

# ATTACHMENT 5, TIM FROST, JANUARY 19, 2023

## 24.39.70 – RULES GOVERNING INSTALLATION OF HEATING, VENTILATION, AND AIR CONDITIONING SYSTEMS

### 000. LEGAL AUTHORITY.

The rules are promulgated pursuant to Sections 54-5001-, ~~54-5004, 54-5005, 54-5006, 54-5007, 54-5010, 54-5016, 67-2604, 67-2614, 67-9406 and 67-9409~~ and ~~54-5005(2)~~, Idaho Code. ( )

### 001. SCOPE.

The rules establish the minimum standards for heating, ventilation, and air conditioning (HVAC) installation practice, certification, registration, and educational programs. ( )

~~002600. ADOPTION AND INCORPORATION BY REFERENCE OF THE INTERNATIONAL IDAHO MECHANICAL CODE, THE INTERNATIONAL FUEL GAS CODE, AND PART V (MECHANICAL) AND PART VI (FUEL GAS) OF THE INTERNATIONAL RESIDENTIAL CODE FOR ONE (1) AND TWO (2) FAMILY DWELLINGS.~~

~~Pursuant to Section 54-5001, Idaho Code, the Board adopts, as the Idaho Mechanical Code, the following international codes with identified amendments: ( )~~

~~01. International Mechanical Code. The 2018 Edition, including appendix "A," (herein IMC) is adopted and incorporated by reference with the following amendments: ( )~~

~~a. Section 109. Delete. ( )~~

~~b. Section 202 Definitions. Amend the definitions provided in the code for the terms identified herein this paragraph by the following: ( )~~

~~i. Add "conveyorized pizza" between the words-terms "standard" and "bake" in the definition of Light-duty appliances. ( )~~

~~ii. Remove the following definition of "Medium-duty Cooking Appliance": electric and gas conveyor pizza ovens. ( )~~

~~02. International Fuel Gas Code. The 2018 Edition, including appendixes "A, B, C, and D," (herein IFGC) is adopted and incorporated by reference with the following amendments: ( )~~

~~a. Section 109. Delete. ( )~~

~~b. Section 406.4. Change the last sentence to: Mechanical gauges used to measure test pressure must have a range such that the highest end of the scale is not greater than two (2) times the test pressure nor lower than one and one-half (1.5) times the test pressure. ( )~~

~~c. Section 406.4.1. Test Pressure. Not less than twenty (20) psig (140kPa gauge) test pressure is required for systems with a maximum working pressure up to ten (10) inches water column. For systems with a maximum working pressure between ten (10) inches water column and ten (10) psig (70kPa gauge); not less than sixty (60) psig (420kPa gauge) test pressure is required. For systems over ten (10) psig (70kPa gauge) working pressure, minimum test pressure may be no less than six (6) times working pressure. ( )~~

~~d. Section 406.4.2. The test duration may not be less than twenty (20) minutes. ( )~~

~~e. Add a new section 503.4.1.2 as follows: Testing. All plastic pipe within a dwelling used for venting flue gases must be tested at five (5) psi for fifteen (15) minutes. ( )~~

~~f. Section 505.1.1. Addition. An interlock between the cooking appliance and the exhaust hood~~

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system is not ~~be~~ required for appliances that are of the manually operated type and are factory equipped with standing pilot burner ignition systems. ( )

**03. ~~Part V (Mechanical) and Part VI (Fuel Gas) of the International Residential Code for One (1) and Two (2) Family Dwellings.~~** The 2018 Edition, Part V (Mechanical) and Part VI (Fuel Gas) and appendices including appendices “A, B, C, and D,” (herein IRC) is adopted and incorporated by reference for one (1)- and two (2)- family dwellings with the following amendments: ( )

**a.** Add ~~the following as new~~ section M1203.1: Carbon monoxide alarms. Where work requiring a permit occurs in existing dwellings, an approved carbon monoxide alarm must be installed outside of each separate sleeping area in the immediate vicinity of the bedrooms in dwelling units where a fuel fired appliance is installed. ( )

