

PROSPECTIVE ANALYSIS
IDAHO ELECTRICAL BOARD
IDAPA 24.39.10

RULE 100.01

Proposed Rule: Journeyman. An applicant must pass an examination designated by the Board and either (a) submit evidence of a minimum of six thousand (6,000) hours of work experience as an apprentice making electrical installations in accordance with the requirements of the jurisdiction in which the applicant obtained the experience and satisfactory completion of a four-year sequence of instruction approved by the Idaho Division of Career-Technical Education, or (b) submit proof of sixteen thousand (16,000) hours of electrical experience in accordance with the requirements of the jurisdiction in which the applicant obtained the experience.

a. Examination. An applicant may sit for the exam after showing proof of completion of either the approved 4-year sequence of instruction or 16,000 hours of electrical experience.

b. Provisional Journeyman License. A provisional journeyman license can be issued to an applicant who has completed the 16,000 hours of electrical experience but has not yet passed the examination.

c. Work experience in appliance repair, motor winding, or communications will not count towards the requirements to take the journeyman examination or obtain a provisional journeyman or journeyman license.

d. No more than two thousand (2,000) hours of work experience gained while engaged in the practice of a limited electrical installer or trainee may be counted toward the satisfaction of the experience requirements for journeyman licensure.

Current Rule: Same key elements as proposed Rule.

Legal Authority: I.C. § 54-1006(5) – mandatory for the Board to promulgate rules for the examination and licensure of journeyman. I.C. § 54-1007(2) – discretionary as to combination educational program and experience requirements for someone to sit for journeyman examination. The experience only requirement is set forth in I.C. § 54-1007(4).

<https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH10/SECT54-1006/>

<https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH10/SECT54-1007/>

Define the specific problem the proposed rule is attempting to solve. Can it be solved through non-regulatory means?

<p>The rule further details the statutory requirement for licensure of electrical journeyman. The statute and rule promote safe electrical installations by setting forth education and training requirements for electrical journeyman. This cannot be solved through non-regulatory means.</p>
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What evidence is there that the rule, as proposed, will solve the problem?

The statute and rule requirements ensure individuals qualified through education, training, and experience are performing electrical installations, which promotes the health and safety of the public.

Federal Law Comparison (where applicable)

Summary of Law (include direct link)	How is the proposed Idaho rule more stringent? (if applicable)
N/A	

State Law Comparison

State	Summary of Law (include direct link)	How is the proposed Idaho rule more stringent? (if applicable)
Alaska	Pass examination and complete 8,000 hours of work experience. Completion of U.S. DOL education program (576 hours) will count toward 1,000 hours of work experience. https://www.akleg.gov/basis/aac.asp#8.90.160	Idaho is less stringent.
Montana	Pass examination, complete apprenticeship or training program, and 8,000 hours or work experience. https://leg.mt.gov/bills/mca/title_0370/chapter_0680/part_0030/section_0050/0370-0680-0030-0050.html	Idaho is less stringent.
Nevada	State does not license; cities and counties may require licensure -requirements vary.	N/A
Oregon	Pass exam and either complete: an approved apprenticeship program (which involves education and work experience); 576 hours of education and 8,000 hours of work experience outside Oregon; or 16,000 hours of work experience outside of Oregon. Specific types of work experience is required. https://secure.sos.state.or.us/oard/viewSingleRule.action?ruleVrsnRsn=227429 https://oregon.public.law/statutes/ors_479.630 https://www.oregon.gov/bcd/licensing/Pages/individual-licenses.aspx	Idaho is less stringent.
South Dakota	Pass examination and complete 8,000 hours of work experience as an apprentice working under an electrical contractor	Although Idaho also requires 576 hours of education, it only

	https://sdlegislature.gov/Rules/Administrative/9760 20:44:16:08	requires 6,000 experience hours.
Utah	Pass exam and either (1) 576 educational hours and 8,000 experience hours or (2) 16,000 experience hours https://adminrules.utah.gov/public/search/R156-55b-101/Current%20RulesR156-55b-302a	same
Washington	Currently, pass exam and complete 8,000 hours and 96 classroom hours Starting 7/1/23, will need to complete approved apprenticeship https://app.leg.wa.gov/rcw/default.aspx?cite=19.28.191 https://lni.wa.gov/licensing-permits/electrical/electrical-licensing-exams-education/electrician	Although Idaho also requires 576 hours of education, it only requires 6,000 experience hours.
Wyoming	Pass exam, complete 8,000 experience hours and 576 classroom hours https://wsfm.wyo.gov/electrical-safety/licensing https://drive.google.com/file/d/1mEQ03dUOpfhlPJuXsGQ0FJHBwe3AenrS/view	Idaho is not more stringent.

