



# 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 296-155 WAC, Part L, Cranes, Rigging and Personnel Lifting

### 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**

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**AND RECEIVED BY** August 7, 2012

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

The department, in response to business and labor stakeholder concerns, is extending the date by which the requirement relating to written and practical testing requirements for qualified riggers is effective. In addition, this rulemaking clarifies the scope of the rule includes the following existing requirements:

- Rigging for all construction activities (WAC 296-155-556); and
- Personnel lifting with attached or suspended platforms using cranes or derricks (WAC 296-155-547).

This clarification does not add any additional requirements to the rule. The department is also adding language to the rule to be at least as effective as the federal rule. See Attachment (1).

**Reasons supporting proposal:**

This rulemaking meets the exemption in Executive Orders 10-06 and 11-03 that allows rules that are required by federal or state law or required to maintain federally delegated or authorized programs along with the exemption that allows rules that are beneficial to or requested or supported by the regulated entities, local government, or small businesses that it affects. This rulemaking corrects typographical errors, makes address or name changes, or clarifies language of a rule without changing its effect (RCW 34.05.353(1)(c)).

**Statutory authority for adoption:**  
RCW 49.17.010, 49.17.040, 49.17.050, 49.17.060

**Statute being implemented:**  
RCW 49.17

**Is rule necessary because of a:**

Federal Law?	<input checked="" type="checkbox"/> Yes	<input 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:  
29 CFR 1926, Subpart CC

**DATE**  
June 5, 2012

**NAME (TYPE OR PRINT)**  
Judy Schurke

**SIGNATURE**

**TITLE**  
Director

**CODE REVISER USE ONLY**

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

**DATE: June 05, 2012**

**TIME: 9:31 AM**

**WSR 12-12-062**

**Name of proponent:** Department of Labor and Industries

- Private
- Public
- Governmental

**Name of agency personnel responsible for:**

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

N/A

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**Chapter 296-155 WAC, Part L, Cranes, Rigging, and Personnel Lifting**

**WAC 296-155-52900 Scope.**

- Reformat this section by breaking out the information and creating new paragraphs.
- In subsection (1), add the words “the following”. The first sentence reads, “Except as provided in subsection (3) of this section, this part applies to the following:”.
- Create a new paragraph (b) for clarity. It reads, “Rigging for all construction activities (WAC 296-155-556); and”.
- Create a new paragraph (c) for clarity. It reads, “Personnel lifting with attached or suspended platforms using cranes or derricks (WAC 296-155-547).”

**WAC 296-155-52902 Definitions.**

- In the definition of “attachments” change the word “or” to “of” to match the federal equivalent. It reads, “Attachments means any device that expands the range of tasks that can be done by the crane/derrick. Examples include, but are not limited to: An auger, drill, magnet, pile-driver, and boom-attached personnel platform”.
- Add a definition for “Jib stop” to match the federal equivalent. It reads, “Jib stop (also referred to as a jib backstop), is the same type of device as a boom stop but is for a fixed or luffing jib”.
- Delete the last sentence in the definition of “mobile cranes”. The federal definition had this sentence in their proposed rule but did not in their adopted rule. The sentence being removed reads, “These are referred to in Europe as a crane mounted on a truck carrier”.

**WAC 296-155-53306 Rigger qualifications.**

- In subsection (1), clarify the language for consistency. It reads, “The rigger must meet the qualification requirements (subsection (3) of this section) prior to performing hoisting activities for assembly and disassembly work (WAC 296-155-53402(19)(a)). A qualified rigger is required whenever employees are engaged in hooking, unhooking, or guiding the load, or in the initial connection of a load to a component or structure, and are within the fall zone (WAC 296-155-53400(43)(c)). This requirement must be met by using either Option (1) or Option (2)”.
- In subsection (3)(g), modify the note to allow an additional 180 days for employers to come into compliance with requirement relating to having qualified riggers pass a written and practical test. It reads, “The provisions of subsection (3)(g) of this section are not required until February 1, 2013”.
- Add a new note for clarity. It reads, “This section does not require that each and every worker associated with the rigging of a component or structure to be a “fully qualified rigger” as defined in this section, the requirement is for at least one of the workers to be a fully qualified rigger. However, all other associated workers must be qualified by training or experience to perform their assigned tasks (WAC 296-155-035(2))”.

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**WAC 296-155-53400 General requirements.**

