



# RULE-MAKING ORDER

**CR-103 (June 2004)**  
**(Implements RCW 34.05.360)**

**Agency:** Department of Labor and Industries

- Permanent Rule
- Emergency Rule

**Effective date of rule:**

**Permanent Rules**

- 31 days after filing.
- Other (specify) January 1, 2006 (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

**Effective date of rule:**

**Emergency Rules**

- Immediately upon filing.
- Later (specify)

**Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?**

- Yes
  - No
- If Yes, explain:

**Purpose: Portable Ladders**

The purpose of this rulemaking is to make this rule easy to read, understand and more usable for employers. This adoption 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 (1).

**Citation of existing rules affected by this order:**

Repealed: See attachment (2)  
 Amended: See attachment (2)  
 Suspended: N/A

**Statutory authority for adoption:** RCW 49.17.010, 49.17.040, 49.17.050, 49.17.060

**Other authority:** None.

**PERMANENT RULE ONLY (Including Expedited Rule Making)**

Adopted under notice filed as WSR 05-12-030 on May 24, 2005.

Describe any changes other than editing from proposed to adopted version: See attachment (3).

**EMERGENCY RULE ONLY**

Under RCW 34.05.350 the agency for good cause finds:

- That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.
- That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this finding:

**Date adopted:** October 4, 2005

**NAME (TYPE OR PRINT)**  
Gary K. Weeks

**SIGNATURE**

**TITLE**  
Director

**CODE REVISER USE ONLY**

**WSR# 05-20-068**

(COMPLETE REVERSE SIDE)

**Note: If any category is left blank, it will be calculated as zero.  
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.  
A section may be counted in more than one category.**

**The number of sections adopted in order to comply with:**

<b>Federal statute:</b>	New	_____	Amended	_____	Repealed	_____
<b>Federal rules or standards:</b>	New	<u>22</u>	Amended	<u>6</u>	Repealed	<u>18</u>
<b>Recently enacted state statutes:</b>	New	_____	Amended	_____	Repealed	_____

**The number of sections adopted at the request of a nongovernmental entity:**

New	_____	Amended	_____	Repealed	_____
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**The number of sections adopted in the agency's own initiative:**

New	<u>22</u>	Amended	<u>6</u>	Repealed	<u>18</u>
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**The number of sections adopted in order to clarify, streamline, or reform agency procedures:**

New	<u>22</u>	Amended	<u>6</u>	Repealed	<u>18</u>
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**The number of sections adopted using:**

<b>Negotiated rule making:</b>	New	_____	Amended	_____	Repealed	_____
<b>Pilot rule making:</b>	New	_____	Amended	_____	Repealed	_____
<b>Other alternative rule making:</b>	New	<u>22</u>	Amended	<u>6</u>	Repealed	<u>18</u>

**Purpose:**

**AMENDED PARTS:**

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

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

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

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

**AMENDED SECTIONS:**

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

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

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

- Deleted 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.**

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

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

- Deleted the portable ladder ANSI references.

**NEW CHAPTER:**

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

- Moved 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 were moved to this chapter.

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

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

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

- Created 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.**

- Created 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.**

- Created 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.**

- Created 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, extension ladder, failure, job-made ladder, ladder, ladder type, maximum intended load, portable ladder, reinforced plastic, reinforced plastic ladder, rung, single ladder, single-rail ladder, special-purpose ladder, step, stepladder, 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.

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**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.

**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.

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**Citation of existing rules affected by this order:**

**AMENDED SECTIONS:**

- WAC 296-155-475, Scope and application.
- WAC 296-155-47501, Definitions applicable to this part.
- WAC 296-155-480, Ladders.
- WAC 296-155-48080, Appendix A.

**REPEALED SECTIONS:**

- WAC 296-24-780, Portable wood ladders.
- WAC 296-24-78003, Application of requirements.
- WAC 296-24-78005, Materials.
- WAC 296-24-78007, Construction requirements.
- WAC 296-24-78009, Ladder tests.
- WAC 296-24-795, Portable metal ladders.
- WAC 296-24-79501, Terms.
- WAC 296-24-79503, Requirements.
- WAC 296-24-79505, Testing.
- WAC 296-800-290, Summary.
- WAC 296-800-29005, Inspect your portable metal ladders periodically.
- WAC 296-800-29010, Make sure your portable metal ladders are kept in good condition.
- WAC 296-800-29015, Use your portable metal ladders safely.
- WAC 296-800-29020, Inspect your portable wooden ladders frequently.
- WAC 296-800-29025, Make sure your portable wooden ladders are kept in good condition.
- WAC 296-800-29030, Use your portable wooden ladders safely and for their intended purpose.
- WAC 296-800-29035, Safely use a portable wooden ladder when working more than 25 feet above ground.
- WAC 296-800-29040, Use wooden stepladders safely.

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

**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.

**CHANGES TO THE RULES** (Proposed rule versus rule actually adopted):

- Inserted commas in the text in the table where appropriate.
- Clarified the language in the table relating to visually inspecting the ladder. Deleted the language that said, “Visually inspect the ladder:
  - Metal and reinforced plastic ladders for dents or bends in the side rails and excessively dented rungs or steps
  - Wood ladders for cracks or splits in the side rails and rungs or steps”

Replaced these bullets with, “Visually inspect the ladder for:

- Dents, bends, cracks or splits”.

**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.

**CHANGES TO THE RULES** (Proposed rule versus rule actually adopted):

- Added the words “Ladder type” and made this definition consistent with the definition located in WAC 296-876-600.

**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.

**CHANGES TO THE RULES** (Proposed rule versus rule actually adopted):

- Added a title to the illustration. It is now called “Safe Ladder Angle”.

**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.

**CHANGES TO THE RULES** (Proposed rule versus rule actually adopted):

- In the first bullet, changed the word “extend” to extended” for clarity. Also, added a comma between the words “surface” and “if”.

**Changes other than editing from proposed to adopted version**

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**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.

**CHANGES TO THE RULES** (Proposed rule versus rule actually adopted):

- Deleted the words “Handling pressure equipment”.

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

- Consolidated definitions relating to portable ladders from chapters 296-24, 296-155, and 296-800 WAC and added to this section.

**CHANGES TO THE RULES** (Proposed rule versus rule actually adopted):

- Deleted the following definitions because the terms are not included in this rule:  
Double-cleat ladder, equivalent, extension trestle ladder, sectional ladder, single-cleat ladder and stress-grade lumber.
- Changed the definition of “Ladder type” to make it consistent with the definition found earlier in this chapter, WAC 296-876-40005.