**b.** Section M1401.3. Add “in new, one- and two-family dwellings” between “appliances” and “shall”. ( )

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**c.** Delete Section M1502.4.2 Duct Installation and replace with the following: Exhaust ducts must be supported at four (4) foot (1,219 mm) intervals and secured in place. The insert end of the duct must extend into the adjoining duct or fitting in the direction of airflow. Ducts must not be joined with screws or similar fasteners that protrude into the inside of the duct. ( )

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**d.** Section M1601.1. Add “in new, one- and two-family dwellings” between “equipment” and “shall”. ( )

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**ee.** Section G2417.4 (406.4). Change the last sentence to: Mechanical gauges used to measure test pressure must have a range such that the highest end of the scale is not greater than two (2) times the test pressure nor lower than one and one-half (1.5) times the test pressure. ( )

**ef.** Section G2417.4.1 (406.4.1). Test Pressure. Not less than twenty (20) psig (one hundred forty (140) kPa gauge) test pressure is required for systems with a maximum working pressure up to ten (10) inches water column. For systems with a maximum working pressure between ten (10) inches water column and ten (10) psig (seventy (70) kPa gauge), not less than sixty (60) psig (four hundred twenty (420) kPa gauge) test pressure is required. For systems over ten (10) psig (seventy (70) kPa gauge) working pressure, minimum test pressure may be no less than six (6) times working pressure. ( )

**eg.** Section G2417.4.2 (406.4.2). The test duration may not be less than twenty (20) minutes. ( )

**fh.** Add a new section G2427.4.1.2 as follows: Testing. All plastic pipe within a dwelling used for venting flue gases must be tested at five (5) psi for fifteen (15) minutes. ( )

### **~~003. CHANGES IN NAME AND ADDRESS.~~**

~~Whenever a change of name or mailing address occurs for a certified contractor, journeyman, specialty journeyman, specialty contractor, registered apprentice, or specialty apprentice, the Board must be notified immediately, in writing, of the change. Documentation confirming the change of name must be provided to the Board on request.~~ ( )

### **~~004. DEFINITIONS.~~**

~~Terms defined in Section 54-5003, Idaho Code, will have the same meaning when utilized in these rules.~~ ( )

~~**01. Recognized Jurisdiction.** A jurisdiction with an HVAC program that is recognized by the Board as being substantially equivalent to Idaho’s HVAC program.~~ ( )

### **~~005100. CERTIFICATES OF COMPETENCY AND REGISTRATION -- ISSUANCE, RENEWAL, EXPIRATION -- REVIVAL.~~**

~~**01. Issuance.** Certificates of competency will be issued in such a manner as to create a renewal date that coincides with the birth month of the individual to whom the certificate is issued and allows for renewals every~~

three (3) years. Certificates of competency are issued for a period of no less than one (1) year and no more than (3) three years. The fee for issuance of certificates of competency will be prorated based on the number of months for which the certificate is issued. ( )

~~02. Renewal. Certificates of competency will be renewed using the birth month of the individual to whom the certificate is issued as the expiration date. Certificates of competency are renewed for a period of no less than one (1) year and no more than three (3) years. The fee for renewal of certificates of competency will be prorated based on the number of months for which the certificate is issued. ( )~~

~~03. Expiration-Revival. Revived certificates will be issued in such a manner as to create a renewal date that coincides with the birth month of the applicant so as to create a staggered system of renewal. ( )~~

006. — 010. (Reserved)

~~011. HVAC 03, Contractor And Specialty Contractor Certificate Of Competency Requirements. An applicant must successfully pass an examination designated by the Board and~~

~~01. Bond. Applicants must provide a compliance bond in the amount of two thousand dollars (\$2,000) which is. Any such bond is required to be effective for the duration of the contractor licensing certificate period. The specialty contractor's scope of work is limited as set forth in Rule 100.04.a. ( )~~

~~02. Qualification. Applicants must provide proof, satisfactory to the Board, of having legally acted as an HVAC journeyman or HVAC Specialty for a period of not less than twenty-four (24) months. ( )~~

~~a. An applicant for a contractor or specialty contractor certificate of competency shall first obtain an Idaho journeyman or specialty journeyman certificate of competency in accordance with these rules. ( )~~

~~b. An applicant for a contractor certificate of competency who has never been previously licensed as a journeyman or specialty journeyman in a Recognized Jurisdiction shall provide proof of four (4) years of experience performing HVAC work of a nature equivalent to that which an HVAC journeyman or specialty journeyman in Idaho must demonstrate to qualify for a contractor certificate of competency. Proof of such work experience may be provided by the submission of three (3) sworn affidavits from individuals attesting that the applicant has had at least four (4) years' experience performing such work. ( )~~

~~03. Examination. Applicants for certification as HVAC contractors must successfully complete the examination designated by the Board. ( )~~

~~01202. HVAC Journeyman Certificates Of Competency And Examination Requirements.~~

~~01. Certificate of Competency Requirements. To obtain a journeyman certificate of competency, aAn applicant must pass an examination designated by the Board and either (a) shall submit to the Division sufficient evidence demonstrating the applicant has successfully completed the journeyman examination and four (4) years, defined as evidence of a minimum of eight thousand (8,000) hours of work experience as a registeredan apprentice making HVAC installations in accordance with the requirements of the jurisdiction in which the applicant obtained the experience and satisfactory completion of a board-approved course of instruction, or (b) submit proof of sixteen thousand (16,000) hours of HVAC experience in accordance with the requirements of the jurisdiction in which the applicant obtained the experience on the job under the supervision of a qualified journeyman. Notwithstanding the requirement that an apprentice demonstrate four (4) years of on the job work experience under the supervision of a qualified journeyman, any apprentice who successfully completes a Board approved, full time, one (1) academic year training course may receive credit for up to one (1) year of on the job work experience.~~

~~a. Examination. An applicant may sit for the exam after showing proof of completion of either the board-approved course of instruction or 16,000 hours of HVAC experience. ( )~~

~~b. Educational Lab Work. Time spent by an applicant performing lab work in a board-approved course of instruction may be credited toward the eight thousand (8,000) hour work experience requirement. ( )~~

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~~02. Examination Requirement. To take the journeyman examination, an applicant must submit to the Division sufficient evidence demonstrating the applicant has successfully completed a Board approved training course. ( )~~

~~a. An applicant may provide proof of eight (8) years, defined as a minimum of sixteen thousand (16,000) hours of HVAC work experience in lieu of successfully completed a Board approved training course. ( )~~

~~**01304. HVAC Hearth Specialty Journeyman Certificates Of Competency LIMITATIONS: REQUIREMENTS.** An applicant must submit evidence of a minimum of two thousand (2,000) hours of specialty-related experience in accordance with the requirements of the jurisdiction in which the applicant obtained the experience, and either (a) pass an examination designated by the Board, or (b) submit evidence of satisfactory completion of a minimum of sixty (60) hours of education in fuel gas code and piping installation methods. ( )~~

~~a. Permitted Scope of Work. Permitted to install hearth appliances, and non-duct connected oil furnaces, the associated fuel gas piping, and venting dedicated exclusively thereto. Does not include any plumbing, electrical or duct work. ( )~~

~~Certification as a hearth specialty journeyman entitles the holder to install hearth appliances and the associated gas lines. Hearth Specialty Journeymen are required to meet the experience requirement and either the education or examination requirement to receive a certificate of competency. ( )~~

~~01. Experience. Demonstrate, to the satisfaction of the board, a minimum of one (1) year experience working in the trade, in compliance with the requirements of the state in which the applicant received his supervision, or as a registered HVAC apprentice or registered HVAC specialty apprentice making HVAC installations on the job under the supervision of a qualified HVAC journeyman or qualified HVAC specialty journeyman. ( )~~

~~02. Education. Successfully complete a board approved training course(s), such as the National Fireplace Institute program and a minimum of sixty (60) hours of education in fuel gas code and piping installation methods. ( )~~

~~03. Examination. Successfully complete an examination designated by the board. ( )~~

~~**01401. HVAC Apprentice And Specialty Apprentice Requirements For Registration and Renewal. To register or renew an apprentice or specialty apprentice registration.**~~

~~01. Registration. To become an apprentice, a person shall comply with Section 54-5012(4), Idaho Code. A specialty apprentice's scope of work is limited as set forth in Rule 100.04.a. ( )~~

~~02. Supervision. Each apprentice or specialty apprentice must work under the supervision of a certified HVAC journeyman or HVAC Specialty Journeyman. ( )~~

~~03. Renewal. An apprentice shall show proof of enrollment in a Board approved training course or completion of eight (8) hours of Board approved continuing education for each year of the prior registration period. ( )~~

~~**015. HVAC WASTE OIL HEATING SPECIALTY JOURNEYMAN CERTIFICATES OF COMPETENCY LIMITATIONS: REQUIREMENTS.**~~

~~Certification as a waste oil heating specialty journeyman entitles the holder to install non-duct connected waste oil heaters. Waste oil heating specialty journeymen are limited to the maintenance, installation, and repair of the equipment, controls, and piping directly associated with the waste oil heater, tank, and burner only. Any plumbing, electrical, ducting, venting, or associated equipment beyond the waste oil heater, tank, and burner must be installed by others. Applicants for the waste oil heating specialty journeyman certificate of competency must: ( )~~

~~01. Experience. Demonstrate to the satisfaction of the board, a minimum of one (1) year experience~~

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making waste oil heating installations under the supervision of a qualified HVAC journeyman or HVAC Waste Oil Heating specialty journeyman. ( )

~~02. Examination. Successfully complete a waste oil burner manufacturers certification or examination as approved by the board. ( )~~

~~016. HVAC FUEL GAS PIPING SPECIALTY JOURNEYMAN CERTIFICATES OF COMPETENCY LIMITATIONS: REQUIREMENTS.~~

~~Certification as fuel gas piping specialty journeyman entitles the holder to install fuel gas piping only and does not make the final termination. Appliances and the associated gas piping, chimney, and vents must be installed by others. Fuel gas specialty journeymen are required to meet the experience requirement and either the education or examination requirement to receive a certificate of competency. ( )~~

~~01. Experience. Demonstrate, to the satisfaction of the board, a minimum of one (1) year experience working in the trade, in compliance with the requirements of the state in which the applicant received his supervision, or as a registered HVAC apprentice or registered HVAC specialty apprentice making HVAC installations on the job under the supervision of a qualified HVAC journeyman or qualified HVAC specialty journeyman. ( )~~

~~02. Education. Successfully complete a board approved training course(s), of a minimum of sixty (60) hours of education in fuel gas code and piping installation methods. ( )~~

~~03. Examination. Successfully complete an examination designated by the board. ( )~~

~~017. - 049. (RESERVED)~~

~~050500. HVAC PERMITS AND INSPECTIONS.~~

~~01. Permits.~~

~~a. HVAC Contractors and HVAC Specialty Contractors. The Division Permits will be furnished permits to certified a HVAC contractors and HVAC specialty contractors upon request submission of a complete application and proper permit fee. For commercial or industrial HVAC work, a verified copy of bid acceptance must be submitted with the application. Permit The serial numbers of such permits must be registered in the name of the HVAC contractor or HVAC specialty contractor to whom they are issued and are transferable only as provided herein these rules. ( )~~

~~02b. Home Owners. Home owners or a contract purchaser of residential property, making HVAC installations on their own residences, coming premises under the provisions of Section 54-5002(1)(a), Idaho Code, must secure an HVAC permit by making application to the Division as provided in by Section 54-5016, Idaho Code. ( )~~

~~c. Expiration. Every permit issued shall expire and become null and void after three hundred sixty-five (365) days from the purchase date or last inspection. A permit may be renewed for an additional year upon receipt of Division approval and payment of a sixty-five dollar (\$65) renewal fee. ( )~~

~~03d. Transferring a Permit. A HVAC permit may be transferred to another eligible party if such party provides to the Division written authorization signed and notarized by the original permit holder consenting to the transfer itself as well as assignment and assigning of all the responsibilities and conditions incorporated into the original permit issuance. A permit may be transferred to the owner of the property on which the HVAC work is to be performed and for which the permit was issued, or for such owner's designated legal agent, in cases where the property owner has terminated their his legal relationship with the HVAC contractor who originally obtained the permit. An administrative fee in the amount of forty-five dollars (\$45) for the transfer of a permit will be assessed by must be paid to the Division. ( )~~

~~02051. HVAC Permit Fee Schedule.~~

~~Permit fees are to cover the cost of inspections as provided by Section 54-5017, Idaho Code. Any person;~~

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partnership, company, firm, association, or corporation making an installation must pay to the Division a permit fee as provided in the following schedule: ( )

01a. Residential. Includes all buildings with HVAC systems being installed on each property. The following permit fees apply to all residential single and duplex installations:

Type	Fee
Base permit	\$100
Furnace, furnace-air conditioner combination, heat pump, air conditioner, evaporative cooler, unit heater, space heater, decorative gas-fired appliance, incinerator, boiler, pool heater, mini-split system, free-standing solid-fuel stove, factory-built gas fireplace, or similar fixture or appliance, including ducts, vents, and flues attached thereto	Plus \$30 per first fixture or appliance Plus \$15 per additional fixture or appliance
Exhaust duct or ventilation duct, including dryer vents, range hood vents, cook stove vents, bath fan vents, and similar exhaust ducts or ventilation ducts	Plus \$15 per first duct Plus \$5 per additional duct
Fuel gas piping system	Plus \$5 per appliance outlet
Hydronic systems	Plus \$5 per zone

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02b. Miscellaneous. The following permit fees apply for the types of permits listed:

Type	Fee
Requested inspection	\$65 per hour or portion thereof plus costs of out-of-state travel
Mobile or manufactured home	\$65 per inspection
Modular building	
Plan check or technical service	\$65 per hour or portion thereof

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03c. Other Installations Including Multifamily, Industrial and Commercial. The permit fees listed in this Subsection apply to installations not specifically mentioned elsewhere in this schedule. The HVAC system cost is the cost to the owner of labor charges and other costs incurred to complete the installation of equipment and materials installed as part of the HVAC system. All permit fees calculated under this Subsection are based on the total HVAC system cost, which must be listed on the permit.

HVAC System Cost	Fee
Up to \$10,000	\$60 plus 2% of HVAC system cost
\$10,000 to \$100,000	\$260 plus 1% of HVAC system cost exceeding \$10,000

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Over \$100,000	\$1,160 plus 5% of HVAC system cost exceeding \$100,000
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**05203. Required Inspections.**

**01a.** Inspection Tags. Inspectors certify to the permit holder that an inspection ~~has been done~~ was completed by securely attaching the inspection tag in a prominent location. ( )

**ab.** Final Inspection Tags. An inspection tag indicating that a final inspection ~~has been~~ was performed is attached when the HVAC installation as specified on the permit is complete and conforms to the requirements of the code and rules. ( )

**bc.** Inspection Tags for Unacceptable HVAC Installations. “Notice of Correction” inspection tags are attached to indicate that the HVAC installation is not acceptable and that corrections are required. A reinspection and reinspection fee for such installations shall be required. ( )

**ed.** Work-in-Progress Tag. An inspection tag indicating ~~that~~ a work-in-progress inspection ~~has been~~ was performed is attached following inspection of ground-work, rough-in work, or any portion of the installation that is to be covered or otherwise concealed before completion of the entire HVAC installation as specified on the permit. ( )

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**05300. CIVIL PENALTIES.**

~~Except for the acts described in Subsections 053.01 and 053.08 of these rules, the acts described in this section subject the violator to a civil penalty of not more than two hundred dollars (\$200) for the first offense and not more than one thousand dollars (\$1,000) for each offense that occurs thereafter within one (1) year of an earlier violation. The acts described in this section subject the violator to a civil penalty not to exceed one thousand dollars (\$1,000) for each separate count or offense.~~ ( )

**01. Statute or Rule.** Failure to comply with any provision of Chapter 50, Title 54, Idaho Code or Board Rule.

~~**Heating, Ventilation, and Air Conditioning Contractor or Specialty Contractor.** Except as provided by Section 54-5001, Idaho Code, any person who acts, or purports to act, as an HVAC contractor or specialty contractor as defined by Section 54-5003(3) and 54-5003(6), Idaho Code, without a valid Idaho state HVAC contractor or specialty contractor certification is subject to a civil penalty of not more than five hundred dollars (\$500) for the first offense and not more than one thousand dollars (\$1,000) for each offense that occurs thereafter within one (1) year of an earlier violation.~~ ( )

~~**02. Knowingly Employing.** Knowingly employing a person who does not hold a valid Idaho HVAC certification or apprentice registration, as required by Section 54-5008, Idaho Code, to perform HVAC installations.~~ ( )

~~**03.02 Certification or Registration.** Except as provided by Section 54-5001, Idaho Code, performing performance of HVAC work as an HVAC journeyman as defined by Section 54-5003(4), Idaho Code; specialty journeyman as defined by Section 54-5003(7), Idaho Code; apprentice as defined by Section 54-5003(2), Idaho Code; or specialty apprentice as defined by Section 54-5003(5), Idaho Code, without a valid active certification certificate of competency or registration as required by Idaho Code 54-5008.~~ ( )

~~**0405. Supervision.** Working as an HVAC apprentice or specialty apprentice without the required journeyman supervision or employing an apprentice or specialty apprentice without providing the required journeyman supervision.~~ ( )

**0503. Performance Outside Scope of Specialty License.** Performance of any HVAC installation,

alteration, or maintenance by ~~an HVAC~~ specialty contractor or specialty journeyman outside the scope of the specialty ~~certificate of competency~~ certification. ( )

~~04. Employees. Knowing employment of a person who does not hold an active certificate of competency or registration as required by Idaho Code 54-5008 and 54-5009 to perform HVAC work.~~

~~06. Fees, and Permits, and Inspections. Failure to obtain a required permit. Failing to pay applicable fees, or properly post an HVAC permit for, or to request an inspection of, any installation, alteration, improvement, or extension of any piping, venting, ductwork, appliances and appurtenances in connection with any HVAC system or subsystems of such.~~ ( )

~~07. Corrections. Failure to make corrections in the time allotted in the notice on any HVAC installation as set forth in Section 54-5019, Idaho Code.~~ ( )

~~08. Misrepresentation of Fees. Misrepresentation of the permit or inspection fees to the customer.~~ ( )

~~09. Advertising. Advertising to engage in the business, trade, practice, or work of a HVAC contractor as defined in Section 54-5009, Idaho Code, without holding a current and valid HVAC contractor certificate of competency issued by the Division or advertising without including the contractor certificate of competency number in the advertisement. Advertising includes, but is not limited to: newspaper, telephone directory, community flier ads or notices; telephone, television, radio, internet, or door-to-door solicitations.~~ ( )

~~10. Order. Failure to comply with any lawful order of the Board or Division administrator.~~ ( )

~~08. Gross Violation. In the case of continued, repeated, or gross violation of Title 54, Chapter 50, Idaho Code, or these rules, a certification revocation will be initiated for certificated individuals under this chapter and non-certificated individuals is subject to prosecution by the appropriate jurisdiction under Idaho law.~~ ( )

~~054. -- 999. (RESERVED)~~