

Dear Senators FOREMAN, Lenney, Ward-Engelking, and
Representatives CLOW, Redman, Berch:

The Legislative Services Office, Research and Legislation, has received the enclosed rules of the
Division of Occupational and Professional Licenses - Building Safety - Modular Buildings:
IDAPA 24.39.31 - Rules for Factory Built Structures-Proposed Rule (Docket No. 24-3931-2501).

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 12/15/2025. 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 01/12/2026.

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 334-4854, or send a written request to the address on the
memorandum attached below.



Terri Kondoff
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: Division Manager - Matt Drake

DATE: November 26, 2025

SUBJECT: Division of Occupational and Professional Licenses - Building Safety - Modular Buildings

IDAPA 24.39.31 - Rules for Factory Built Structures-Proposed Rule (Docket No. 24-3931-2501)

Summary and Stated Reasons for the Rule

The Division of Occupational and Professional Licenses submits notice of proposed rulemaking via IDAPA 24.39.31 - Rules for Factory Built Structures. The proposed rule reduces permit fees in the modular building permit fee table. The proposed rule also reduces manufactured/mobile home installation permit fees. The Division states that the proposed fee reductions address the Board's cash balance while reducing costs for licensees. The Division further states that there are no new or increased fees as a result of this rulemaking.

Negotiated Rulemaking / Fiscal Impact

The Division states that negotiated rulemaking was not conducted because the Division wanted to provide immediate relief to the regulated community. The Division states that there is no anticipated fiscal impact associated with this rulemaking.

Statutory Authority

The proposed rule appears to be within the statutory authority granted to the Division in Sections 39-4004, 39-4302, 39-4303, and 67-2604, Idaho Code.

cc: Division of Occupational and Professional Licenses - Building Safety - Modular Buildings
Ryan Bernard

***** PLEASE NOTE *****

Per the Idaho Constitution, all administrative rules may be reviewed by the Legislature during the next legislative session. The Legislature has 3 options with this rulemaking docket: **1)** Approve the docket in its entirety; **2)** Reject the docket in its entirety; or **3)** Reject the docket in part.

Paul Headlee, Deputy Director Matt Drake, Manager Keith Bybee, Manager April Renfro, Manager Norma Clark, Manager
Legislative Services Office Research & Legislation Budget & Policy Analysis Legislative Audits Information Technology

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IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES

24.39.31 – RULES FOR FACTORY BUILT STRUCTURES

DOCKET NO. 24-3931-2501

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 67-2604](#), Idaho Code.

PUBLIC HEARING SCHEDULE: A public hearing concerning this rulemaking will be held as follows:

24.39.31 – Rules For Factory Built Structures
Wednesday, November 12, 2025 9:00 a.m. (MT)
Attend via Webex: Link Meeting Number (Access Code): 2868 448 7497 Meeting password: ZrnMr2ND42
Attend in person at: Division of Occupational and Professional Licenses EagleRock Room, Chinden Campus 11341 W. Chinden Blvd., Bldg. 4 Boise, ID 83714

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:

This rulemaking seeks to make final certain amendments to the permit fee table made through temporary rulemaking earlier this year published in the January 1, 2025 Idaho Administrative Bulletin, [Vol. 25-1, Pages 81-82](#). The rulemaking adjusts permit fees downwards to address the Board’s cash balance, while simultaneously reducing costs for licensees.

FEE SUMMARY: The following is a specific description of the fee or charge imposed or increased:

There are no newly imposed or increased fees in this rule change. Instead, this rulemaking seeks to make final certain temporary permitting fee reductions.

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:

No fiscal impact on the state general fund will occur as a result of these changes.

NEGOTIATED RULEMAKING: Pursuant to [Section 67-5220\(1\)](#) and [67-5221\(1\)\(j\)](#), Idaho Code, negotiated rulemaking was not conducted because DOPL wanted to provide immediate relief to the regulated community by adopting a temporary rule that mirrors the fee reduction in this proposed rule. The Notice of Rulemaking – Adoption of Temporary Rule was published in the January 1, 2025 Idaho Administrative Bulletin, [Vol. 25-1, Pages 81-84](#). Any stakeholder input and all public comments submitted at the scheduled public hearing will be considered.

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 Kolby Reddish, Chief Legal Counsel, at (208) 817-6126.

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 November 26, 2025.

DATED this 17th day of October, 2025.

Kolby K. Reddish
 Chief Legal Counsel
 11341 W. Chinden Blvd., Bldg. #4
 Boise, ID 83714
 Phone: (208) 817-6126
 Email: kolby.reddish@dopl.idaho.gov

THE FOLLOWING IS THE PROPOSED TEXT OF DOCKET NO. 24-3931-2501
(Only Those Sections With Amendments Are Shown.)

500. PERMITS, PLAN REVIEWS, AND INSPECTIONS.

01. Modular Building Permit Fees. Permits must be obtained from the Division prior to the construction of structures governed by 39-4303, Idaho Code. Other than as specified in this section, the permit fee schedule for Modular Buildings is as provided in Table 1-A plus ninety dollars (\$90) and two and one-half percent (2.5%) of the plumbing, electrical, and HVAC installation costs. The determination of value or valuation is based on the total value of all construction work for which a permit is issued.

TABLE 1-A – MODULAR BUILDING PERMIT FEES	
TOTAL VALUATION	FEE
\$1 to \$500	= \$23.50 <u>18.80</u>
\$501 to \$2,000	= \$23.50 <u>18.80</u> for the first \$500 plus \$3.05 <u>2.44</u> for each additional \$100, or fraction thereof, to and including \$2,000
\$2,001 to \$25,000	= \$69.25 <u>55.40</u> for the first \$2,000 plus \$4.11 <u>2.20</u> for each additional \$1,000, or fraction thereof, to and including \$25,000
\$25,001 to \$50,000	= \$391.75 <u>313.40</u> for the first \$25,000 plus \$40.40 <u>8.09</u> for each additional \$1,000, or fraction thereof, to and including \$50,000
\$50,001 to \$100,000	= \$643.75 <u>515</u> for the first \$50,000 plus \$7.60 <u>5.60</u> for each additional \$1,000, or fraction thereof, to and including \$100,000
\$100,001 to \$500,000	= \$993.75 <u>795</u> for the first \$100,000 plus \$5.60 <u>4.48</u> for each additional \$1,000, or fraction thereof, to and including \$500,000

TABLE 1-A – MODULAR BUILDING PERMIT FEES	
TOTAL VALUATION	FEE
\$500,001 to \$1,000,000	= \$3,233.75 <u>2,587</u> for the first \$500,000 plus \$4.75 <u>3.80</u> for each additional \$1,000, or fraction thereof, to and including \$1,000,000
\$1,000,001 and up	= \$5,608.75 <u>4,487</u> for the first \$1,000,000 plus \$3.65 <u>2.92</u> for each additional \$1,000, or fraction thereof

(7-1-24)()

02. Modular Plan Review. The Modular Building fee includes an additional amount equal to sixty-five percent (65%) of the permit fee calculated in accordance with Table 1-A. A fee of sixty-five dollars (\$65) per hour applies to additional plan review required by changes, additions, or revisions to plans. (7-1-24)

03. Manufactured/Mobile Home Installation Permit Fees. Permits must be obtained from the Division prior to the site installation governed by 44-2202, and 39-4004, Idaho Code in accordance with the following schedule: (7-1-24)

- a. Single Section Unit. The permit fee is one hundred ~~fifty~~ twenty dollars (~~\$150~~120). (7-1-24)()
- b. Double Section Unit. The permit fee is ~~two~~ one hundred ~~sixty~~ dollars (~~\$200~~160). (7-1-24)()
- c. More Than Two Sections. The permit fee for a home consisting of more than two (2) sections is two hundred ~~fifty~~ dollars (~~\$250~~200). (7-1-24)()