If the Idaho proposed rule has a more stringent requirement than the federal government or the reviewed states, describe the evidence base or unique circumstances that justifies the enhanced requirement:

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Anticipated impact of the proposed rule on various stakeholders:

Category	Potential Impact
Fiscal impact to the state General Fund, any dedicated fund, or federal fund	Licensure fees collected are deposited in the occupational licenses fund.
Impact to Idaho businesses, with special consideration for small businesses	The rule does not negatively impact Idaho businesses.
Impact to any local government in Idaho	The rule does not negatively impact local governments in Idaho.

Cumulative regulatory volume this proposed rule adds:

Category	Potential Impact
Net change in word count	(183)
Net change in restrictive word count	(1)

PROSPECTIVE ANALYSIS
IDAHO ELECTRICAL BOARD
IDAPA 24.39.10

RULE 100.03, 200.05

Proposed Rule: 100.03 Limited Electrical Installer. An applicant must submit evidence of a minimum of four thousand (4,000) hours of work experience in the same limited category in accordance with the requirements of the jurisdiction in which the applicant obtained the experience.

The types of limited electrical installers are identified and defined in Rule 200.05. The types are:

- 200.05.a.** Elevator, Dumbwaiter, Escalator, or Moving-Walk Electrical.
- 200.05.b.** Sign Electrical.
- 200.05.c.** Manufacturing or Assembling Equipment.
- 200.05.d.** Limited Energy Electrical.
- 200.05.e.** Irrigation Sprinkler Electrical.
- 200.05.f.** Well Driller and Water Pump Installer.
- 200.05.g.** Refrigeration, Heating, and Air-Conditioning Electrical Installer.
- 200.05.h.** Outside Wireman.
- 200.05.i.** Solar Photovoltaic.

Current Rules: Same key elements as proposed Rules.

Legal Authority: I.C. § 54-1006(5) – mandatory for the Board to promulgate rules for the examination and licensure of limited electrical installers.

<https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH10/SECT54-1006/>

Define the specific problem the proposed rule is attempting to solve. Can it be solved through non-regulatory means?

The rule further details the statutory requirement for licensure of limited electrical installers. The statute and rule promote safe limited electrical installations by setting forth training for limited electrical installers. This cannot be solved through non-regulatory means.

What evidence is there that the rule, as proposed, will solve the problem?

The statute and rule requirements ensure individuals qualified through education, training, and experience are performing limited electrical installations, which promotes the health and safety of the public.

Federal Law Comparison (where applicable)

Summary of Law (include direct link)	How is the proposed Idaho rule more stringent? (if applicable)
N/A	

State Law Comparison

State	Summary of Law (include direct link)	How is the proposed Idaho rule more stringent? (if applicable)
Alaska	Power lineman journeyman must pass examination and complete 8,000 hours of work experience. https://www.akleg.gov/basis/aac.asp#8.90.162	Idaho is less stringent for this license type.
Montana	No similar license types	
Nevada	No similar license types	
Oregon	Limited Maintenance Electrician: pass exam & either complete apprenticeship program, 288 hours education and 4,000 hours work experience outside OR, or 8,000 hours work experience outside OR Limited Energy Technician, Class A: pass exam & either complete apprenticeship, 432 hours education and 6,000 hours work experience, or 12,000 hours work experience outside Oregon Limited Energy Technician, Class B: pass exam & either complete apprenticeship, 32 hours education and 4,000 hours work experience outside Oregon, or 8,000 hours work experience outside Oregon Limited Renewable Energy Technician: pass exam and complete apprenticeship Limited Journeyman Sign Electrician: pass exam & either complete apprenticeship, classroom training & 4,000 hours work experience outside Oregon, or 8,000 hours work experience outside Oregon https://www.oregon.gov/bcd/licensing/Pages/individual-licenses.aspx	Idaho does not appear to be more stringent for similar license types with similar scopes of work.

