



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 08-15-145 ; 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 296-96 WAC, Safety regulations and fees for all elevators, dumbwaiters, escalators and other conveyances

Hearing location(s):
Department of Labor and Industries
Tukwila Service Location
12806 Gateway Dr
Tukwila, WA

Date: October 30, 2008 Time: 3:00 pm

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

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 October 30, 2008

Assistance for persons with disabilities: Contact
Sally Elliott by September October 15, 2008 at
yous235@lni.wa.gov or (360) 902-6411

Purpose of the proposal and its anticipated effects, including any changes in existing rules: On November 30, 2007, the Elevator Program adopted several changes to their rules. The new rules have been in effect for several months and the program has found some sections that need further clarification or updating. For example, several notes will be added to clarify requirements from the adopted American National Standards Institute (ANSI) code.

The changes to the rules will:

- Clarify requirements from the American National Standards Institute (ANSI);
- Clarify wording for ease of use;
- Delete outdated requirements; and
- Update references.

Reasons supporting proposal: See purpose statement.

Statutory authority for adoption: Chapter 70.87 RCW

Statute being implemented: Chapter 70.87 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
September 16, 2008

NAME (type or print)
Judy Schurke

SIGNATURE

TITLE
Director

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: September 16, 2008

TIME: 9:48 AM

WSR 08-19-069

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..... Jack Day	Tumwater, Washington	(360) 902-6128
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.

A small business economic impact statement has not been prepared under chapter 19.85 RCW. The department has considered whether these proposed rules are subject to the Regulatory Fairness Act and has determined they do not require a small business economic impact statement because the proposed rules are clarifying the rules without changing their effect and incorporating national consensus codes that generally establish industry standards [see RCW 19.85.025 referencing exemptions listed under RCW 34.05.310 (4)(c) and (d)].

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:

A cost-benefit analysis was not prepared under chapter 19.85 RCW. The department considered whether these proposed rules are subject to the Regulatory Fairness Act and has determined they do not require a cost-benefit analysis because the proposed rules are clarifying the rules without changing their effect and incorporating national consensus codes that generally establish industry standards [see exemptions, RCW 34.05.328 (5)(b)].