housing~~ **Factory Built Structures** Board are authorized to promulgate rules necessary to implement the provisions of Title 44, Chapters 21 and 22, Idaho Code, including the establishment of a mandatory statewide manufactured home setup code, as well as to define and prohibit deceptive practices, and to establish administrative penalties. ~~(3-29-10)~~()

(BREAK IN CONTINUITY OF SECTIONS)

010. DEFINITIONS.

For the purposes of these rules, the following terms will be used, as defined below: (5-25-94)

- 01. Administrator.** The administrator of the Division of Building Safety of the state of Idaho. (3-24-05)
- 02. Board.** The ~~Manufactured Housing~~ **Factory Built Structures** Board. The composition and duties of the Board are set forth at Section 44-2104, Idaho Code. (3-29-10)
- 03. Bond.** The performance bond required by Section 44-2103, Idaho Code. (5-25-94)
- 04. Branch Office.** An enclosed structure accessible and open to the public, at which the business of the manufactured/mobile home retailer is conducted simultaneously with and physically separated from his principal place of business. There shall be displayed on the exterior a sign permanently affixed to the land or building with letters clearly visible to the major avenue of traffic. The sign shall provide the business name of the retailer. (3-29-10)
- 05. Business.** Occupation, profession, or trade. (5-25-94)
- 06. Deceptive Practice.** Intentionally publishing or circulating any advertising concerning mobile or manufactured homes which:
 - a.** Is misleading or inaccurate in any material respect; (3-29-10)
 - b.** Misrepresents any of the products or services sold or provided by a manufacturer, manufactured/mobile home retailer, salesman, or installation company. (3-20-14)
- 07. Division.** The Division of Building Safety for the state of Idaho. (5-25-94)
- 08. Installer.** A person who owns a business which installs manufactured/mobile homes at the sites where they are to be occupied by the consumer. The term does not include the purchaser of a manufactured/mobile home or a manufactured/mobile home retailer who does not install manufactured/mobile homes. A retailer who does install manufactured/mobile homes is an installer. The term also does not include concrete contractors or their employees. (3-29-10)
- 09. Installation.** The term includes “setup” and is the complete operation of fixing in place a manufactured/mobile home for occupancy. (5-25-94)
- 10. Manufactured Home.** A structure, constructed after June 15, 1976, in accordance with the HUD manufactured home construction and safety standards, and is transportable in one (1) or more sections, which, in the

traveling mode, is eight (8) body feet or more in width or is forty (40) body feet or more in length, or when erected on site, is three hundred twenty (320) or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained therein, except that such term shall include any structure which meets all the requirements of this subsection except the size requirements and with respect to which the manufacturer voluntarily files a certification required by the secretary of Housing and Urban Development and complies with the standards established under 42 U.S.C. Section 5401, et seq. (3-20-14)

- 11. Manufactured Home Retailer.** Except as otherwise provided in these rules: (3-29-10)
- a.** Any person engaged in the business of selling or exchanging new and used units; or (5-25-94)
 - b.** Any person or who buys, sells, lists, or exchanges three (3) or more new and used units in any one (1) calendar year. (5-25-94)

12. Manufactured/Mobile Home Salesman. Any person employed by a manufactured/mobile home retailer or resale broker for a salary, commission, or compensation of any kind to sell, list, purchase, or exchange or to negotiate for the sale, listing, purchase, or exchange of new, used, brokered, or third-party owned units, except as otherwise provided in Title 44, Chapter 21, Idaho Code. (3-20-14)

13. Manufacturer. Any person engaged in the business of manufacturing manufactured homes that are offered for sale, lease, or exchange in the state of Idaho. (3-20-14)

14. Mobile Home. A factory-assembled structure or structures generally constructed prior to June 15, 1976, the date of enactment of the Federal Manufactured Housing and Safety Standards Act (HUD Code), and equipped with the necessary service connections and made so as to be readily movable as a unit or units on their own running gear and designed to be used as a dwelling unit or units with or without a permanent foundation. (3-20-14)

15. Person. A natural person, corporation, partnership, trust, society, club, association, or other organization. (5-25-94)

16. Principal Place of Business. The primary physical location at which the business of a manufactured home retailer or resale broker is lawfully conducted. Each of the following requirements shall be met to qualify as the principal place of business: (3-20-14)

