



# 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 05-16-097 ; 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: Factory Assembled Structures, chapters 296-150C, 296-150F, and 296-150V WAC

### Hearing location(s):

Department of Labor and Industries  
7273 Linderson Way SW, Room S117  
Tumwater, Washington

Date: October 25, 2005 Time: 8:30 am

### 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 October 25, 2005

### Assistance for persons with disabilities: Contact

Sally Elliott by September 15, 2005 at yous235@lni.wa.gov or  
(360) 902-6411

Date of intended adoption: November 3, 2005

(Note: This is NOT the effective date)

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

The Electrical Program recently adopted rules that directly impact the Factory Assembled Structure rules. The Factory Assembled Structure rules reference the Electrical rules, which now states electrical plan reviews are not required for structures under 400 amp electrical service. Examples of these types of buildings are: portable classrooms, educational facilities, city or county jail cells, prisons, small hospitals, MRI structures, or medical clinics. The Factory Assembled Structure statute states the program needs to conduct plan review on all systems within the structure. Therefore, we are proceeding with rulemaking to ensure the statute and rules are consistent.

Reasons supporting proposal: See purpose statement.

Statutory authority for adoption: Chapter 43.22 RCW

Statute being implemented: Chapter 43.22 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:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

### CODE REVISER USE ONLY

WSR# 05-19-088

### DATE

September 20, 2005

### NAME (type or print)

Gary K. Weeks

### SIGNATURE

### TITLE

Director

(COMPLETE REVERSE SIDE)

**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..... Pete Schmidt	Tumwater	(360) 902-5571
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 proposed rules do not require that a small business economic impact statement be conducted because the proposed changes are exempted by law since the proposed changes are updating the rule based on changes in Washington State statutes. RCW 34.05.310(4)(c)

**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 proposed rules do not require a cost-benefit analysis because the proposed changes are exempted by law since the proposed changes are updating the rule based upon Washington State statutes. RCW 34.05.328(5)(b)(iii)