- In subsection (4)(a), replace the word “provide” with the words “develop and ensure compliance with” to match the federal equivalent. It reads, “Where the manufacturer procedures are unavailable, the employer must develop and ensure compliance with all procedures necessary for the safe operation of the crane/derrick and attachments”.
- In subsection (29), replace the language to match the federal equivalent. It reads,  
“(a) Load hooks (including latched and unlatched types), ball assemblies and load blocks must be of sufficient weight to overhaul the line from the highest hook position for boom or boom and jib lengths and the number of parts of the line in use.  
(b) Crane hooks must be equipped with latches or self-locking devices unless a qualified person determines that it is safer to hoist and place the load without latches (or with latches removed/tied back or otherwise disabled) and routes for the loads are pre-planned to ensure that no employee is required to work in the fall zone except for employees necessary for the hooking or unhooking of the load.  
(c) The latch or self-locking device (when used) must bridge the throat opening of the hook for the purpose of retaining slings or other lifting devices under slack conditions”.
- In subsection (43)(a), add the words “to the extent consistent with public safety” to match the federal equivalent. It reads, “Where available, hoisting routes that minimize the exposure of employees to hoisted loads must be used to the extent consistent with public safety”.
- In subsection 43(c)(ii), add a reference to subsection (29)(b).
- In subsection (54)(d), add language to match the federal equivalent. It reads, “If the competent person determines that there is slack rope condition requiring re-spooling of the rope, it must be verified (before starting the lift) that the rope is seated on the drum and in the sheaves as the slack is removed”.
- In subsection (61), add language to match the federal equivalent. It reads, “Except for proof load testing required under WAC 296-155-53202 through 296-155-53212, no crane/derrick is permitted to be loaded beyond the specifications of the load rating chart, unless authorized by the crane manufacturer. The operator must not be required to operate the crane/derrick in a manner that would violate this requirement”.
- Add a new subsection (64) to match the federal equivalent. It reads, “The brakes must be adjusted in accordance with manufacturer procedures to prevent unintended movement”.
- Renumber the remaining subsections.

**WAC 296-155-53402 Assembly/disassembly.**

- After subsection (1)(b), add a note to match the federal equivalent. It reads, “Note: The employer must follow manufacturer procedures when an employer uses synthetic slings during assembly or disassembly of cranes/derricks, see subsection (19) of this section”.
- In subsection (18)(b), add language relating to locomotive cranes to match the federal equivalent. It reads, “The outriggers must be set to remove the crane weight from the wheels, except for locomotive cranes (see subsection (18)(f) of this section for use of outriggers or locomotive cranes)”.

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- Add a subsection (18)(f) relating to locomotive cranes to match the federal equivalent. It reads, “For locomotive cranes, when using outriggers or stabilizers to handle loads, the manufacturer’s procedures must be followed. When lifting loads without using outriggers or stabilizers, the manufacturer’s procedures must be met regarding truck wedges or screws”.

**WAC 296-155-53403 Fall protection.**

- In subsection (2)(b), add language relating to boom walkways to match the federal equivalent. It reads, “Boom walkway criteria. The walkways must be at least twelve inches wide”.
- In subsection (3)(b), add the word “derricks”.
- After subsection (5)(b), add a note for clarity. It reads, “Note: If the equipment is running and the employee is at or near the draw-works, precautions should be taken to ensure the fall protection gear will not become entangled”.
- After subsection (6), add a note for clarity. It reads, “Note: If the equipment is running and the employee is at or near the draw-works, precautions should be taken to ensure the fall protection gear will not become entangled”.
- After subsection (9)(a), add a note for clarity. It reads, “Note: If the equipment is running and the employee is at or near the draw-works, precautions should be taken to ensure the fall protection gear will not become entangled”.

**WAC 296-155-53406 Signals.**

- After subsection (3)(a), add a reference to the hand signal chart located in the appendices of this part. It reads, “See WAC 296-155-56400 for the hand signal chart”.

**WAC 296-155-53408 Power line safety.**

- In subsection (1)(b)(iii)(A)(IV), add a note that defines what a dedicated spotter is. Copied this definition from WAC 296-155-52902, it reads, “**Note:** To be considered a dedicated spotter, the requirements of WAC 296-155-53302 (signal person qualifications) must be met and his/her sole responsibility is to watch the separation between the power line and; the equipment, the load line and load (including rigging and lifting accessories), and ensure through communication with the operator that the applicable minimum approach distance is not breached”.
- In subsection (2)(b)(iv)(B)(IV), add a note that defines what a dedicated spotter is. Copied this definition from WAC 296-155-52902, it reads, “**Note:** To be considered a dedicated spotter, the requirements of WAC 296-155-53302 (signal person qualifications) must be met and his/her sole responsibility is to watch the separation between the power line and; the equipment, the load line and load (including rigging and lifting accessories), and ensure through communication with the operator that the applicable minimum approach distance is not breached”.
- In subsection (2)(d)(ii)(D), correct a reference.
- In subsection (4), bold the word “all”.
- In subsection (4)(d)(i), add the language “but are not limited to” to match the federal equivalent. It reads, “The power line owner/operator or registered professional engineer who is a qualified person with respect to electrical power transmission and distribution determines the minimum clearance distance that must be maintained to prevent electrical contact in light of the on-site

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conditions. The factors that must be considered in making this determination include, but are not limited to: Conditions affecting atmospheric conductivity; time necessary to bring the crane/derrick, load line and load (including rigging and lifting accessories) to a complete stop; wind conditions; degree of sway in the power line; lighting conditions, and other conditions affecting the ability to prevent electrical contact”.

