



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 04-24-024 ; 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: Chapter 296-96 WAC, Safety regulations and fees for all elevators, dumbwaiters, escalators and other conveyances

Hearing location(s):
 Department of Labor and Industries
 Tukwila Service Location
 12806 Gateway Dr
 Tukwila, WA

Date: October 25, 2007 Time: 1:00 pm

Date of intended adoption: November 20, 2007
(Note: This is NOT the effective date)

Submit written comments to:
 N Name: Sally Elliott
 Address: Post Office Box 44400
 Olympia, Washington 98504-4400
 e-mail: yous235@lni.wa.gov
 fax (360) 902-5292 by October 25, 2007

Assistance for persons with disabilities: Contact
 Sally Elliott by September 1, 2007 at yous235@lni.wa.gov or
 (360) 902-6411

Purpose of the proposal and its anticipated effects, including any changes in existing rules: The department reviewed the elevator rules for additions and revisions. The elevator rules are periodically reviewed to ensure the rules are consistent with the national consensus standards, industry practice, and to clarify the rules. The following changes were made to the elevator rules:

- Updating national consensus standards to a more current version.
- Moving alteration permit and process from Part B to Part C to assist with clarification.
- Giving category 02 elevator mechanics the ability to install residential elevators. Category 02 elevator mechanics will receive the same amount of training as category 01 elevator mechanics, therefore residential elevators is being added to category 02.
- Updating the residential inclined elevator requirements to be consistent with the national consensus standards for enclosure and suspension.
- Reorganization of Part C to group related topics together. For example, all machine room requirements will be together instead of spread through the chapter.
- General housekeeping changes. For example, an annual elevator permit is being changed to an annual operating certificate. This change will be consistent with the new Elevator Conveyance Management system.

Reasons supporting proposal: See purpose statement.

Statutory authority for adoption: Chapter 70.87 RCW

Statute being implemented: Chapter 70.87 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:

DATE
September 18, 2007

NAME (type or print)
Judy Schurke

SIGNATURE

TITLE
Director

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: September 18, 2007

TIME: 11:56 AM

WSR 07-19-092

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 and Industries

- Private
- Public
- Governmental

Name of agency personnel responsible for:

Name	Office Location	Phone
Drafting..... Jack Day	Tumwater, Washington	(360) 902-6128
Implementation.... Patrick Woods	Tumwater, Washington	(360) 902-6348
Enforcement..... Patrick Woods	Tumwater, Washington	(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.

A small business economic impact statement has not been prepared under chapter 19.85 RCW. The department has considered whether these proposed rules are subject to the Regulatory Fairness Act and has determined they do not require a small business economic impact statement because the proposed rules are clarifying the rules without changing their effect and incorporating national consensus codes that generally establish industry standards [see RCW 19.85.025 referencing exemptions listed under RCW 34.05.310 (4)(c) and (d)].

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 was not prepared under chapter 19.85 RCW. The department considered whether these proposed rules are subject to the Regulatory Fairness Act and has determined they do not require a cost-benefit analysis because the proposed rules are clarifying the rules without changing their effect and incorporating national consensus codes that generally establish industry standards [see exemptions, RCW 34.05.328 (5)(b)].

