



# 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 05-08-113; 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: Portable Ladders**

The department is proposing to rewrite and clarify requirements relating to portable ladders. The department is repealing the rule in chapters 296-24, 296-155 and 296-800 WAC and proposing portable ladders as a new chapter. This rulemaking is part of our goal to rewrite all of WISHA's general occupational safety and health rules for clarity.

**Hearing location(s):**  
Department of Labor and Industries Building  
Room S117  
7273 Linderson Way S.W.  
Tumwater, Washington

Date: August 1, 2005 Time: 1:30 pm

**Date of intended adoption:** September 7, 2005  
(Note: This is NOT the effective date)

**Submit written comments to:**  
Name: Cindy Ireland, Project Manager  
Address: Department of Labor and Industries  
PO Box 44620  
Olympia, WA 98507-4620  
e-mail [moooc235@lni.wa.gov](mailto:moooc235@lni.wa.gov)  
fax (360)902-5529 by August 8, 2005

**Assistance for persons with disabilities:**  
Contact Kim Johnson by July 18, 2005  
TTY (360) 902-5008 or rhok235@lni.wa.gov

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

The purpose of this rulemaking is to make this rule easy to read, understand and more usable for employers. This proposal will place all portable ladder requirements (chapters 296-24, 296-155 and 296-800 WAC) into one chapter, 296-876 WAC, Portable Ladders. There are no anticipated effects. See Attachment (a).

**Reasons supporting proposal:** 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 # 05-12-030**

**DATE**  
May 24, 2005

**NAME** (type or print)  
Gary K. Weeks

**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..... Tracy Spencer	Tumwater	(360) 902-5530
Implementation....Michael Wood	Tumwater	(360) 902-5495
Enforcement..... Michael Wood	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.

According to RCW 19.85.030 (1)(a), a small business economic impact statement is required only when a rule will “impose more than a minor cost on businesses in an industry.” An analysis of the rule reveals that in addition to not imposing new costs on businesses, these revisions will make WISHA rules easier for employers and employees to understand and use, and thus save them time and resources. Therefore, no SBEIS is required.

**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:

There are no costs to assess within these rule amendments.

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**AMENDED PARTS:**

**Chapter 296-24 WAC, Part J-1.**

- Add the word “fixed” into the title of this part.

**Chapter 296-155 WAC, Part J.**

- Add the word “fixed” into the title of this part.

**AMENDED SECTIONS:**

**WAC 296-155-475, Scope and application.**

- Add references to the new portable ladder and scaffold chapters.
- Add the word “fixed” to the scope of this part.

**WAC 296-155-47501, Definitions applicable to this part.**

- Delete the following definitions:
  - extension trestle ladder, job-made ladder, ladder types, portable ladder, single rail ladder, special purpose ladder, step stool and trestle ladder.

**WAC 296-155-480, Ladders.**

- Add the word “fixed” to the title of this section.
- Delete the requirements relating to portable ladders from this section. Add language referencing the new portable ladder rule, chapter 296-876 WAC.

**WAC 296-155-48080, Appendix A.**

- Delete the portable ladder ANSI references.

**NEW CHAPTER:**

**Chapter 296-876 WAC, Portable Ladders.**

- Move requirements relating to portable ladders from chapters 296-800, 296-24 and 296-155 WAC to this chapter. This rulemaking is part of our four-year plan to rewrite for clarity all of our general occupational safety and health rules.

**NEW SECTIONS:**

**WAC 296-876-100, Scope.**

- Requirements relating to portable ladders, including job-made wooden ladders are being moved to this chapter.

**WAC 296-876-200, Design and Construction, Section contents.**

- Create this section contents/summary page relating to design and construction of portable ladders.

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**WAC 296-876-20005, Design and construction.**

- Create this section to consolidate all of the design and construction requirements relating to portable ladders located in chapters 296-24, 296-155 and 296-800 WAC.

**WAC 296-876-300, Ladder Care, Section contents.**

- Create this section contents/summary page relating to ladder care (condition, inspection, repair storage and transport).

**WAC 296-876-30005, Condition and inspection.**

- Requirements relating to the condition and inspection of portable ladders were moved from WAC 296-800-29005, WAC 296-800-29010, WAC 296-800-29020, WAC 296-800-29025 and WAC 296-155-480 to this section.

**WAC 296-876-30010, Repair.**

- Requirements relating to the repair of portable ladders were moved from WAC 296-800-29025 and WAC 296-155-480 to this section.

**WAC 296-876-30015, Storage.**

- Requirements relating to the storage of portable ladders were moved from WAC 296-800-29010 and WAC 296-800-29025 to this section.

**WAC 296-876-30020, Transport.**

- Requirements relating to the transport of portable ladders were moved from WAC 296-800-29010 to this section.

**WAC 296-876-400, Use, Section contents.**

- Create this section contents/summary page relating to use of portable ladders.

**WAC 296-876-40005, Designed use.**

- Requirements relating to the designed use of portable ladders were moved from WAC 296-800-29015, WAC 296-800-29030 and WAC 296-155-480 to this section.

**WAC 296-876-40010, Workplace activities or traffic.**

- Requirements relating to the workplace activities or traffic around portable ladders were moved from WAC 296-800-29030 and WAC 296-155-480 to this section.