South Dakota	maintenance electrician – pay fee and issued to public or private entity which employs one or more persons to perform maintenance electrical work on land and facilities owned or leased by the entity https://sdlegislature.gov/Rules/Administrative/9781	There does not appear to be a similar limited license.
Utah	Did not find similar license types	N/A
Washington	Following specialties require 4,000 hours and 48 classroom hours: residential; pump & irrigation; signs; limited energy system; HVAC/refrigeration system; and nonresidential maintenance Following specialties require 2,000 hours and 24 classroom hours: domestic well; restricted HVAC/refrigeration; appliance & equipment repair, etc. https://lni.wa.gov/licensing-permits/electrical/electrical-licensing-exams-education/electrician#specialty-electricians	Similar requirements for similar license types.
Wyoming	Low voltage technician and Limited Technician– 4,000 hours and pass exam https://wsfm.wyo.gov/electrical-safety/licensing	Idaho is not more stringent.

If the Idaho proposed rule has a more stringent requirement than the federal government or the reviewed states, describe the evidence base or unique circumstances that justifies the enhanced requirement:

N/A

Anticipated impact of the proposed rule on various stakeholders:

Category	Potential Impact
Fiscal impact to the state General Fund, any dedicated fund, or federal fund	Licensure fees collected are deposited in the occupational licenses fund.
Impact to Idaho businesses, with special consideration for small businesses	The rule does not negatively impact Idaho businesses.
Impact to any local government in Idaho	The rule does not negatively impact local governments in Idaho.

Cumulative regulatory volume this proposed rule adds:

Category	Potential Impact
Net change in word count	(700)
Net change in restrictive word count	

PROSPECTIVE ANALYSIS
IDAHO ELECTRICAL BOARD
IDAPA 24.39.10

RULE 100.04

Proposed Rule: Electrical Contractor and Limited Electrical Contractor. Applicant or its entity designee must pass an examination designated by the Board and submit an application signed by the applicant or an official representative of the entity making the application and countersigned by the supervising electrician.

a. An entity applicant (such as, corporation, partnership, company, firm, or association) must designate in writing an individual to represent it for examination purposes. Any such designee shall be a supervisory employee and may not represent any other applicant for a contractor's license.

b. In the event the working relationship between a contractor and its designee terminates, the contractor will notify the Division in writing within ten (10) days of the date of termination. The contractor may not purchase permits or make electrical installations unless another duly qualified designee passes the contractor's examination on behalf of the contractor.

Current Rule: The prior rule only allowed master electricians to become electrical contractors; journeyman could not become electrical contractors. Otherwise, the current rule was similar to the proposed Rule.

Legal Authority: I.C. § 54-1006(5) – mandatory for the Board to promulgate rules for the examination and licensure of electrical contractors limited electrical contractors.

<https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH10/SECT54-1006/>

Define the specific problem the proposed rule is attempting to solve. Can it be solved through non-regulatory means?

The rule further details the statutory requirement for licensure of electrical contractors and limited electrical contractors. This cannot be solved through non-regulatory means.

What evidence is there that the rule, as proposed, will solve the problem?

The statute and rule promote safe installations by ensuring qualified journeyman or master electricians are supervising the electrical work, which promotes the health and safety of the public.

Federal Law Comparison (where applicable)

Summary of Law (include direct link)	How is the proposed Idaho rule more stringent? (if applicable)
N/A	

State Law Comparison

State	Summary of Law (include direct link)	How is the proposed Idaho rule more stringent? (if applicable)
Alaska	Must employ an electrical administrator. http://ak.elaws.us/as/08.18.026 https://www.akleg.gov/basis/aac.asp#12.32.015	Idaho is less stringent.
Montana	Limited electrical contractor must designate journeyman. Unlimited electrical contractor must designate master. https://rules.mt.gov/gateway/RuleNo.asp?RN=24%2E141%2E505	N/A
Nevada	Pass Business and Law and trade examinations and have employee or member who is a licensed journeyman for at least 4 years. https://www.leg.state.nv.us/NRS/NRS-624.html#NRS624Sec260	Idaho is less stringent.
Oregon	Electrical contractor required designation of supervising electrician (similar to a master in Idaho). Limited electrical contractors required to designate limited journeymen. https://secure.sos.state.or.us/oard/viewSingleRule.action?ruleVrsnRsn=227400 https://secure.sos.state.or.us/oard/displayDivisionRules.action?selectedDivision=4150	Idaho is less stringent.
South Dakota	Contractor: Pass exam and work as journeyman for 2 years, with 1 year commercial wiring. Class B: Pass exam and work as journeyman for 2 years, with 1 year in farmstead or residential wiring https://sdlegislature.gov/Rules/Administrative/9760 20:44:16:08	Idaho is less stringent.
Utah	Complete 25-30 hour pre-licensure course, two years of trade experience, and pass exam. General Electrical Contractor; Residential Electrical Contractor; Solar Photovoltaic Contractor; Sign Installation Contractor; Elevator Contractor https://adminrules.utah.gov/public/search/R156-	Idaho is less stringent.

