

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 265, As Amended, As Amended

BY STATE AFFAIRS COMMITTEE

AN ACT

1 RELATING TO PUBLIC WORK; AMENDING SECTION 54-1218, IDAHO CODE, TO PROVIDE AN  
2 EXEMPTION FOR CERTAIN PUBLIC WORKS THAT HAVE BEEN CERTIFIED BY A PROFES-  
3 SIONAL ENGINEER AND DOES NOT REPRESENT A MATERIAL RISK TO PUBLIC HEALTH  
4 OR SAFETY.  
5

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

7 SECTION 1. That Section 54-1218, Idaho Code, be, and the same is hereby  
8 amended to read as follows:

9 54-1218. PUBLIC WORK. (1) It shall be unlawful for this state, or for  
10 any county, city, school district, irrigation district, drainage district,  
11 highway district, or other subdivision of the state, having power to levy  
12 taxes or assessments against property situated therein, to engage in the  
13 construction of any public work when the public health or safety is involved  
14 unless the plans and specifications and estimates have been prepared by, and  
15 the construction reviewed by a professional engineer.

16 (2) The provisions of this section shall not apply to public construc-  
17 tion, reconstruction, maintenance and repair work that is insignificant,  
18 that is projects of less than ten thousand dollars (\$10,000) in total cost,  
19 performed by employees of the public agency and performed in accordance with  
20 standards for such work that have been certified by a professional engineer  
21 and duly adopted by the public agency's governing body including, but not  
22 limited to, the Idaho standards for public works construction and any sup-  
23 plements thereto, and only if a professional engineer determines that such  
24 public construction, reconstruction, maintenance and repair work does not  
25 represent a material risk to public health or safety.