

BENEFIT-COST ANALYSIS
CHAPTER 296-865 WAC
MOTOR VEHICLES
WASHINGTON STATE DEPARTMENT OF LABOR AND INDUSTRIES
JUNE 27, 2005

This cost benefit analysis, prepared in compliance with the Administrative Procedure Act (APA), describes the probable benefits and probable costs of changes to the rules set forth under chapter 296-865 WAC. The adopted changes fall under the following subsections:

WAC 296-865-100, SCOPE

WAC 296-865-20005, MOTOR VEHICLE OPERATION

WAC 296-865-20015, MOTOR VEHICLE EQUIPMENT

CHANGES

Previously, rules pertaining to general industry standards for Motor Vehicles, Trucks and Trailers reside under WAC 296-24-233. These rules were being re-written for clarity, and moved to a new WAC chapter. When adopted, the adopted rules will reside in chapter 296-865 WAC.

The adopted change makes clear that the rule applies to all motor vehicles and motor vehicle operators that are designed primarily for roadway use, irrespective of where these vehicles are operated. The change affects both WAC 296-865-20005, Motor Vehicle Operation, which requires employees to be licensed drivers and WAC 296-865-20015, Motor Vehicle Equipment, which requires that all vehicle parts and accessories be maintained in such a way as to be safe for use.

Vehicles exempt from these rules include all logging trucks while being used for logging operations, all construction vehicles while being used in construction operations and all agricultural vehicles while being used for agricultural purposes.

PROBABLE COSTS OF ADOPTED CHANGES

It is the view of the Department of Labor & Industries that these rules are highly unlikely to impose costs on any business or industry. For this rule to impose a cost, a firm must own enough property that at least one of their vehicles never passes from their property onto public roads. Additionally, for this rule to impose a cost on an individual business, that business must lack procedures regarding the licensing of their drivers or procedures that insure their vehicles are properly maintained and are safe to operate. Since it is common risk management practice for all companies to require their employees who drive their vehicles to possess a valid driver's license and to properly maintain their vehicles, the probable cost of the adopted changes should be minimal.

PROBABLE BENEFITS OF THE ADOPTED RULES

The prior rule applies to all over the road vehicles operating on public roads. The adopted rule is intended to give all present and future employers requirements for the safe operation of vehicles on private and public property. The requirement for drivers to be licensed assures that drivers possess the minimum competency required to successfully obtain and maintain a driver's license. Requiring vehicles to be maintained in a manner that ensures their safe operation prevents injuries caused by faulty vehicle safety equipment such as worn out brakes and non-operational airbags.

The incidence of these vehicular fatalities is evident in recent statistics. According to Department of Labor and Industries industrial injury and fatality statistics, from Jan. 1, 2005 to March 10, 2005, 4 of the 11 fatalities reported to WISHA involved motor vehicles.

COST – BENEFIT DETERMINATION

The probable cost of this rule is minimal. This rule simply formalizes a common risk management practice and, as such imposes minimal costs on businesses. However, if consistently applied, this rule is likely to lead to the prevention of injury and even death that may result from unsafe driving and improperly maintained vehicles. In this light, it is clear that the benefits of the rule far outweigh any costs.