

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 582, As Amended in the Senate

BY BUSINESS COMMITTEE

AN ACT

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

37 (i) A nonprofit organization that is chartered to build houses and  
38 that has tax-exempt status under section 501(c)(3) of the Internal Rev-  
39 enue Code, including a religious corporation, and such organization's  
40 volunteers, performing electrical installations for a single-family  
41 dwelling unit. An organization described in this paragraph shall des-  
42 ignate a primary contact person with whom inspectors may communicate.

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

46 (a) Individuals holding a current heating, ventilation and air condi-  
47 tioning (HVAC) license or a current plumbing certification may install  
48 electrical circuitry and make connections from the disconnecting means  
49 to a water heater as long as the disconnect is in sight from the unit and

1 the circuit from the disconnecting means to the water heater is no more  
2 than fifty (50) feet long.

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

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

5 (ii) Electrical connections to HVAC equipment from the discon-  
6 necting means to the unit as long as the disconnect is in sight from  
7 the unit and the circuit from the disconnecting means to the HVAC  
8 equipment is no more than fifty (50) feet long; and

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

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

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

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

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

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

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

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

45 54-2602. EXCEPTIONS. (1) Certificate of competency requirements of  
46 this chapter shall not be deemed to apply to:

47 (a) Any person who does plumbing work in a single or duplex family  
48 dwelling, including accessory buildings, quarters and grounds in con-  
49 nexion with such dwelling; provided that such person owns or is a

1 contract purchaser of the premises, and provided further that such  
2 person shall comply with the minimum standards and rules applicable to  
3 plumbing practices provided by this chapter.

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

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

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

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

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

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

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

48 (i) Individuals holding a current installer license pursuant to the  
49 provisions of chapter 21, title 44, Idaho Code, may make connections

1 from manufactured home or mobile home sewer or water facilities to ex-  
2isting sewer or water facilities on-site.

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

5 (i) Individuals holding a current HVAC or electrical license may  
6 install electrical circuitry from the disconnecting means to a wa-  
7ter heater and electrical connections to the water heater as long  
8 as the disconnect is in sight from the unit and the circuit from the  
9 disconnecting means to the water heater is no more than fifty (50)  
10 feet long.

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

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

16 (k) A nonprofit organization that is chartered to build houses and  
17 that has tax-exempt status under section 501(c)(3) of the Internal Rev-  
18 enue Code, including a religious corporation, and such organization's  
19 volunteers, performing plumbing installations for a single-family  
20 dwelling unit. An organization described in this paragraph shall des-  
21 ignate a primary contact person with whom inspectors may communicate.

22 (2) To the extent that an electrical or HVAC installation permit issued  
23 by the Idaho division of ~~building safety~~ occupational and professional li-  
24 enses includes any part of a plumbing installation, the permit issued and  
25 inspection performed shall be sufficient to satisfy the permitting and in-  
26 specting requirements of this chapter if all required permit fees have been  
27 paid.

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

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

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

42 54-5002. EXCEPTIONS. (1) Certificate of competency requirements of  
43 this chapter shall not apply to:

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

1 the standards and rules applicable to heating, ventilation and air con-  
2 ditioning installation or repairs as provided in this chapter.

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

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

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

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

29 (f) A nonprofit organization that is chartered to build houses and that  
30 has tax-exempt status under section 501(c) (3) of the Internal Revenue  
31 Code, including a religious corporation, and such organization's vol-  
32 unteers, performing HVAC installations for a single-family dwelling  
33 unit. An organization described in this paragraph shall designate a  
34 primary contact person with whom inspectors may communicate.

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

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