



EXPEDITED RULE MAKING

CR-105 (June 2004)
(Implements RCW 34.05.353)
EXPEDITED RULE MAKING ONLY

Agency: Department of Labor and Industries

Title of rule and other identifying information: Chapter 296-874 WAC, Scaffolds

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO

Name: Rules Coordinator

Agency: Department of Labor and Industries

Address: Post Office Box 4400, Olympia, Washington 98504-4001

AND RECEIVED BY July 2, 2007

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

On January 23, 2007, the department adopted changes to chapter 296-874 WAC, Scaffolds. The purpose of this rulemaking is to correct errors and to make housekeeping changes to keep this rule as effective as the federal equivalent.

For example: In WAC 296-874-20052, the word "arrest" was removed from the existing rule and replaced with the word "restraint." We are correcting that error by adding the word "arrest" back into the rule, which keeps us as effective as the federal equivalent.

In addition, we will be repealing the crawling board requirements in WAC 296-874-40016, and one crawling board requirement in WAC 296-874-20056, because they do not meet the requirements for the scaffolds rule, and already exist in the construction rule, chapter 296-155 WAC.

Reasons supporting proposal:

The department is expediting the rulemaking to correct errors and to make housekeeping changes to keep this rule as effective as the federal equivalent.

Statutory authority for adoption: RCW 49.17.010, 49.17.050, 49.17.060

Statute being implemented: Chapter 49.17 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:

DATE
May 1, 2007

NAME (TYPE OR PRINT)
Judy Schurke

SIGNATURE

TITLE
Director

CODE REVISER USE ONLY

**OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED**

**DATE: May 01, 2007
TIME: 8:26 AM**

WSR 07-10-070

Name of proponent:) Department of Labor and Industries, Division of Occupational Safety and Health (DOSH)

- Private
- Public
- Governmental

Name of agency personnel responsible for:

Name	Office Location	Phone
Drafting..... Tracy Spencer	Tumwater, Washington	(360) 902 -5530
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Enforcement.....Stephen M. Cant	Tumwater, Washington	(360) 902-5495

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:

N/A

(a) Chapter 296-874 WAC, Scaffolds

WAC 296-874-100, Scope

- Correcting a referenced WAC number

WAC 296-874-20030, Make sure ramps and walkways used to access scaffolds meet these requirements

- Correcting a title to: "Working surfaces, guarding floors and wall openings."

WAC 296-874-20052, Provide fall protection for employees on scaffolds

- Adding the word "arrest" and removing the word "restraint"

WAC 296 -874-20056, Provide specific fall protection for specific types of scaffolds

- Removing a requirement that does not belong in the rule

WAC 296-874-40004, Prevent supported scaffolds from tipping

- Correcting the title of the illustration to match the actual requirement

WAC 296-874-40006, Make sure supported scaffolds are properly supported

- Adding a reference

WAC 296-874-40040, Meet these requirements when using tube and coupler scaffolds

- Removing an illustration that does not belong in this section of the rule

WAC 296-874- 500, Definitions.

- Removing a definition (crawling board) that does not belong in the rule

WAC 296-874-40016, Meet these requirements when using crawling boards (chicken ladders)

- Repealing crawling board requirements from this chapter because they do not meet the requirements for the scaffolds rule, and already exist in the construction rule, chapter 296-155 WAC.