04. In-Plant Inspection Agency Fees. In-plant inspection fees for manufactured homes produced by Idaho Manufactures as per 39-4003A and 39-4004 of Idaho Code is set at forty-five dollars (\$45) per floor. (7-1-24)

05. Inspections at Manufacturing Plants. The Division conducts inspections at the manufacturing plant to determine compliance with codes adopted by Title 39, Chapters 40 and 41, Idaho Code, and Title 54, Chapters 10, 26, and 50, Idaho Code. (7-1-24)

06. Manufactured Home Site Installation Inspections. Installation permits must be obtained from the Division for installations in areas where there is no approved local program, or from a city or county that has by ordinance adopted building codes pursuant to Section 39-4116, Idaho Code, and whose installation program has been approved by the Division. All installations must be inspected and approved by the authority having jurisdiction before the manufactured home is occupied. (7-1-24)

a. Installation inspections shall be conducted in accordance with the Idaho Manufactured Home Installation Standard or the Design Approval Primary Inspection Agency of the manufactured home. (7-1-24)

07. Modular Site Installation Inspection. In order to complete the installation of an Idaho approved Modular Building, approval and inspection of the installation by the enforcement agency having jurisdiction over the site location is required. (7-1-24)

08. Qualifications of Inspectors. All inspectors must be properly certified for the type of inspection being conducted. The Factory Built Structures Board recognizes certifications granted through the National Certification Program Construction Code Inspector program (NCPCCI), the National Inspection Testing Certification program (NITC), the International Association of Electrical Inspectors (IAEI), and the International Code Council (ICC). (7-1-24)

09. Minimum Training Requirements for Inspectors. All manufactured home installation inspectors must complete eight (8) hours of training or instruction germane to the profession. (7-1-24)

10. Rights and Limitations of Local Enforcement Agencies for Modular Buildings. (7-1-24)

a. A local enforcement agency has the right to require a complete set of plans and specifications approved by the Division for each Modular Building to be installed within its jurisdiction, to require that all permits be obtained before delivery of any unit. (7-1-24)

b. A local enforcement agency does not have the right to: open for inspection any Modular Building or component bearing an Insignia to determine compliance with any codes or ordinances; require by ordinance or otherwise that Modular Buildings meet any requirements not equally applicable to on-site construction; or to charge permit or plan review fees for any portion of the structure prefabricated or assembled at a place other than the Building Site. (7-1-24)

11. Division Approval. A city or county that has by ordinance adopted a building code pursuant to Section 39-4116, Idaho Code, is eligible to participate in the inspection of manufactured and mobile homes. Such local installation inspection program must be approved by the Division to provide inspection services if the following minimum criteria is met: (7-1-24)

a. Inspections are conducted by the city or county employing inspectors holding a valid certification as residential building inspector from the International Code Council; (7-1-24)

b. Inspectors attended training sessions provided or approved by the Division and receive a certificate evidencing successful completion thereof. (7-1-24)

c. Voluntary Withdrawal. A city or county may voluntarily withdraw from participation in the program to inspect manufactured homes upon providing to the Administrator of the Division thirty (30) days written notice of its intention to do so. (7-1-24)

d. Quality Assurance. Any inspected installation is subject to quality assurance reviews by Division of Occupational and Professional Licenses. Findings made by the Division pursuant to such reviews will be forwarded to the inspection authority having jurisdiction. (7-1-24)

i. All inspectors and approved programs are subject to review. (7-1-24)

12. Modular Insignia and Serial Number. (7-1-24)

a. Assigned Insignia are not transferable and are void when not affixed as assigned. (7-1-24)

b. Each Modular Building must bear a legible identifying serial number. Each section of a multiple Modular Building must have the same identifying serial number followed by a numerical sequence identifier or a letter suffix, or both. (7-1-24)