**WAC 296-876-40015, Support.**

- Requirements relating to the support of portable ladders were moved from WAC 296-800-29015, WAC 296-800-29030 and WAC 296-155-480 to this section.

**WAC 296-876-40020, Set-up.**

- Requirements relating to the set-up of portable ladders were moved from WAC 296-800-29015, WAC 296-800-29030 and WAC 296-155-480 to this section.

**WAC 296-876-40025, Climbing and descending.**

- Requirements relating to the climbing and descending on portable ladders were moved from WAC 296-800-29005, WAC 296-800-29015, WAC 296-800-29030 and WAC 296-155-480 to this section.

**WAC 296-876-40030, Getting on and off ladders at upper levels.**

- Requirements relating to getting on and off ladders at upper levels were moved from WAC 296-800-29030 and WAC 296-155-480 to this section.

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**WAC 296-876-40035, Exposed electrical hazards.**

- Requirements relating to exposed electrical hazards were moved from WAC 296-800-29030 and WAC 296-155-480 to this section.

**WAC 296-876-40040, Persons on ladders.**

- Requirements relating to persons on portable ladders were moved from WAC 296-800-29035 and WAC 296-155-480 to this section.

**WAC 296-876-40045, Multi-section ladders.**

- Requirements relating to multi-section ladders were moved from WAC 296-24-78007, WAC 296-24-79503, WAC 296-800-29015, WAC 296-800-29030 and WAC 296-155-480 to this section.

**WAC 296-876-40050, Self-supporting ladders.**

- Requirements relating to self-supporting ladders were moved from WAC 296-800-29040 and WAC 296-155-480 to this section.

**WAC 296-876-500, Training, Section contents.**

- Create this section contents/summary page relating to training.

**WAC 296-876-50005, Training.**

- Requirements relating to training were moved from WAC 296-155-480 to this section.

**WAC 296-876-600, Definitions.**

- The following definitions were consolidated from chapters 296-24, 296-155, and 296-800 WAC that relate to portable ladders:
  - cleat, double-cleat ladder, equivalent, extension ladder, extension trestle ladder, failure, job-made ladder, ladder, ladder type, maximum intended load, portable ladder, reinforced plastic, reinforced plastic ladder, rung, sectional ladder, single-cleat ladder, single ladder, single-rail ladder, special-purpose ladder, step, stepladder, stress-grade lumber, trestle ladder and working length.

**REPEALED SECTIONS:**

**WAC 296-24-780, Portable wood ladders.**

- Requirements relating to portable wood ladders have been moved to chapter 296-876 WAC.

**WAC 296-24-78003, Application of requirements.**

- Requirements relating to portable wood ladders have been moved to chapter 296-876 WAC.

**WAC 296-24-78005, Materials.**

- Requirements relating to portable wood ladders have been moved to chapter 296-876 WAC.

**WAC 296-24-78007, Construction requirements.**

- Requirements relating to portable wood ladders have been moved to chapter 296-876 WAC.
- Requirements relating to the design and construction of portable ladders have been moved to WAC 296-876-20005.

**WAC 296-24-78009, Ladder tests.**

- Requirements relating to portable wood ladders have been moved to chapter 296-876 WAC.

**WAC 296-24-795, Portable metal ladders.**

- Requirements relating to portable metal ladders have been moved to chapter 296-876 WAC.

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**WAC 296-24-79501, Terms.**

- Requirements relating to portable metal ladders have been moved to chapter 296-876 WAC.

**WAC 296-24-79503, Requirements.**

- Requirements relating to portable metal ladders have been moved to chapter 296-876 WAC.

**WAC 296-24-79505, Testing.**

- Requirements relating to portable metal ladders have been moved to chapter 296-876 WAC.

**WAC 296-800-290, Summary.**

- Requirements relating to portable ladders have been moved to chapter 296-876 WAC.

**WAC 296-800-29005, Inspect your portable metal ladders periodically.**

- Requirements relating to portable ladders have been moved to chapter 296-876 WAC.

**WAC 296-800-29010, Make sure your portable metal ladders are kept in good condition.**

- Requirements relating to portable ladders have been moved to chapter 296-876 WAC.

**WAC 296-800-29015, Use your portable metal ladders safely.**

- Requirements relating to portable ladders have been moved to chapter 296-876 WAC.

**WAC 296-800-29020, Inspect your portable wooden ladders frequently.**

- Requirements relating to portable ladders have been moved to chapter 296-876 WAC.

**WAC 296-800-29025, Make sure your portable wooden ladders are kept in good condition.**

- Requirements relating to portable ladders have been moved to chapter 296-876 WAC.

**WAC 296-800-29030, Use your portable wooden ladders safely and for their intended purpose.**

- Requirements relating to portable ladders have been moved to chapter 296-876 WAC.

**WAC 296-800-29035, Safely use a portable wooden ladder when working more than 25 feet above ground.**

- Requirements relating to portable ladders have been moved to chapter 296-876 WAC.

**WAC 296-800-29040, Use wooden stepladders safely.**

- Requirements relating to portable ladders have been moved to chapter 296-876 WAC.