

## **SPECIAL EDITION**

### **WAC 296-46B Revisions**

#### ● **The Department Is Seeking Stakeholder Input for Proposed Rule Changes**

The department is beginning the process of revising Washington Administrative Code (WAC) [296-46B](#) – Electrical Safety Standards, Administration, and Installation rules to align them with new legislation that passed in the recent legislative session as well as to make housekeeping changes, adopt the 2020 National Electrical Code (NEC) to be effective (tentatively) July 1, 2020, and accept proposals from stakeholders. Any stakeholder in the electrical industry may make proposals for additions and/or revisions to WAC 296-46B. Proposals from stakeholders may be submitted from September 5, 2018 through October 19, 2018. Proposal submission guidelines are detailed below.

Rules are developed to aid both stakeholders and the department in clarification or enforcement of the intent of the electrical statute. Technical changes require evidence of a specific problem and substantiation that the proposal will provide a solution for that problem.

The department is responsible for development of all rules. The department will act as the correlating body during the rule development process and may at any time promote rule change as necessary to accommodate statutory change or department policies or procedures.

A sample **Proposal Form for 2019 WAC 296-46B Rule Changes** is shown on page four of this edition. All proposals must be submitted using an electronic MS Word version of this form which is available on our Rule Development page at: <http://www.lni.wa.gov/TradesLicensing/Electrical/LawRulePol/RuleDev/default.asp>

Stakeholder proposals **must be received from 12:01 a.m. September 5, 2018 through 11:59 p.m. October 19, 2018. Any proposal received before or after these dates will be rejected. All proposals must be made electronically** using the form supplied by the department.

The submitter must submit a proposal(s) by sending the proposal(s) as an email attachment to [ElectricalWAC@lni.wa.gov](mailto:ElectricalWAC@lni.wa.gov). Please do not attempt to submit early, as this email address will not function until September 5, 2018.

Proposed revisions should include the relevant existing text and should use legislative format. Use underscore to denote wording to be inserted (e.g. inserted wording) and strike-through to denote wording to be deleted (e.g. ~~deleted wording~~).

**Proposals not submitted according to these instructions will be rejected.**

#### ● **Technical Advisory Committee (TAC)**

The TAC process has proven to be very valuable in past years. The department will again appoint a General TAC made up of experts and interest group representatives from the electrical industry to review and make recommendations on proposals.

Persons interested in becoming TAC members must submit a letter of interest for specific positions to the Chief Electrical Inspector by email to [ElectricalWAC@lni.wa.gov](mailto:ElectricalWAC@lni.wa.gov) **to be received from September 5, 2018 through October 19, 2018**. The letter should state the position applied for and show constituency support for

the prospective member. Include an email address and daytime phone number for the applicant. All applications will be evaluated to determine that the applicant meets the requirements for the position.

In order to keep the size of the TAC to an efficient and effective number, the committee will be limited to 35 voting members. The TAC makeup will be based on an equitable distribution relative to proportion of involvement within the electrical industry in Washington. TAC membership provides an opportunity for everyone interested in the Electrical Program’s WAC development to participate in the process.

If necessary, each successful candidate may designate an alternate to attend the TAC meeting. There will be no formal alternate assigned by the department. Any TAC member that is absent must notify the Chief Electrical Inspector of the alternate’s name one week prior to the TAC meeting. Failure to make the required notification will result in the position being vacant during the meeting.

● **The TAC Process**

The TAC will make recommendations on industry proposals and identify proposals that may have an economic impact on other specialties, small businesses, construction costs, or the cost of enforcement. Members who know they will be absent from a TAC meeting should make every effort to send an alternate. The TAC must review and evaluate proposals based on the need:

- o To address a critical life/safety need;
- o To address a specific state policy/statute;
- o To maintain a fair competitive environment;
- o To address a unique character of the State; or
- o To correct errors and omissions.

The TAC will operate on a majority basis. A majority vote of members in attendance in support of a motion will be considered as significant support for the motion made on a specific proposal. The TAC can propose amended language to a proposal. All voting members share an equal vote. The department will consider all TAC recommendations. Public testimony will not be received during the TAC meeting. Opportunity for public comment will be provided at a later date (see below).

● **2019 WAC Revision Process – Proposed Sequence of Events**

- o **On or before September 4, 2018** – File CR 101 – pre-proposal statement of inquiry.
- o **September 5 through October 19, 2018** – Accept proposals from stakeholders to amend or add to the existing WAC 296-46B.
- o **September 5 through October 19, 2018** – Accept applications for TAC.
- o **Early December** –TAC meeting (exact date and location TBA).
- o **January 2019** – Electrical Board review and recommendation on proposals.
- o **February 2019** – File CR 102 – rule filing (opens the official required public comment period).
- o **March 2019** – Public hearing(s).
- o **June 1, 2019** – Revised rule becomes effective.

