

**Zero-Based Regulation  
Prospective Analysis**

- **Fill out entire form to the best of your ability, unless submitting a Notice to Negotiate only fill out 1, 2, 5, and 7. The rest of the form must be completed prior to the adoption of the proposed rule.**

**Agency Name:** Idaho Division of Occupational and Professional Licenses

**Rule Docket Number:** 24-2801-2501

**1. What is the specific Idaho statutory legal authority for this proposed rule?**

Statute Section (include direct link)	Is the authority mandatory or discretionary?

**2. Define the specific problem that the proposed rule is attempting to solve? Can the problem be addressed by non-regulatory measures?**

The Barber and Cosmetology Services Licensing Board is financially in the negative and requires a fee increase to become solvent.

The public has been requesting a pathway for mobile salon licensure. This problem can not be addressed through other measures as long as the statute limits practice of barbering and cosmetology services to a licensed establishment. This rule change seeks to create a pathway to define when a mobile unit can be considered an "establishment" as required by code.

**3. How have other jurisdictions approached the problem this proposed rule intends to address?**

**a. Is this proposed rule related to any existing federal law?**

<b>Federal citation</b>	<b>Summary of Law (include direct link)</b>	<b>How is the proposed Idaho rule more stringent? (if applicable)</b>

**b. How does this proposed rule compare to other state laws?**

<b>State</b>	<b>Summary of Law (include direct link)</b>	<b>How is the proposed Idaho rule more stringent? (if applicable)</b>
Washington		
Oregon		
Nevada		
Utah		
Wyoming		
Montana		
Alaska		
South Dakota		

**c. 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:**

Mobile establishment licensure varies widely between states. Some states don't allow it at all, much like Idaho to date. Some require GPS units attached to mobile establishments. But all have inspection requirements.

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

Cash balance forecasts show that the relatively modest increase in licensing fees should allow the board to regain a healthy cash balance.

Stakeholder input provided testimonial evidence that the suggested changes solve the problems expressed.

**5. What is the anticipated impact of the proposed rule on various stakeholders? Include how you will involve stakeholders in the negotiated rulemaking process?**

Category	Potential Impact
Fiscal impact to the state General Fund, any dedicated fund, or federal fund	
Impact to Idaho businesses, with special consideration for small businesses	
Impact to any local government in Idaho	

**6. What cumulative regulatory volume does this proposed rule add?**

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

**7. Should this rule chapter remain as a rule chapter or be moved to statute as suggested in Section 67-5292, Idaho Code?**

Category	Impact
What is the cost of publishing this rule chapter annually? (Multiply the number of pages x \$56)	
How frequently has this rule chapter been substantively updated over the past 5 years? (Exclude republishing triggered solely by recent sunset dates)	
What is the benefit of having all related requirements in a single location in Idaho Code?	