



# PROPOSED RULE MAKING

## CR-102 (June 2004)

(Implements RCW 34.05.320)

Do NOT use for expedited rule making

Agency: Department of Labor and Industries

- Preproposal Statement of Inquiry was filed as WSR 03-03-110 ; or
- Expedited Rule Making--Proposed notice was filed as WSR \_\_\_\_\_; or
- Proposal is exempt under RCW 34.05.310(4).

- Original Notice
- Supplemental Notice to WSR \_\_\_\_\_
- Continuance of WSR \_\_\_\_\_

**Title of rule and other identifying information:** Chapter 296-874 WAC, Scaffolds, Chapter 296-24 WAC, Part J-2, Scaffolds, Chapter 296-155 WAC, Part J-1, Scaffolds

The Department of Labor and Industries is proposing to rewrite and clarify requirements relating to Scaffolds. This rulemaking is part of our clear rule writing initiative to rewrite all of our general occupational safety and health rules for clarity. This proposal will move the scaffold requirements from chapter 296-24 WAC and chapter 296-155 WAC to a new chapter, 296-874 WAC, Scaffolds. See Attachment a.

**Hearing location(s):**

Department of Labor and Industries Building  
7273 Linderson Way SW, Auditorium  
Tumwater, WA 98501

Date: September 17, 2004 Time: 9:30 a.m.

**Submit written comments to:**

Name: Carol Stevenson  
Address: Post Office Box 44635  
Olympia, Washington 98504-4635  
e-mail stei235@lni.wa.gov  
fax (360) 902-5529 by September 21, 2004

**Assistance for persons with disabilities:** Contact

Sally Elliott by September 1, 2004  
yous235@lni.wa.gov or (360) 902-5484

**Date of intended adoption:** November 1, 2004  
(Note: This is NOT the effective date)

**Purpose of the proposal and its anticipated effects, including any changes in existing rules:** The scaffold rules, in chapter 296-24 WAC and chapter 296-155 WAC contain requirements relating to scaffolds. These requirements will be rewritten and moved into chapter 296-874 WAC, Scaffolds. There are no anticipated effects of this rulemaking.

**Reasons supporting proposal:** The Department of Labor and Industries is proposing to rewrite and clarify requirements relating to Scaffolds. This rulemaking is part of our plan to rewrite all the safety and health rules for clarity. See attachment a.

**Statutory authority for adoption:** RCW 49.17.010, 49.17.040, 49.17.050, 49.17.060

**Statute being implemented:** Chapter 49.17 RCW

**Is rule necessary because of a:**

- Federal Law?  Yes  No
  - Federal Court Decision?  Yes  No
  - State Court Decision?  Yes  No
- If yes, CITATION:

**CODE REVISER USE ONLY**

WSR# 04-14-027

**DATE**  
June 29, 2004

**NAME** (type or print)  
Paul Trause

**SIGNATURE**

**TITLE**  
Director

**Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:**

na

**Name of proponent:** (person or organization) Department of Labor & Industries

- Private
- Public
- Governmental

**Name of agency personnel responsible for:**

Name	Office Location	Phone
Drafting..... Tracy Spencer	Tumwater	(360) 902-5530
Implementation.... Michael Silverstein	Tumwater	(360) 902-5495
Enforcement..... Michael Silverstein	Tumwater	(360) 902-5495

**Has a small business economic impact statement been prepared under chapter 19.85 RCW?**

Yes. Attach copy of small business economic impact statement.

A copy of the statement may be obtained by contacting:

Name:

Address:

phone ( ) \_\_\_\_\_

fax ( ) \_\_\_\_\_

e-mail \_\_\_\_\_

No. Explain why no statement was prepared.

A number of criteria and exemptions were established by the SBEIS analysis. One key criteria that allows rule changes to be exempt from preparation of an SBEIS is presented in RCW 34.05.310(4)(d): "rules that only correct typographical errors, make address or name changes, or clarify language of a rule without changing its effect" are not subject to the SBEIS requirements. Because the proposed rule changes make clarifying and organizational changes for ease of understanding and use, but do not in any way alter the content of the original rules, there should not be an economical impact on Washington State business.

The analysis of the rule reveals that in addition to not imposing new costs on businesses, these revisions will actually make WISHA rules easier for employers and employees to understand and use, and thus actually save them time.