	55a.%20%20Utah%20Construction%20Trades%20Licensing%20Act%20Rule/Current%20Rules https://le.utah.gov/xcode/Title58/Chapter55/58-55-S302.html?v=C58-55-S302_2022050420220504	
Washington	Must have an electrical administrator or master electrician. https://app.leg.wa.gov/RCW/default.aspx?cite=19.28.061	Idaho is less stringent.
Wyoming	Electrical contractor must employ master electrician. https://wsfm.wyo.gov/electrical-safety/licensing https://drive.google.com/file/d/1mEQ03dUOpfhlPJuXsGQ0FJHBwe3AenrS/view	Idaho is less stringent.

If the Idaho proposed rule has a more stringent requirement than the federal government or the reviewed states, describe the evidence base or unique circumstances that justifies the enhanced requirement:

N/A

Anticipated impact of the proposed rule on various stakeholders:

Category	Potential Impact
Fiscal impact to the state General Fund, any dedicated fund, or federal fund	Licensure fees collected are deposited in the occupational licenses fund.
Impact to Idaho businesses, with special consideration for small businesses	The rule does not negatively impact Idaho businesses.
Impact to any local government in Idaho	The rule does not negatively impact local governments in Idaho.

Cumulative regulatory volume this proposed rule adds:

Category	Potential Impact
Net change in word count	
Net change in restrictive word count	

PROSPECTIVE ANALYSIS
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RULE 100.05

Proposed Rule: Continuing Education.

a. To renew, journeymen and master electricians must provide proof of completion, during the prior three-year license cycle, of twenty-four (24) hours of continuing education instruction consisting of eight (8) hours of code update covering changes included in the latest edition of the National Electrical Code and sixteen (16) hours of any combination of code-update training, code-related training, or industry-related training.

b. To renew, an apprentice who has completed the education (if applicable) and experience requirements but has not passed the journeyman examination within two (2) years after completion of the education (if applicable) and experience requirements must provide proof of completion of twenty-four (24) hours of continuing education instruction consisting of eight (8) hours of NFPA 70E training and sixteen (16) hours of code update training, code-related training, or industry-related training.

Current Rule: The current rule has the same requirements for journeymen and master electricians. It had more stringent requirements for apprentices as all apprentices are required to complete the continuing education beginning the initial year of licensure.

Legal Authority: Idaho Code § 54-1013(1) – discretionary
<https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH10/SECT54-1013/>

Define the specific problem the proposed rule is attempting to solve. Can it be solved through non-regulatory means?

The rule is geared toward ensuring journeymen, master electricians, and lifetime apprentices maintain knowledge of the current codes and standards of practice. It can be solved through non-regulatory means, including practice in the occupation, independently reviewing any code amendments adopted by the Board, or voluntarily taking the continuing education courses offered by third parties.

What evidence is there that the rule, as proposed, will solve the problem?

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Federal Law Comparison (where applicable)

Summary of Law (include direct link)	How is the proposed Idaho rule more stringent? (if applicable)
N/A	

State Law Comparison

State	Summary of Law (include direct link)	How is the proposed Idaho rule more stringent? (if applicable)
Alaska	Every 2 years, 16 hours with 8 re: significant changes or updates to National Electrical Code and no more than 8 hours may be industry related. https://www.akleg.gov/basis/aac.asp#8.90.192	Idaho requires continuing education for lifetime apprentices.
Montana	Journeyman and master: 16 hours every 2 years, 8 hours must be on code update https://rules.mt.gov/gateway/RuleNo.asp?RN=24%2E141%2E2102	Idaho requires continuing education for lifetime apprentices.
Nevada	N/A – no state license	N/A
Oregon	24 hours every 2 years including code update hours and 4 hours re Oregon Rules and Law https://www.oregon.gov/bcd/ce/Pages/electrical.aspx	Idaho requires continuing education for lifetime apprentices.
South Dakota	16 hours every 2 years, 8 hours must be code related https://sdlegislature.gov/Rules/Administrative/14649	Similar requirements
Utah	Every 2 years, 16 hours with 12 on code https://adminrules.utah.gov/public/search/R156-55b-101/Current%20Rules R156-55b-304	Idaho is not more stringent.
Washington	24 hours every 3 years. 8 hours must be on the current code and 4 hours must be on the state code https://lni.wa.gov/licensing-permits/electrical/electrical-licensing-exams-education/basic-classroom-instruction-and-continuing-education	Similar requirements
Wyoming	16 hours every 3 years with at least 8 of those hours being on the most updated code	Idaho requires 8 more hours during the 3-year period.