- In subsection (4)(e)(ii)(A), add the language “but are not limited to” to match the federal equivalent. It reads, “Be equipped with a visual aid to assist in identifying the minimum clearance distance. Examples of a visual aid include, but are not limited to: A clearly visible line painted on the ground; a clearly visible line on stanchions; a set of clearly visible line-of-sight landmarks (such as a fence post behind the dedicated spotter and a building corner ahead of the dedicated spotter)”.
- In subsection (4)(e)(ii)(d), add a note that defines what a dedicated spotter is. Copied this definition from WAC 296-155-52902, it reads, “**Note:** To be considered a dedicated spotter, the requirements of WAC 296-155-53302 (signal person qualifications) must be met and his/her sole responsibility is to watch the separation between the power line and; the equipment, the load line and load (including rigging and lifting accessories), and ensure through communication with the operator that the applicable minimum approach distance is not breached”.

**WAC 296-155-53409 Training.**

- Add a new Subsection (1)(e) to match the federal equivalent. It reads, “(e) The employer must train each operator of the equipment covered by this part in the following practices:
  - (i) On friction equipment, whenever moving a boom off a support, first raise the boom a short distance (sufficient to take the load of the boom) to determine if the boom hoist brake needs to be adjusted. On other types of equipment with a boom, the same practice is applicable, except that typically there is no means of adjusting the brake; if the brake does not hold, a repair is necessary. See WAC 296-155-53400(68) and (69).
  - (ii) Where available, the manufacturer’s emergency procedures for halting unintended equipment movement”.
- Add a new subsection (2)(c) to match the federal equivalent. It reads, “Whenever the employer is required to provide training under this part, the employer must provide the training at no cost to the employee”.

**WAC 296-155-55110 Proof load test platforms and rigging.**

- In subsection (1)(a)(ii), add the words “by controlled load lowering, braked,” to match the federal equivalent.

**WAC 296-155-55115 Trial lift.**

- In subsection (6)(a), add the words “with the personnel and materials/tools on board” to match the federal equivalent. It reads, “The platform must be hoisted a few inches with the personnel and materials/tools on board and inspected by a competent person to ensure that it is secure and properly balanced”.

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**WAC 296-155-55210 Crane or derrick operation requirements for personnel lifting.**

- In subsection (1)(f), add the word “cautious” to match the federal equivalent. It reads, “Perform all movements of the platform or crane/derrick in a slow, controlled, cautious manner to minimize sudden movement of the platform;”.
- In subsection (1)(j)(ii), replace the word “or” with “and must be” to match the federal equivalent. It reads, “The crane/derrick operator must be at a set of crane controls that include boom and swing functions of the crane, and must be on-site and in view of the crane/derrick and platform”.

**WAC 296-155-55300 Personnel lifting requirements.**

- In subsection (2), add the words “sustained or gusts” to match the federal equivalent. It reads, “Personnel platforms cannot be used in winds (sustained or gusts) in excess of twenty mph (32.2 km/hr) or in electric storms, snow, ice, sleet, or other adverse weather conditions which could affect the safety of personnel”.

**WAC 296-155-55600 General requirements.**

- In subsection (1), add clarifying language for consistency. It reads, “Employers must use at least one qualified rigger as follows:”.
- In subsection (1)(b), add clarifying language and a note for consistency. It reads, “Whenever employees are engaged in hooking, unhooking, or guiding a load, or in the initial connection of a load to a component or structure, and are within the fall zone (WAC 296-155-53400(43)(c))”. The note reads, “Note: See qualified rigger requirements located in WAC 296-155-53306”.
- Create a new subsection (9) and add language to match the federal equivalent. It reads, “Special custom design grabs, hooks, clamps, or other lifting accessories, for such units as modular panels, prefabricated structures and similar materials, must be marked to indicate the safe working loads and must be proof tested prior to use to one hundred and twenty-five percent of their rated load”.
- Create a new subsection (12) and add language to match the federal equivalent. It reads, “All rigging hardware must have permanently affixed and legible identification markings as prescribed by the manufacturer that indicate the recommended safe working load”.
- Renumber the subsections in this section.

**WAC 296-155-55805 Wire rope slings.**

- In subsection (8), create a new subdivision (d) and add language to match the federal equivalent. It reads, “Protruding ends of strands in splices on slings and bridles must be covered or blunted”.
- In subsection (8), create a new subdivision (e) and add language to match the federal equivalent. It reads, “A sling must not be pulled from under a load when the load is resting on the sling”.
- Renumber the subdivisions in subsection (8).

**WAC 296-155-55820 Synthetic webbing slings.**

- In subsection (6)(a), create a new item (vi) and add language to match the federal equivalent. It reads, “Fittings must be of a minimum breaking strength equal to that of the sling”.

**CR-105 RULE-MAKING ORDER (RCW 34.05.320)**

Department of Labor and Industries  
Division of Occupational Safety and Health  
CR-105 Filing Date: June 5, 2012

**Attachment (1)**  
(Purpose Statement)

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- In subsection (6), create a new subdivision (b) and add language to match the federal equivalent. It reads, “Webbing. Synthetic webbing must be of uniform thickness and width and selvage edges must not be split from the webbing’s width”.
  - Renumber remaining subdivision.