



# 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

- Preproposal Statement of Inquiry was filed as WSR 09-09-114 ; or
- Expedited Rule Making--Proposed notice was filed as WSR \_\_\_\_\_; or
- Proposal is exempt under RCW 34.05.310(4).

- Original Notice
- Supplemental Notice to WSR \_\_\_\_\_
- Continuance of WSR \_\_\_\_\_

**Title of rule and other identifying information:** Chapter 296-46B WAC, Electrical Safety Standards, Administration, and Installation

**Hearing location(s):**

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

Date: August 26, 2009

Time: 1:00pm

**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 August 26, 2009

**Assistance for persons with disabilities:** Contact

Sally Elliott by August 3, 2009  
at yous235@lni.wa.gov or (360) 902-6411

**Date of intended adoption:** September 22, 2009

(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 also includes a fee increase of 5.20%, which is the Office of Financial Management's maximum allowable fiscal growth rate factor for fiscal year 2010. We evaluated the program's budget and projected revenue. The fee increase is necessary to help cover the cost of ongoing services of the electrical program.

**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?  Yes  No
  - Federal Court Decision?  Yes  No
  - State Court Decision?  Yes  No
- If yes, CITATION:

**CODE REVISER USE ONLY**

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

DATE: July 21, 2009  
TIME: 9:34 AM

WSR 09-15-146

**DATE**  
July 21, 2009

**NAME** (type or print)  
Judy Schurke

**SIGNATURE**

**TITLE**  
Director

**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.... Steve McLain	Tumwater, Washington	(360) 902-6348
Enforcement..... Steve McLain	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)].