**Is a cost-benefit analysis required under RCW 34.05.328?**

Yes A preliminary cost-benefit analysis may be obtained by contacting:

Name:

Address:

phone ( ) \_\_\_\_\_

fax ( ) \_\_\_\_\_

e-mail \_\_\_\_\_

No: Please explain: A cost-benefit analysis is not required because the rule is not imposing any new costs to the industry.

**New Section:**

WAC 296-874-100	Scaffolds Scope
WAC 296-874-200	General Requirements for Scaffolds
WAC 296-874-20002	Make sure scaffolds are properly designed and constructed
WAC 296-874-20004	Make sure scaffolds are erected, moved, altered, or dismantled by appropriate persons
WAC 296-874-20006	Maintain structural integrity when intermixing scaffold components
WAC 296-874-20008	Make sure platforms are properly planked or decked
WAC 296-874-20010	Make sure platforms meet minimum width requirements;
WAC 296-874-20012	Meet these requirements when shorter platforms are used to create a longer platform
WAC 296-874-20014	Lay platform planks properly when the platform changes direction
WAC 296-874-20016	Stabilize the ends of platforms
WAC 296-874-20018	Keep platform sag within acceptable limits
WAC 296-874-20020	Provide safe access to scaffolds
WAC 296-874-20022	Make sure portable, hook-on, and attachable ladders meet these requirements
WAC 296-874-20024	Make sure stairway-type ladders meet these requirements
WAC 296-874-20026	Make sure stair towers meet these requirements
WAC 296-874-20028	Make sure stairrails and handrails meet these requirements
WAC 296-874-20030	Make sure ramps and walkways used to access scaffolds meet these requirements
WAC 296-874-20032	Make sure surfaces used to access scaffolds are close enough to use safely
WAC 296-874-20034	Inspect scaffolds and scaffold components
WAC 296-874-20036	Make sure damaged or weakened scaffolds meet minimum strength requirements
WAC 296-874-20038	Make sure scaffolds are properly loaded
WAC 296-874-20040	Protect employees when moving scaffolds
WAC 296-874-20042	Increase employee working level height on scaffolds safely
WAC 296-874-20044	Control loads being hoisted near scaffolds
WAC 296-874-20046	Protect employees from energized power lines
WAC 296-874-20048	Protect employees from weather hazards
WAC 296-874-20050	Protect employees from slipping and tripping hazards
WAC 296-874-20052	Provide fall protection for employees on Scaffolds
WAC 296-874-20054	Provide fall protection if the scaffold is too far from the work face
WAC 296-874-20056	Provide specific fall protection for specific types of scaffolds
WAC 296-874-20058	Make sure personal fall arrest systems meet these requirements
WAC 296-874-20060	Make sure vertical lifelines used with personal fall arrest systems meet these requirements
WAC 296-874-20062	Make sure horizontal lifelines used with personal fall arrest systems meet these requirements
WAC 296-874-20064	Make sure guardrail systems meet these requirements
WAC 296-874-20066	Provide falling object protection
WAC 296-874-20068	Provide additional support lines on suspended scaffolds using a canopy for falling object protection
WAC 296-874-20070	Make sure toeboards meet these requirements
WAC 296-874-20072	Train employees who work on scaffolds
WAC 296-874-20074	Train employees who erect, dismantle, operate or maintain scaffolds
WAC 296-874-20076	Retrain employees when necessary
WAC 296-874-300	Suspended Scaffolds

WAC 296-874-30002	Make sure suspended scaffolds and scaffold components meet these strength requirements
WAC 296-874-30004	Make sure suspended scaffold outrigger beams meet these requirements
WAC 296-874-30006	Make sure counterweights are safe and used properly
WAC 296-874-30008	Make sure tiebacks meet these requirements
WAC 296-874-30010	Make sure suspended scaffold support devices meet these requirements
WAC 296-874-30012	Make sure scaffold hoists meet these requirements
WAC 296-874-30014	Make sure scaffold hoists retain enough suspension rope
WAC 296-874-30016	Make sure wire rope is in good condition
WAC 296-874-30018	Make sure wire suspension rope connections meet these requirements
WAC 296-874-30020	Make sure wire rope clips are used properly
WAC 296-874-30022	Prevent swaying of two-point and multi-point suspension scaffolds
WAC 296-874-30024	Use emergency escape and rescue devices appropriately
WAC 296-874-30026	Protect suspension ropes from heat or corrosive substances
WAC 296-874-30028	Take precautions while welding
WAC 296-874-30030	Prohibit use of gasoline-powered equipment on suspended scaffolds
WAC 296-874-30032	Meet these requirements when using catenary scaffolds
WAC 296-874-30034	Meet these requirements when using float (ship) scaffolds
WAC 296-874-30036	Meet these requirements when using interior hung scaffolds
WAC 296-874-30038	Meet these requirements when using multi-level suspended scaffolds
WAC 296-874-30040	Meet these requirements when using multi-point adjustable suspension scaffolds
WAC 296-874-30042	Meet these requirements when using needle beam scaffolds
WAC 296-874-30044	Meet these requirements when using single-point adjustable suspension scaffolds
WAC 296-874-30046	Meet these requirements when using two-point adjustable suspension scaffolds (swing stages)
WAC 296-874-400	Supported scaffolds
WAC 296-874-40002	Make sure supported scaffolds and scaffold components meet strength requirements
WAC 296-874-40004	Prevent supported scaffolds from tipping
WAC 296-874-40006	Make sure supported scaffolds are properly supported
WAC 296-874-40008	Provide safe access for persons erecting or dismantling supported scaffolds
WAC 296-874-40010	Provide fall protection for persons erecting or dismantling supported scaffolds
WAC 296-874-40012	Meet these requirements when moving mobile scaffolds
WAC 296-874-40014	Meet these requirements when using bricklayers' square scaffolds (squares)
WAC 296-874-40016	Meet these requirements when using crawling boards (chicken ladders)
WAC 296-874-40018	Meet these requirements when using fabricated frame scaffolds (tubular welded frame scaffolds)
WAC 296-874-40020	Meet these requirements when using integral prefabricated scaffold access frames
WAC 296-874-40022	Meet these requirements when using form scaffolds and carpenter's bracket scaffolds
WAC 296-874-40024	Meet these requirements when using horse scaffolds
WAC 296-874-40026	Meet these requirements when using ladder jack scaffolds
WAC 296-874-40028	Meet these requirements when using outrigger scaffolds
WAC 296-874-40030	Meet these requirements when using pole scaffolds
WAC 296-874-40032	Meet these requirements when using pump jack scaffolds
WAC 296-874-40034	Meet these requirements when using repair bracket scaffolds
WAC 296-874-40036	Meet these requirements when using roof bracket scaffolds
WAC 296-874-40038	Meet these requirements when using step, platform, and trestle ladder scaffolds
WAC 296-874-40040	Meet these requirements when using tube and coupler scaffolds
WAC 296-874-40042	Meet these requirements when using window jack scaffolds

**Repealed Section:**

WAC 296-24-860	Scaffolds
WAC 296-24-86005	Definitions applicable to this part
WAC 296-24-86010	General requirements
WAC 296-24-86015	Additional requirements applicable to specific types of scaffolds
WAC 296-24-86020	Training
WAC 296-24-861	Manually propelled mobile ladder stands and scaffolds (towers).
WAC 296-24-86105	General requirements.
WAC 296-24-86110	Mobile tubular welded frame scaffolds.
WAC 296-24-86115	Mobile tubular welded sectional folding scaffolds.
WAC 296-24-86120	Mobile tube and coupler scaffolds.
WAC 296-24-86125	Mobile work platforms.
WAC 296-24-86130	Mobile ladders stands
WAC <a href="#">296-155-481</a>	Scope and application.
WAC <a href="#">296-155-482</a>	Definitions applicable to this part.
WAC <a href="#">296-155-483</a>	General requirements.
WAC <a href="#">296-155-484</a>	Additional requirements applicable to specific types of scaffolds.
WAC <a href="#">296-155-485</a>	Reserved.
WAC <a href="#">296-155-487</a>	Manually-propelled elevating work platforms.
WAC <a href="#">296-155-488</a>	Self-propelled elevating work platforms.
WAC <a href="#">296-155-489</a>	Boom supported elevating work platforms.
WAC <a href="#">296-155-490</a>	Aerial lifts.
WAC <a href="#">296-155-493</a>	Training.
WAC <a href="#">296-155-494</a>	Non-mandatory Appendix A to Part J-1, Scaffold Specifications.
WAC <a href="#">296-155-496</a>	Non-mandatory Appendix C to Part J-1, List of National Consensus Standards.
WAC <a href="#">296-155-497</a>	Non-mandatory Appendix D to Part J-1, List of Training Topics for Scaffold Elevators and Dismantlers.
WAC <a href="#">296-155-498</a>	Non-mandatory Appendix E to Part J-1, Drawings and Illustrations.