



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 296-52 WAC, Safety Standards for Possession and Handling of Explosives

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

Name: Suchi Sharma

Agency: Department of Labor and Industries

Address: Post Office Box 44001, Olympia, WA 98504-4001

AND RECEIVED BY February 3, 2014

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

This rulemaking proposes to amend Chapter 296-52 WAC, Safety Standards for Possession and Handling of Explosives, to permit local law enforcement tactical response teams to store and transport explosive actuated tactical devices in accordance with Federal Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) regulations and rulings.

Reasons supporting proposal:

The Washington State Legislature mandates that the Division of Occupational Safety and Health enact these rules. Substitute Senate Bill 5264 directs the department to amend these rules. During the 2013 session, the Legislature amended state law regarding the Washington State Explosives Act to exclude the transportation and storage of explosive actuated tactical devices, including noise and flash diversionary devices, by local law enforcement tactical response teams and officers in law enforcement department-issued vehicles designated for use by tactical response teams and officers, provided the explosive devices are stored and secured in compliance with regulations and rulings adopted by the ATF.

Statutory authority for adoption:

RCW 49.17.010, 49.17.040, 49.17.050, 49.17.060 and 70.74.020.

Statute being implemented:

Chapter 49.17 RCW and chapter 70.74 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:

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: December 03, 2013

TIME: 12:01 PM

WSR 13-24-094

DATE

December 3, 2013

NAME (TYPE OR PRINT)

Joel Sacks

SIGNATURE

TITLE

Director

Name of proponent: Department of Labor and Industries

- Private
- Public
- Governmental

Name of agency personnel responsible for:

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Drafting..... Jeff Killip	Tumwater	(360) 902-5530
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Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:

N/A

Chapter 296-52 WAC, Safety Standards for Possession and Handling of Explosives

WAC 296-52-60020 Exemptions.

- Add a new subdivision (i) to subsection (1) that reads, “The transportation and storage of explosive actuated tactical devices, including noise and flash diversionary devices, by local law enforcement tactical response teams and officers in law enforcement department-issued vehicles designated for use by tactical response teams and officers, provided the explosive devices are stored and secured in compliance with regulations and rulings adopted by the Federal Bureau of Alcohol, Tobacco, Firearms and Explosives; and”.