



PROPOSED RULE MAKING

CR-102 (June 2012)

(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 12-16-067; or
- Expedited Rule Making--Proposed notice was filed as WSR _____; or
- Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1).

- 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 Southwest, Room S119
 Tumwater, Washington 98501

Date: December 10, 2012 Time: 9:00 am

Date of intended adoption: January 22, 2013
 (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 sally.elliott@lni.wa.gov
 fax (360) 902-5292 by 5 p.m. on December 10, 2012

Assistance for persons with disabilities: Contact Sally Elliott by November 30, 2012, at sally.elliott@lni.wa.gov or (360) 902-6411.

Purpose of the proposal and its anticipated effects, including any changes in existing rules: The department reviewed the electrical rule for additions and revisions. The electrical rules were reviewed to ensure the rules are consistent with the national consensus standards and industry practice. This rulemaking will:

- Adopt the 2014 national electrical consensus standards. Due to the previous rulemaking moratorium, the program has not adopted rules since 2009 and did not update any of the national electrical safety standards used to regulate the electrical industry. It is critical the program conducts rulemaking to adopt the 2014 national electrical consensus standards – such as the National Electrical Code and current versions of the National Electrical Safety Code, national telecommunications standards and formalize policy changes that are supported by the industry – so that Washington is current with other states. Washington is now one cycle behind most other states in standards adoption. It is important for Washington to be consistent with other states and emerging technology and industry practices to ensure the same basic safety standards are required of electrical contractors and suppliers who work in multiple states.
- Adopt proposals evaluated by the department on the rulemaking moratorium’s exemption requirements and determined to be required by legislation and beneficial to or requested and supported by the regulated entities or small businesses they affect. This includes:
 1. Proposals to provide clarification of the electrical law and policy for use in adjudicative processes by judges, stakeholders, and the department; and
 2. Proposals submitted for general housekeeping, grammatical, and reference corrections to bring the rules up to date.

Reasons supporting proposal: See purpose statement.

Statutory authority for adoption: Chapter 19.28 RCW

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: October 23, 2012

TIME: 10:53 AM

WSR 12-21-103

DATE
 October 23, 2012

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..... José Rodriguez	Tumwater, WA	(360) 902-6348
Implementation.... José Rodriguez	Tumwater, WA	(360) 902-6348
Enforcement..... José Rodriguez	Tumwater, WA	(360) 902-6348

Has a small business economic impact statement been prepared under chapter 19.85 RCW or has a school district fiscal impact statement been prepared under section 1, chapter 210, Laws of 2012?

Yes. Attach copy of small business economic impact statement or school district fiscal 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 small business economic impact statement requirement because 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:

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Address: Post Office Box 44400

Olympia, Washington 98504-4400

phone (360) 902-6411

fax (360) 902-5292

e-mail sally.elliott@lni.wa.gov

No: Please explain: