



**PROPOSED RULE MAKING  
(RCW 34.05.320)**

**CR-102 (7/22/01)  
Do NOT use for expedited  
rule making**

Agency: Department of Labor and Industries	<input checked="" type="checkbox"/> Original Notice
<input checked="" type="checkbox"/> Preproposal Statement of Inquiry was filed as WSR <u>03-15-116</u> ; or	<input type="checkbox"/> Supplemental Notice
<input type="checkbox"/> Expedited Rule Making -- Proposed notice was filed as WSR _____; or	to WSR _____
<input type="checkbox"/> Proposal is exempt under RCW 34.05.310(4).	<input type="checkbox"/> Continuance of WSR _____

(a) Title of rule: Electrical Safety Standards, Administration, and Installation (Chapter 296-46B WAC)

Purpose: See attachment (a)

Other identifying information: None

(b) Statutory authority for adoption: RCW 19.28.006, 19.28.010, 19.28.031, 19.28.041, 19.28.061, 19.28.101, 19.28.131, 19.28.161, 19.28.171, 19.28.191, 19.28.201, 19.28.211, 19.28.241, 19.28.251, 19.28.271, 19.28.311, 19.28.321, 19.28.400, 19.28.420, 19.28.490, 19.28.551, Chapter 399, Laws of 2003 (Engrossed Substitute Senate Bill 5713); Chapter 211, Laws of 2003 (Engrossed Senate Bill 5210); Chapter 78, Laws of 2003 (Substitute House Bill 1848); and Chapter 242, Laws of 2003 (Substitute House Bill 5434)	Statute being implemented: Chapter 19.28 RCW
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(c) Summary: See attachment (a)

Reasons supporting proposal: See attachment (a)

(d) Name of Agency Personnel Responsible for:	Office Location	Telephone
1. Drafting..... Ron Fuller	Tumwater	360-902-5249
2. Implementation.... Patrick Woods	Tumwater	360-902-6348
3. Enforcement..... Patrick Woods	Tumwater	360-902-6348

(e) Name of proponent (person or organization): Department of Labor and Industries

Private  
 Public  
 Governmental

(f) Agency comments or recommendations, if any, as to statutory language, implementation, enforcement and fiscal matters:  
Not applicable

(g) Is rule necessary because of:

Federal Law?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	If yes, ATTACH COPY OF TEXT
Federal Court Decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Citation: NA
State Court Decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	

(h) HEARING LOCATION: See attachment (h) Date: _____ Time: _____	Submit written comments to: See attachment (h)
	DATE OF INTENDED ADOPTION: May 18, 2004
Assistance for persons with disabilities: Contact Christine Swanson by May 3, 2004 at (360) 902-6411 or <a href="mailto:copc235@lni.wa.gov">copc235@lni.wa.gov</a> for special assistance/accommodation needs	<b>CODE REVISER USE ONLY</b>  <b>WSR#04-08-088</b>
NAME (TYPE OR PRINT) <b>Paul Trause</b>	
SIGNATURE	
TITLE <b>Director</b>	DATE <b>April 6, 2004</b>

(j) Short explanation of rule, its purpose, and anticipated effects:

See attachment (a)

Does proposal change existing rules?  YES  NO

If yes, describe changes:

See attachment (a)

(k) 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 writing to:

telephoning: (     )

faxing: (     )

No. Explain why no statement was prepared

The department has considered whether these proposed rules are subject to the Regulatory Fairness Act and has determined that they do not require a small business economic impact statement because the costs associated with the proposed changes are exempted by law [see RCW 19.85.025 referencing RCW 34.05.310 (4)] from the small business economic impact requirements and/or do not impose a more than minor economic impact on business.

(l) Does RCW 34.05.328 apply to this rule adoption?  Yes  No

Please explain:

Significant rule-making criteria do not apply to these rule changes because the exempt criteria outlined in RCW 34.05.328(5) were met.

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

The purpose of this rulemaking is to:

- Make changes to the electrical rules in response to the following legislation that passed in the 2003 legislative session:
  - Chapter 399, Laws of 2003 (Engrossed Substitute Senate Bill 5713)
  - Chapter 211, Laws of 2003 (Engrossed Senate Bill 5210)
  - Chapter 78, Laws of 2003 (Substitute House Bill 1848)
  - Chapter 242, Laws of 2003 (Substitute House Bill 5434)
- Make necessary changes to reflect current department practices.
- Make necessary housekeeping changes.
- Increase the fees by the fiscal growth factor of 3.2% which is the maximum allowable amount established by the Office of Financial Management.
- Make substantive and clarifying changes based on recommendations from stakeholder groups and the Electrical Board.

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(h) **Hearing Location:**

**Spokane Hearing:**

Date: May 11, 2004                      Time: 11:00 AM

Department of Labor and Industries Building  
901 N Monroe St  
Suite 100  
Spokane, WA

**Tumwater Hearing:**

Date: May 12, 2004                      Time: 2:00 PM

Department of Labor and Industries Building  
S 117  
7273 Linderson Way S.W.  
Tumwater, Washington

**Submit written comments to:**

Christine Swanson  
Specialty Compliance Services Division  
P.O. Box 44400  
Olympia, Washington 98504-4400                      By: May 12, 2004

**Email comments to:**

[copc235@lni.wa.gov](mailto:copc235@lni.wa.gov)    By: May 12, 2004

**Fax comments to:**

(360) 902-5292    By: May 12, 2004

\*Comments submitted by fax must be 10 pages or less.