- a.** The business of the manufactured or mobile home retailer or resale broker is lawfully conducted here; (3-20-14)
- b.** The office or offices of the retailer or resale broker is or are located here; (3-20-14)
- c.** The public may contact the retailer, resale broker, or salesman here; (3-20-14)
- d.** The offices are accessible and open to the public; and (3-20-14)
- e.** The greatest portion of the retailer's business is conducted here. The books and other records of a retailer must be kept and maintained at the retailer's principal place of business and be open to inspection during normal business hours by any authorized agent of the Division. Moreover, there shall be displayed on the exterior a sign permanently affixed to the land or building with letters clearly visible to the major avenue of traffic. The sign shall provide the business name of the retailer. (3-29-10)

17. Responsible Managing Employee (RME). The person designated by the employer to supervise other employees, either personally or through others. (5-25-94)

18. Unit. A mobile or manufactured home. (5-25-94)

19. Used Manufactured Home or Mobile Home. A manufactured home or mobile home, respectively, which has been: (5-25-94)

- a. Sold, rented, or leased and occupied prior to or after the sale, rental, or lease; or (5-25-94)
- b. Registered with or been the subject of a certificate of title issued by the Idaho Department of Transportation or the appropriate authority of any state, the District of Columbia, or foreign state or country. (5-25-94)

(BREAK IN CONTINUITY OF SECTIONS)

014. PROOF OF EDUCATION REQUIRED.

01. Satisfactory Proof for Initial Application Submission. An application for a license as a manufactured/mobile home installer must include proof satisfactory to the Division that the applicant has completed the following number of hours of initial education in order to be approved: (4-7-11)

- a. Installers and retailers who are installers: eight (8) hours. (3-20-14)

b. The course of initial education must be approved by the Division and shall include information relating to the provisions of these rules, Title 44, Chapters 21 and 22, Idaho Code, and the Manufactured Housing Construction Safety Standards Act of 1974. (4-7-11)

02. Satisfactory Proof for License Renewal. The Division shall not renew any installer license, or retailer license of any dealer who is also an installer, issued pursuant to Title 44, Chapters 21 or 22, Idaho Code, or these rules until the licensee has submitted proof satisfactory to the Division that he has, during ~~the one three~~ ~~(+3)~~ years immediately preceding the renewal of the license, completed at least ~~four~~ ~~eight~~ ~~(+8)~~ hours of continuing education. ~~(3-20-14)~~ ()

03. Continuing Education Course. The course of continuing education must be approved by the Division and shall include information relating to the following: (4-7-11)

a. Manufactured housing or mobile home parks which will enable a person to give better service to the members of the general public and tenants of manufactured/mobile home parks; (4-7-11)

b. The construction, including components and accessories, rebuilding, servicing, installation, or sale of manufactured/mobile homes; (4-7-11)

c. Legislative issues concerning manufactured/mobile home housing and manufactured/mobile home parks, including pending and recently enacted state or federal legislation; and (4-7-11)

d. These rules, Title 44, Chapters 21 or 22, Idaho Code, and the Manufactured Housing Safety Standards Act of 1974. (4-7-11)

IDAPA 07 – DIVISION OF BUILDING SAFETY

07.03.12 – RULES GOVERNING MANUFACTURED OR MOBILE HOME INSTALLATIONS

DOCKET NO. 07-0312-1701

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 44-2201 and 44-2104, 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 September 20, 2017.

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:

Pursuant to Section 44-2201, Idaho Code, all used mobile and manufactured homes shall be installed in accordance with the Idaho Manufactured Home Installation Standard, as provided by rule. The Idaho Manufactured Home Installation Standard has not been updated since 2004. Through the negotiated rulemaking process the Division and Board have established a newer and updated edition of the standard reflecting installation requirements and safety considerations currently applicable to the industry. Additionally, the Division is seeking to modify the training requirements for manufactured home installation inspectors to reflect a more practical and valuable schedule for inspectors to acquire necessary education. This rulemaking updates the Idaho Manufactured Home Installation Standard and adopts the 2018 edition for application to the installation of used manufactured homes in the state. The rulemaking also modifies the annual training requirements for inspectors of manufactured home installations from an annual four (4) hour training requirement to eight (8) hours of training every three (3) years.

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(1), Idaho Code, negotiated rulemaking was conducted. The Notice of Intent to Promulgate Rules - Negotiated Rulemaking was published in the April 5, 2017 Idaho Administrative Bulletin, [Vol. 17-4, pages 18 through 19](#).