<https://wsfm.wyo.gov/electrical-safety/licensing>

If the Idaho proposed rule has a more stringent requirement than the federal government or the reviewed states, describe the evidence base or unique circumstances that justifies the enhanced requirement:

Anticipated impact of the proposed rule on various stakeholders:

Category	Potential Impact
Fiscal impact to the state General Fund, any dedicated fund, or federal fund	The rule does not create a fiscal impact.
Impact to Idaho businesses, with special consideration for small businesses	The rule does not negatively impact Idaho businesses.
Impact to any local government in Idaho	The rule does not negatively impact local governments in Idaho.

Cumulative regulatory volume this proposed rule adds:

Category	Potential Impact
Net change in word count	
Net change in restrictive word count	

PROSPECTIVE ANALYSIS
IDAHO ELECTRICAL BOARD
IDAPA 24.39.10

RULE 200.06

Proposed Rule: Certification And Approval of Electrical Products and Materials. All materials, devices, fittings, equipment, apparatus, luminaires, and appliances installed or to be used in installations that are supplied with electric energy must be approved as provided in one (1) of the following methods:

a. Testing Laboratory. Be tested, examined, and certified (Listed) by a Nationally Recognized Testing Laboratory (NRTL).

b. Field Evaluation. Non-listed electrical equipment may be approved for use through a field evaluation process performed in accordance with recognized practices and procedures such as those contained in the 2012 edition of NFPA 791 - Recommended Practice and Procedures for Unlabeled Electrical Equipment Evaluation published by the National Fire Protection Association (NFPA). Such evaluations shall be conducted by:

i. A field evaluation body approved by the authority having jurisdiction. The field evaluation body shall meet minimum recognized standards for competency, such as NFPA 790 - Standard for Competency of Third-Party Field Evaluation Bodies, 2012 edition, published by the National Fire Protection Association (NFPA); or

ii. In the case of industrial machinery only, as defined by NFPA 79 - Electrical Standard for Industrial Machinery, 2012 edition, a field evaluation may be performed by a professional engineer currently licensed to practice electrical engineering by the state of Idaho and who is not involved in the design of the equipment being evaluated or the facility in which the equipment is to be installed.

c. Availability of NFPA Standards. The most recent edition of NFPA 790 - Standard for Competency of Third-Party Field Evaluation Bodies and NFPA 791 - Recommended Practice and Procedures for Unlabeled Electrical Equipment Evaluation published by the National Fire Protection Association (NFPA) are available at the Division.

Current Rule: Same key elements as current Rule.

Legal Authority: Idaho Code § 54-1016(5) – discretionary

<https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH10/SECT54-1016/>

Define the specific problem the proposed rule is attempting to solve. Can it be solved through non-regulatory means?

The rule is designed to ensure products and machines do not present an undue hazard to life and property. This cannot be solved through nonregulatory means.

What evidence is there that the rule, as proposed, will solve the problem?

The certification process involves an evaluation of the safety of the products and machines at issue.

Federal Law Comparison (where applicable)

Summary of Law (include direct link)	How is the proposed Idaho rule more stringent? (if applicable)

State Law Comparison

State	Summary of Law (include direct link)	How is the proposed Idaho rule more stringent? (if applicable)
Alaska	https://www.akleg.gov/basis/statutes.asp#45.45.910 https://www.akleg.gov/basis/aac.asp#8.70.085	
Montana	Did not locate similar law	N/A
Nevada	Did not locate similar law	N/A
Oregon	Certification is required for the installation of an electrical product in connection with a business. The product will be certified if it meets the safety standards set by the board; a nationally recognized testing laboratory; or an evaluation by an approved field evaluation firm. https://oregon.public.law/statutes/ors_479.610 https://oregon.public.law/statutes/ors_479.760	Similar requirements
South Dakota	Did not locate similar law	N/A
Utah	Did not locate similar law	N/A

