



# 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 05-14-141 ; 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 296-46B WAC, Electrical Safety Standards, Administration, and Installation

<b>Hearing location(s):</b> Department of Labor and Industries 7273 Linderson Way SW, Room S119/S118 Tumwater, Washington	<b>Submit written comments to:</b> 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 September 27, 2005
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Date: September 27, 2005 Time: 9:00 am	<b>Assistance for persons with disabilities:</b> Contact Sally Elliott by September 15, 2005 at yous235@lni.wa.gov or (360) 902-6411
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**Date of intended adoption:** October 18, 2005  
(Note: This is **NOT** the **effective** date)

**Purpose of the proposal and its anticipated effects, including any changes in existing rules:**  
The purpose of the rulemaking is to make clarifications to chapter 296-46B WAC. The department is proposing the following changes:

- WAC 296-46B-030 will be amended to include manufacturing training facilities.
- WAC 296-46B-110 will be amended to allow class B electricians to install thermostats, security systems, intercoms, and other specific types of low voltage systems. This will align inspection practices to reflect safety issues and inspections.
- WAC 296-46B-900 will be amended to include low risk types of installations into the list of work where no inspection is required.
- WAC 296-46B-905 will be amended to update definitions. We will not be increasing fees with this rulemaking.
- WAC 296-46B-915 will be amended to allow the program to issue warnings for certain violations. If an entity continues to violate the rules after a warning a subsequent violation may be considered to be serious in nature and have a higher penalty.
- WAC 296-46B-920 will be amended to clarify that most specialty electricians cannot perform any plumbing work regulated under chapter 18.106 RCW.

**Reasons supporting proposal:** See purpose statement.

<b>Statutory authority for adoption:</b> 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	<b>Statute being implemented:</b> Chapter 19.28 RCW
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<b>Is rule necessary because of a:</b> 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: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<b>CODE REVISER USE ONLY</b> <b>WSR #05-17-167</b>
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<b>DATE</b> August 23, 2005	
<b>NAME</b> (type or print) Gary K. Weeks	
<b>SIGNATURE</b>	
<b>TITLE</b> 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 determined the proposed rules 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 Washington State statutes and clarifying the rule for ease of use and understanding. See RCW 34.05.310(4)(c) and RCW 34.05.310(4)(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:

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 Washington State statutes and clarifying the rule for ease of use and understanding. See RCW 34.05.328(5)(b)(iii) & (iv)