



# 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 07-22-098 ; 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

Hearing location(s):  
See attachment 1.

Date: \_\_\_\_\_ Time: \_\_\_\_\_

Submit written comments to:  
Name: Sally Elliott  
Address: Post Office Box 44400  
Olympia, Washington 98504-4400  
e-mail yous235@lni.wa.gov  
fax (360) 902-5292 by September 29, 2008

Assistance for persons with disabilities: Contact  
Sally Elliott by September 1, 2008  
at yous235@lni.wa.gov or (360) 902-6411

Date of intended adoption: November 4, 2008  
(Note: This is NOT the effective date)

Purpose of the proposal and its anticipated effects, including any changes in existing rules: The department has reviewed the electrical rule for additions and revisions. The electrical rules are reviewed on a regular basis to: ensure the rules are consistent with the national consensus standards, industry practice, clarify the rules, and make fee changes.

The rulemaking will:

- Adopt the 2008 National Electrical Code (NEC) and other more current electrical standards.
- Include modifications of the NEC that are consistent with electrical installation methods in Washington.
- Make minor typographical and grammatical changes to correct errors and references.
- Modify the approval process for industrial equipment to make it more usable for our customers.
- Provide clarification to current language and intent in chapter 19.28 RCW and the rule to be consistent with L&I's interpretation of the statute and the current rule.
- Return the cost of electrical permits to their previous levels, before the temporary 5 percent fee reduction.
- Return the cost of electrical licenses to their previous levels, before the temporary 5 percent fee reduction for those licenses that are processed manually.
- Reformat and relocate certain technical sections to allow easier adoption by city jurisdictions.

Reasons supporting proposal: See purpose statement.

Statutory authority for adoption: 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

Statute being implemented: Chapter 19.28 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  
August 19, 2008

NAME (type or print)  
Judy Schurke

SIGNATURE

TITLE  
Director

### CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

DATE: August 19, 2008

TIME: 11:50 AM

WSR 08-17-077

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

NA

**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, Washington | (360) 902-5249 |
| Implementation.... Patrick Woods | Tumwater, Washington | (360) 902-6348 |
| Enforcement..... Patrick Woods   | Tumwater, Washington | (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.

This rule is specifically exempt from the SBEIS requirement because since the proposed changes will clarify rule language without changing its effect [see RCW 34.05.328(5)(b)(iv)].

**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:

This rule is specifically exempt from the CBA requirement because the proposed changes are exempted by law since the proposed changes will clarify rule language without changing its effect [see RCW 34.05.310(4)(d)].

## **Attachment 1 – Electrical Public Hearings**

Tukwila:

Date: September 23, 2008

Time: 10:00 a.m.

Location: Department of Labor and Industries, Tukwila Service Location  
12806 Gateway Drive  
Tukwila, Washington

Spokane:

Date: September 25, 2008

Time: 2:00 p.m.

Location: Department of Labor and Industries, Spokane Service Location  
901 N Monroe Street, Suite 100  
Spokane, Washington

Tumwater:

Date: September 29, 2008

Time: 9:00 a.m.

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