● **General TAC – Membership**

**Chairperson– Chief Electrical Inspector (non-voting)**

2	Electrical Board Members (non-voting)	1	WA Manufacturing Business
1	Training School Representative	1	Electrical Engineer
1	Continuing Education Provider	1	Electrical Testing Laboratory
2	Electrical Apprenticeship Representatives	1	Electric Utility Representative
1	Electrical Manufacturer Representative	1	General Public Member
2	L&I Inspection (Supervisor & Inspector)	10	Electricians
2	City Regulator (Supervisor & Inspector)	10	Electrical Contractors
1	Plumber (Contractor or Worker)		

**Notes:**

- o Contractor positions must be filled by a member of the firm or assigned administrator/master electrician of a licensed electrical/telecommunications contractor or representative of an electrical contractors' association in Washington representing that specialty.
- o Electrician positions must be filled by a certified electrician who is not a member of the firm or assigned administrator/master electrician in an electrical contracting business.
- o The AD HOC contractor and electrician positions must be filled by a specialty not otherwise represented on the TAC.
- o The plumbing position must be filled by a registered general or plumbing contractor or a representative of a plumber contractor's association in Washington or certified journeyman plumber.

<b>Methodology for Determining the Number of Electrical Contractor and Electrician Members</b>						
<b>Active Licenses &amp; Certificates</b>	<b># of Contractors</b>	<b>% of All Licenses</b>	<b># of TAC Members</b>	<b># of Electricians</b>	<b>% of All Certificates</b>	<b># of TAC Members</b>
<b>01</b>	2,782	54.4%	5	17,620	61.1%	6
<b>02</b>	320	6.3%		2,225	7.7%	
<b>03</b>	121	2.4%		335	1.2%	
<b>03A</b>	49	1.0%		119	0.4%	
<b>04</b>	84	1.6%		261	0.9%	
<b>06</b>	548	10.7%	1	2,982	10.3%	1
<b>06A</b>	647	12.7%	1	3,435	11.9%	1
<b>06B</b>	13	0.3%		131	0.5%	
<b>07</b>	98	1.9%		1,104	3.8%	
<b>07A</b>	13	0.3%		69	0.2%	
<b>07B</b>	57	1.1%		233	0.8%	
<b>07C</b>	0	0.0%		22	0.1%	
<b>07D</b>	43	0.8%		200	0.7%	
<b>07E</b>	7	0.1%		69	0.2%	
<b>09</b>	298	5.8%		N/A	N/A	
<b>10</b>	30	0.6%		56	0.2%	
<b>Ad Hoc Group</b>	1,133	22.2%	3	4,824	16.7%	2
<b>Total</b>	<b>5,110</b>		<b>10</b>	<b>28,861</b>		<b>10</b>
<b>Notes:</b>	<10% of Licenses/Certificates joins the Ad Hoc group					
	The Ad Hoc group will be filled on an equitable basis with an emphasis on representation closely following the % of licenses.					
	Unfilled positions will remain vacant.					

**● Keep Informed**

There will not be a specific mailing list for this WAC revision process. Special WAC update postings will be maintained using the Electrical Program's [Electrical Email List, Rule Development](#) page of our website, and [Electrical Currents](#) newsletter.

The best way to stay informed of the WAC process and other electrical issues is to join the *Electrical Email List* at: <http://www.lni.wa.gov/main/listservs/default.asp?List=40>

# PROPOSAL FORM for 2019 WAC 296-46B Rule Changes

Email to: [ElectricalWAC@lni.wa.gov](mailto:ElectricalWAC@lni.wa.gov)  
as an attachment

## FOR L&I USE ONLY

Specific Rule #:

Date Received:

Comment:

### NOTES:

1. All proposals must be **received from 12:00 a.m. September 5 through 11:59 p.m. October 19, 2018.**
2. Limit each proposal to a single rule section. Use a separate copy for each proposal.
3. **ENTER TEXT ONLY IN THE UN-SHADED SPACES ON THIS DOCUMENT – SAVE AS A NEW FILENAME BEFORE RETURNING**

Date submitted:

Name:

Representing:

Telephone:

Email Address:

**1. Proposal:** Include new or revised wording, or identification of wording to be deleted. Proposed text should be in legislative format. Use underscore to denote wording to be inserted (e.g. inserted wording) and strike-through to denote wording to be deleted (e.g. ~~deleted wording~~).

**2. Statement of Problem & Substantiation for Proposal:** Note: State the problem that will be resolved by your proposal and substantiation for your proposal.

**3. Check one:**

This proposal is original material

This proposal is not original material

(END OF PROPOSAL)