



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: Chapter 296-46B WAC, Electrical Safety Standards, Administration, and Installation.

The department adopted provisions from the 2005 National Electrical Code (NEC) regarding coordinated systems for new and existing buildings or structures. It was recently brought to the department's attention that upgrading existing buildings to a coordinated system is placing a significant economic burden on building owners and businesses. Also, due to the increased regulatory requirements associated with the coordinated systems, facilities such as hospitals and schools will have to be placed out-of-service for extended periods of time. The emergency rules will not require existing buildings to install a coordinated system. The emergency rules will provide building owners and businesses financial relief from having to upgrade the existing emergency systems without compromising public safety. The emergency adoption of these changes is necessary to address issues associated with general welfare and public safety. WAC sections: WAC 296-46B-700, Special conditions – Emergency systems (amended) and WAC 296-46B-701, Legally required standby systems (new)

Citation of existing rules affected by this order:

Repealed:
 Amended: WAC 296-46B-700, Special conditions – Emergency systems
 Suspended:

Statutory authority for adoption: Chapter 19.28 RCW, Electricians and Electrical Installations

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: na

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 emergency adoption of these changes is necessary to address issues associated with general welfare and public safety. It would be detrimental the general welfare and public safety if hospitals and schools had to be shut down while the upgrades are being made or if such public facilities could not open because the cost of the upgrades would be a significant economic burden.

Date adopted: May 31, 2006

CODE REVISER USE ONLY

WSR# 06-12-030

NAME (TYPE OR PRINT)

Gary K. Weeks

SIGNATURE

TITLE

Director

**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:

Federal statute:	New	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	_____	Amended	_____	Repealed	_____
Recently enacted state statutes:	New	_____	Amended	_____	Repealed	_____

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

New	_____	Amended	_____	Repealed	_____
-----	-------	---------	-------	----------	-------

The number of sections adopted in the agency's own initiative:

New	<u>1</u>	Amended	<u>1</u>	Repealed	_____
-----	----------	---------	----------	----------	-------

The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	_____	Amended	_____	Repealed	_____
-----	-------	---------	-------	----------	-------

The number of sections adopted using:

Negotiated rule making:	New	_____	Amended	_____	Repealed	_____
Pilot rule making:	New	_____	Amended	_____	Repealed	_____
Other alternative rule making:	New	<u>1</u>	Amended	<u>1</u>	Repealed	_____