



# 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) \_\_\_\_\_ (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:** Electrical Program recently adopted amendments to its rules that directly impact the Factory Assembled Structure (FAS) rules. This emergency rulemaking will immediately amend the FAS rules changing the reference to the Electrical rules which states that electrical plan reviews are not required for structures under 400 amp electrical service. Such structures include: portable classrooms, educational facilities, city or county jail cells, prisons, small hospitals, MRI structures, or medical clinics. The amendments will clearly state that an electrical plan review must be conducted on all systems within the structure making them consistent with the Electrical rules and the statute, Department of Labor and Industries, chapter 43.22 RCW. Permanent rulemaking will also be conducted to permanently put these amendments in place.

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

Repealed: None  
 Amended: WAC 296-150C-0020, WAC 296-150C-0320, WAC 296-150C-3000, WAC 296-150F-0020, WAC 296-150F-0320, WAC 296-150F-3000, WAC 296-150V-0020, WAC 296-150V-0320, WAC 296-150V-3000,  
 Suspended: None

**Statutory authority for adoption:** Chapter 43.22 RCW

**Other authority :** None.

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

Adopted under notice filed as WSR \_\_\_\_\_ on \_\_\_\_\_ (date).

Describe any changes other than editing from proposed to adopted version:

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:

Name: \_\_\_\_\_ phone ( ) \_\_\_\_\_  
 Address: \_\_\_\_\_ fax ( ) \_\_\_\_\_  
 e-mail \_\_\_\_\_

**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: The department is adopting emergency rules for Factory Assembled Structures to ensure the rules are consistent with the statute. The amendments will ensure all plans are reviewed by the department.

**Date adopted:** August 9, 2005

**CODE REVISER USE ONLY**

WSR #05-17-039

**NAME (TYPE OR PRINT)**

Gary K. Weeks

**SIGNATURE**

**TITLE**

Director

(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	_____	Amended	_____	Repealed	_____
<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	_____	Amended	<u>9</u>	Repealed	_____
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**The number of sections adopted in order to clarify, streamline, or reform agency procedures:**

New	_____	Amended	_____	Repealed	_____
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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	_____	Amended	<u>9</u>	Repealed	_____