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:

Pursuant to Section 44-2201, Idaho Code, all used mobile and manufactured homes shall be installed in accordance with the Idaho Manufactured Home Installation Standard, as provided by rule. The Idaho Manufactured Home Installation Standard has not been updated since 2004. Through the negotiated rulemaking process, the Division and Board have established a newer and updated edition of the standard reflecting installation requirements and safety considerations currently applicable to the industry – Idaho Manufactured Home Installation Standard, January 1, 2018 edition.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the proposed rule, contact Ron Whitney, Deputy Administrator, at (208) 332-7150.

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 September 27, 2017.

DATED this 7th day of August, 2017.

Ron Whitney
Deputy Administrator
Division of Building Safety
1090 E. Watertower St., Ste. 150
P. O. Box 83720
Meridian, ID 83642
Phone: (208) 332-7150
Fax: (877) 810-2840

THE FOLLOWING IS THE PROPOSED TEXT OF DOCKET NO. 07-0312-1701
(Only Those Sections With Amendments Are Shown.)

004. ADOPTION AND INCORPORATION BY REFERENCE.

The Idaho Manufactured Home Installation Standard (January 1, 200418 edition), as adopted by the administrator, is hereby adopted and incorporated by reference into these rules. A current copy is available for review or copying at the office of the Division of Building Safety, 1090 E. Watertower Street., Suite 150, Meridian, Idaho 83642, 1250 Ironwood Drive, Suite 220, Coeur d'Alene, Idaho, 83814, and 2055 Garrett Way, Building 1, Suite 4, Pocatello, Idaho 83201. ~~(3-29-10)()~~

(BREAK IN CONTINUITY OF SECTIONS)

018. MINIMUM TRAINING REQUIREMENTS FOR INSPECTORS.

01. Annual Training or Instruction. All installation inspectors employed by the Division of Building Safety or a city or county shall complete ~~four~~ eight (48) hours of ~~annual~~ training or instruction every three (3) years dedicated to the installation and inspection of manufactured and mobile homes. ~~(3-27-13)()~~

02. Division Approval. All training and instruction shall be approved by the Division in order to qualify and satisfy the requirements in Subsection 018.01 of these rules. (3-27-13)

03. Revocation of Approval. Training or instruction approval is subject to revocation by the Division if in its discretion it determines that for any reason the training or instruction fails to meet the intent of furthering the education of manufactured home installation inspectors including, but not limited to, inadequacies in course content or methods of delivery. (3-27-13)

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.

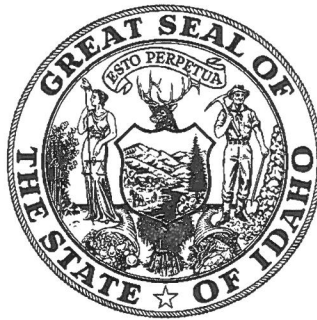
The following agency of the state of Idaho has prepared this synopsis as part of the proposed rulemaking for the chapter cited here under the docket number specified:

DIVISION OF BUILDING SAFETY
IDAPA 07.03.12 - Rules Governing Manufactured or Mobile Home Installations
Proposed Rulemaking - Docket No. 07-0312-1701

Over the past 13 years since the Idaho Manufactured Housing Installation Standards were adopted there have been many changes and updates to the codes and standards, which govern the installation of manufactured homes. Additionally, several of the applicable codes and standards adopted by the state of Idaho, as well as legal authority to administer the installation of manufactured houses, have changed during that time. Accordingly, the codes and standards, and processes incorporated into this rulemaking reflect the most recent editions and updates thereto. Amendments to the Installation Standards include revision to provisions addressing structural support, foundations, and anchoring; mechanical, plumbing and electrical connections; and clarification of definitions. A copy of an index identifying highlighted sections that contain important changes is attached to this summary. More detailed information about any changes to the Installation Standards may be available upon request to the Division of Building Safety.

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IDAHO MANUFACTURED HOME INSTALLATION STANDARD



January 2018

State of Idaho Division of
Building Safety Manufactured
Housing Program

IDAHO MANUFACTURED HOME INSTALLATION STANDARD

Developed cooperatively by the

STATE OF IDAHO DIVISION OF
BUILDING SAFETY MANUFACTURED
HOUSING PROGRAM
1090 East Watertower St.
MERIDIAN, IDAHO 83642

IDAHO MANUFACTURED HOUSING ASSOCIATION
P.O. BOX 8224
BOISE, IDAHO 83707

IDAHO ASSOCIATION OF BUILDING OFFICIALS
5640 W. FRANKLIN
BOISE, ID 83705

January 2018 Edition

A current copy of this standard is on file and can
be reviewed or obtained from the Idaho
Division of Building Safety.

Copies of this standard may also be obtained from
the Idaho Manufactured Housing Association.

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