Washington	Laboratory testing https://app.leg.wa.gov/WAC/default.aspx?cite=296-46B-999	Idaho does not appear more stringent.
Wyoming	Did not locate similar law	N/A

If the Idaho proposed rule has a more stringent requirement than the federal government or the reviewed states, describe the evidence base or unique circumstances that justifies the enhanced requirement:

N/A

Anticipated impact of the proposed rule on various stakeholders:

Category	Potential Impact
Fiscal impact to the state General Fund, any dedicated fund, or federal fund	The rule does not create a fiscal impact.
Impact to Idaho businesses, with special consideration for small businesses	The rule requires Idaho businesses to ensure an electrical product is already certified or to seek certification.
Impact to any local government in Idaho	The rule does not negatively impact local governments in Idaho.

Cumulative regulatory volume this proposed rule adds:

Category	Potential Impact
Net change in word count	
Net change in restrictive word count	

PROSPECTIVE ANALYSIS
IDAHO ELECTRICAL BOARD
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RULE 300

Proposed Rule: Civil Penalties. 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 10, Title 54, Idaho Code or Board Rule.
- 02. Licensure or Registration.** Except as provided by Section 54-1016, Idaho Code, performance of electrical work without an active license or registration as required by Chapter 10, Title 54, Idaho Code. General contractors registered pursuant to Section 54-1016, Idaho Code who submit a bid on a multi-trade construction project which includes a licensed electrical contractor's pricing is not considered as acting or attempting to act as an electrical contractor.
- 03. Performance Outside Scope.** Performance of any electrical installation, alteration, or maintenance by a limited electrical contractor, limited electrical installer, or trainee outside the scope of the limited electrical license or registration.
- 04. Employees.** Knowing employment of a person who does not hold an active license or registration to perform electrical work.
- 05. Supervision.** Working as an apprentice or limited electrical installer trainee without the required journeyman, master, or installer supervision or employing an apprentice or trainee without providing the required supervision.
- 06. Fees, Permits, and Inspections.** Failure to obtain a required permit, pay applicable fees, properly post a permit, or request an inspection of any electrical work.
- 07. Corrections.** Failure to make corrections in the time allotted in the notice on any electrical work.
- 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 an electrical contractor as defined in Sections 54-1003A and 54-1010, Idaho Code, without holding a current and valid electrical contractor license issued by the Division

or advertising without including the contractor license 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.

Current Rule: Similar to proposed rule, but only allows the board to impose a \$200 civil penalty for a first violation, even if the violation is egregious.

Legal Authority: I.C. § 54-1006(5) – mandatory
<https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH10/SECT54-1006/>

Define the specific problem the proposed rule is attempting to solve. Can it be solved through non-regulatory means?

This rule is geared toward ensuring compliance with the law. It cannot be solved through non-regulatory means.

What evidence is there that the rule, as proposed, will solve the problem?

The Board’s inspectors regularly find legal violations during their inspections. The inspectors attempt to resolve many violations through warnings. When warnings are not effective, civil penalties are assessed.

Federal Law Comparison (where applicable)

Summary of Law (include direct link)	How is the proposed Idaho rule more stringent? (if applicable)
N/A	

State Law Comparison

State	Summary of Law (include direct link)	How is the proposed Idaho rule more stringent? (if applicable)
Alaska	Failure to correct a code violation is subject to a fine of up to \$1000. Board can cancel a license as discipline; however, there does not appear to be an alternative of a civil penalty in lieu of cancelling/revoking.	Idaho’s rule does not appear to be more stringent as it provides a pathway other

