



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

<input checked="" type="checkbox"/> Preproposal Statement of Inquiry was filed as WSR 04-20-077 ; or	<input checked="" type="checkbox"/> Original Notice
<input type="checkbox"/> Expedited Rule Making--Proposed notice was filed as WSR _____; or	<input type="checkbox"/> Supplemental Notice to WSR _____
<input type="checkbox"/> Proposal is exempt under RCW 34.05.310(4).	<input type="checkbox"/> Continuance of WSR _____

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

Hearing location(s):

Date: April 5, 2005 Time: 11:00 a.m.
 Department of Labor and Industries
 15 West Yakima Avenue, Suite 100
 Yakima, Washington

Date: April 6, 2005 Time: 10:00 a.m.
 Department of Labor and Industries
 7273 Linderson Way Southwest, Room S117
 Tumwater, Washington

Submit written comments to:

Name: Sally Elliott, Specialty Compliance Services Division
 Address: Post Office Box 44400
 Olympia, Washington 98504-4400
 e-mail: yous235@lni.wa.gov
 fax (360) 902-5292 by April 6, 2005

Assistance for persons with disabilities: Contact

Sally Elliott by March 21, 2005

At yous235@lni.wa.gov or (360) 902-6411

Date of intended adoption: April 19, 2005
 (Note: This is NOT the effective date)

Purpose of the proposal and its anticipated effects, including any changes in existing rules:

The primary purpose of this rulemaking is to update the electrical rules to adopt the current American National Standard Institute (ANSI) standards and the 2005 National Electrical Code (NEC), which are national consensus standards that the industry is already using. Changes will also make the electrical rule easier to use and understand, correcting some typographical errors and reformatting for usability. The rule also allowed the electrical industry to make proposals to improve code interpretations and align rules with industry practices.

The rulemaking will:

- Update references to the National Electrical Code (NEC) and National Fire Protection Association (NFPA) throughout the rule.
- Update the wording to be consistent with the ANSI and NEC, which will clarify the wording for ease of use and understanding.
- Make minor technical changes that will align the rules with industry installation practices.
- Update the rule for the creation of an open window for accepting previous work experience for appliance repair workers seeking approval for certification.
- Make necessary housekeeping changes.
- Make substantive and clarifying changes based on recommendations from stakeholder groups and the Electrical Board.

Reasons supporting proposal: See purpose statement.

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, 19.28.281, 19.28.311, 19.28.321, 19.28.400, 19.28.420, 19.28.490, 19.28.551

Statute being implemented: Chapter 19.28 RCW

Is rule necessary because of a:

Federal Law?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Federal Court Decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
State Court Decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

If yes, CITATION:

CODE REVISER USE ONLY

DATE
 March 1, 2005

NAME (type or print)
 Paul Trause

SIGNATURE

TITLE
 Director

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

None.

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

- Private
- Public
- Governmental

Name of agency personnel responsible for:

Name	Office Location	Phone
Drafting..... Ron Fuller	Tumwater	(360) 902-5249
Implementation.... Patrick Woods	Tumwater	(360) 902-6348
Enforcement..... Patrick Woods	Tumwater	(360) 902-6348

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.

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 since the proposed changes are updating the rule based upon national consensus standards and clarifying the rule for ease of use and understanding [see RCW 19.85.025 referencing RCW 34.05.310 (4)]. Therefore, the department is exempt from the small business economic impact requirements because the proposed changes do not impose a more than minor economic impact on business.

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:

The department determined the proposed changes do not require a cost-benefit analysis because the costs associated with the proposed changes are exempted by law since the proposed changes are updating the rule based upon national consensus standards and clarify the rule for ease of use and understanding [see RCW 19.85.025 referencing RCW 34.05.310 (4)].