



RULE-MAKING ORDER
(RCW 34.05.360)

CR-103 (7/22/01)

Agency: Department of Labor and Industries

- Permanent Rule
- Emergency Rule
- Expedited Rule Making

(1) Date of adoption: May 28, 2004

(2) Purpose: Safety regulations and fees for all elevators, dumbwaiters, escalators and other conveyances. (Chapter 296-96 WAC)
See attachment a.

(3) Citation of existing rules affected by this order:
 Repealed: See attachment b.
 Amended: See attachment b.
 Suspended: None.

(4) Statutory authority for adoption: RCW 70.87.020, 70.87.030, 70.87.034, 70.87.120, 70.87.185, 70.87.190, Chapter 98, Laws of 2002 (Substitute House Bill 2629), Chapter 143, Laws of 2003 (Engrossed Substitute Senate Bill 5942) and Chapter 66, Laws of 2004 (Senate Bill 6650).
 Other Authority: None.

PERMANENT RULE ONLY (Including Expedited Rule Making)
 Adopted under notice filed as WSR 04-08-088 on April 6, 2004.
 Describe any changes other than editing from proposed to adopted version: None.

EMERGENCY RULE ONLY
 Under RCW 34.05.350 the agency for good cause finds:

- (a) That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.
- (b) That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this finding:

(5.3) Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?:
 Yes No If Yes, explain:

(6) Effective date of rule:
Permanent Rules
 31 days after filing
 Other (specify) 6/30/04

Emergency Rules
 Immediately
 Later (specify) _____

*(If less than 31 days after filing, specific finding in 5.3 under RCW 34.05.380(3) is required)

CODE REVISER USE ONLY

WSR#04-12-047

Name (Type or Print)
Paul Trause

Signature

Title
Director

Date
May 28, 2004

(COMPLETE REVERSE SIDE)

**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.

The number of sections adopted in order to comply with:

Federal statute:	New	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	_____	Amended	_____	Repealed	_____
Recently enacted state statutes:	New	66	Amended	<u>81</u>	Repealed	<u>3</u>

The number of sections adopted at the request of a nongovernmental entity:

New	_____	Amended	_____	Repealed	_____
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The number of sections adopted in the agency's own initiative:

New	_____	Amended	_____	Repealed	_____
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	66	Amended	<u>81</u>	Repealed	3
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The number of sections adopted using:

Negotiated rule making:	New	_____	Amended	_____	Repealed	_____
Pilot rule making:	New	_____	Amended	_____	Repealed	_____
Other alternative rule making:	New	66	Amended	81	Repealed	3

Attachment A

- (a) Purpose, summary, reasons supporting proposal, short explanation of rule, its purpose, and anticipated effect, and changes the proposal makes to existing rules.

This rulemaking adopts the following:

- Changes to the elevator rules in response to the following legislation that passed in the 2002, 2003 and 2004 legislative sessions:
 - Chapter 98, Laws of 2002 (SHB 2629)
 - Chapter 143, Laws of 2003 (ESSB 5942)
 - Chapter 66, Laws of 2004 (SB 6650)
- Most recent versions of the American Society of Mechanical Engineers national standards for elevators, escalators, and other conveyances, with exceptions and state specific requirements;
- Necessary policy into rule;
- Feedback and recommendations of the Elevator Safety Advisory Committee and various other stakeholders;
- Clarifying and housekeeping changes.

Attachment b

Citation of existing rules affected by this order:

Repealed:

WAC 296-96-01080

WAC 296-96-02365

WAC 296-96-11000

Amended:

296-96-00500

296-96-00600

296-96-00650

296-96-00700

296-96-00800

296-96-01000

296-96-01005

296-96-01010

296-96-01027

296-96-01035

296-96-01070

296-96-02240

296-96-02275

296-96-02277

296-96-02278

296-96-02280

296-96-02281

296-96-02310

296-96-02315

296-96-02320

296-96-02325

296-96-02330

296-96-02340

296-96-02350

296-96-02360

296-96-05010

296-96-05030

296-96-05070

296-96-05160

296-96-05170

296-96-05230

296-96-05290

296-96-07010

296-96-07080

296-96-07100

296-96-07170

296-96-07180

296-96-07190

296-96-07200

296-96-07230

296-96-07250

296-96-08010

296-96-08020