	https://www.akleg.gov/basis/statutes.asp#18.60.650 https://www.akleg.gov/basis/aac.asp#8.90.185	than revocation.
Montana	Can fine up to \$1,000 per violation https://leg.mt.gov/bills/mca/title_0370/chapter_0010/part_0030/section_0120/0370-0010-0030-0120.html	N/A
Nevada	N/A re: journeyman since state does not license. Electrical Contractors may be fined anywhere from \$50-\$50,000, depending on the violation. https://www.leg.state.nv.us/NAC/NAC-624.html#NAC624Sec7251	Idaho's rules are less stringent.
Oregon	Can impose civil penalties of \$5,000 for each offense or \$1,000 for each day of a continuing offense. https://oregon.public.law/statutes/ors_479.995 https://oregon.public.law/statutes/ors_455.895	Idaho's rules are less stringent.
South Dakota	Violations can lead to suspension, revocation or limitation on scope of practice. Unable to locate laws providing civil penalties. https://sdlegislature.gov/Statutes/Codified_Laws/2060348	Idaho is less stringent.
Utah	fine of up to \$1,000 for 1 st violation, \$1,000 for 2 nd , and \$4,000 for subsequent instance of unprofessional or unlawful conduct https://le.utah.gov/xcode/Title58/Chapter55/58-55-S503.html https://adminrules.utah.gov/public/search/R156-55a/Current%20Rules R156-55c-501-502, R156-55a-502-503	Idaho's rule does not appear to be more stringent.
Washington	Penalties of \$50 to \$10,000, depending on type and seriousness of offense https://app.leg.wa.gov/RCW/default.aspx?cite=19.28.131 https://app.leg.wa.gov/wac/default.aspx?cite=296-46B-915	Idaho is less stringent.
Wyoming	Civil penalty for unlicensed practice.	Idaho's rule does not appear to be more stringent.

If the Idaho proposed rule has a more stringent requirement than the federal government or the reviewed states, describe the evidence base or unique circumstances that justifies the enhanced requirement:

N/A

Anticipated impact of the proposed rule on various stakeholders:

Category	Potential Impact
Fiscal impact to the state General Fund, any dedicated fund, or federal fund	The ability to impose civil penalties lies in statute. Any civil penalties collected are deposited in the occupational licenses fund.
Impact to Idaho businesses, with special consideration for small businesses	The rule does not negatively impact Idaho businesses.
Impact to any local government in Idaho	The rule does not negatively impact local governments in Idaho.

Cumulative regulatory volume this proposed rule adds:

Category	Potential Impact
Net change in word count	
Net change in restrictive word count	

PROSPECTIVE ANALYSIS
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RULE 500

Proposed Rule: Starting on page 5, this Rule sets forth the permit fee schedule based upon building type and construction cost.

Current Rule: Same key elements as proposed Rule.

Legal Authority: I.C. § 54-1006(5) – mandatory
<https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH10/SECT54-1006/>

Define the specific problem the proposed rule is attempting to solve. Can it be solved through non-regulatory means?

Permit and inspection fees are imposed to cover the costs of inspections. Inspections cannot be provided through non-regulatory means.

What evidence is there that the rule, as proposed, will solve the problem?

The Board is able to retain inspectors to perform electrical inspections.

Federal Law Comparison (where applicable)

Summary of Law (include direct link)	How is the proposed Idaho rule more stringent? (if applicable)

State Law Comparison

State	Summary of Law (include direct link)	How is the proposed Idaho rule more stringent? (if applicable)
Alaska	Appears permit fees are set by localities, not State.	

	Localities can charge inspection fee of up to \$50. https://www.akleg.gov/basis/aac.asp#8.70.060 https://www.akleg.gov/basis/aac.asp#8.70.070	
Montana	Inspections completed by state or locality. Permit fees set in rule. https://leg.mt.gov/bills/mca/title_0500/chapter_0600/part_0060/section_0040/0500-0600-0060-0040.html https://rules.mt.gov/gateway/RuleNo.asp?RN=24%2E301%2E431 https://rules.mt.gov/gateway/RuleNo.asp?RN=24%2E301%2E461	
Nevada	Contractor must apply for permits. (NAC 624.6966). Rules dictate how contractor conducts business and when it can obtain payments from clients based upon permits and inspections. Fees appear to be set by locality. https://www.leg.state.nv.us/NAC/NAC-624.html	
Oregon	Permits are required and issued to electrical contractors. https://oregon.public.law/statutes/ors_479.550 https://oregon.public.law/statutes/ors_479.560	
South Dakota	Fees based upon type of dwelling and work. Minimum inspection fee is \$75. https://sdlegislature.gov/Rules/Administrative/9814 https://dlr.sd.gov/electrical/fees.aspx	
Utah	It appears localities issue permits https://le.utah.gov/xcode/Title15A/Chapter1/15A-1-S104.html?v=C15A-1-S104_2014040320140513	
Washington	Each county or local jurisdiction must inspect. Counties and local jurisdictions also set the permit fees. https://app.leg.wa.gov/RCW/default.aspx?cite=19.27.050	
Wyoming	Fees based upon type of dwelling and work. https://drive.google.com/file/d/13A0IEamKVWsZ1GEAWpllwfO9gyRhJseg/view	

If the Idaho proposed rule has a more stringent requirement than the federal government or the reviewed states, describe the evidence base or unique circumstances that justifies the enhanced requirement:

Anticipated impact of the proposed rule on various stakeholders:

Category	Potential Impact
Fiscal impact to the state General Fund, any dedicated fund, or federal fund	The ability to impose permit and inspection fees arises in statute. Any fees collected are deposited in the occupational licenses fund.
Impact to Idaho businesses, with special consideration for small businesses	The requirement to obtain an electrical permit arises in statute. As such, the rule does not negatively impact Idaho businesses.
Impact to any local government in Idaho	The rule does not negatively impact local governments in Idaho.

Cumulative regulatory volume this proposed rule adds:

Category	Potential Impact
Net change in word count	
Net change in restrictive word count	

PROSPECTIVE ANALYSIS
IDAHO ELECTRICAL BOARD
IDAPA 24.39.10

RULE 600

Proposed Rule: Adopts the 2020 National Electrical Code with stated amendments.

Current Rule: Similar key elements as proposed Rule.

Legal Authority: I.C. § 54-1001

<https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH10/SECT54-1001/>

Define the specific problem the proposed rule is attempting to solve. Can it be solved through non-regulatory means?

The Idaho legislature mandated the adopted of the National Electrical Code with amendments by the Board in order to ensure safe electrical installations. This cannot be accomplished through non-regulatory means.

What evidence is there that the rule, as proposed, will solve the problem?

The 2020 National Electrical Code and the Board amendments provide safe electrical installation guidelines.

Federal Law Comparison (where applicable)

Summary of Law (include direct link)	How is the proposed Idaho rule more stringent? (if applicable)
N/A	

State Law Comparison

State	Summary of Law (include direct link)	How is the proposed Idaho rule more stringent? (if applicable)
Alaska	Adopted 2017 Edition of NFPA 70, National Electrical Code and the 2017 Edition of the National Electrical Safety Code (ANSI	

	C2-2017). https://www.akleg.gov/basis/statutes.asp#18.60.580 https://www.akleg.gov/basis/aac.asp#8.70.025	
Montana	Adopted 2020 National Electric Code and National Fire Protection Association Standard NFPA 70 https://rules.mt.gov/gateway/RuleNo.asp?RN=24%2E301%2E401	
Nevada	No state adoption – adopted at local level. If locality did not adopt, work must conform to most recent edition. https://www.leg.state.nv.us/nrs/nrs-624.html#NRS624Sec3017	
Oregon	Adopted 2020 National Electrical Code with amendments https://www.oregon.gov/bcd/codes-stand/Documents/21oesc-table1-E-2021April.pdf	
South Dakota	Adopted 2020 National Electric Code with amendments https://sdlegislature.gov/Rules/Administrative/9752	
Utah	Adopted 2020 National Electric Code with amendments https://le.utah.gov/xcode/Title15A/Chapter2/15A-2-S103.html?v=C15A-2-S103_2021050520210701 https://le.utah.gov/xcode/Title15A/Chapter3/15A-3-S601.html?v=C15A-3-S601_2021050520210701	
Washington	Adopted 2020 National Electric Code with amendments https://app.leg.wa.gov/wac/default.aspx?cite=296-46B-010	
Wyoming	Adopted 2020 National Electric Code without amendments https://wsfm.wyo.gov/electrical-safety/wiring-permits-1	

If the Idaho proposed rule has a more stringent requirement than the federal government or the reviewed states, describe the evidence base or unique circumstances that justifies the enhanced requirement:

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Anticipated impact of the proposed rule on various stakeholders:

Category	Potential Impact
Fiscal impact to the state General Fund, any dedicated fund, or	The rule does not have a fiscal impact.

federal fund	
Impact to Idaho businesses, with special consideration for small businesses	The initial code adopted is statutory. As such, the rule does not negatively impact Idaho businesses.
Impact to any local government in Idaho	The rule does not negatively impact local governments in Idaho.

Cumulative regulatory volume this proposed rule adds:

Category	Potential Impact
Net change in word count	
Net change in restrictive word count	