



RULE-MAKING ORDER PERMANENT RULE ONLY

CR-103P (December 2017)
(Implements RCW 34.05.360)

CODE REVISER USE ONLY

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STATE OF WASHINGTON
FILED

DATE: May 06, 2025

TIME: 8:29 AM

WSR 25-10-074

Agency: Department of Labor & Industries (L&I)

Effective date of rule:

Permanent Rules

- ☒ 31 days after filing.
☐ Other (specify) _____ (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

- ☐ Yes ☒ No If Yes, explain:

Purpose: The purpose of this rulemaking is to adopt amendments to the definitions for amusement rides or structures under WAC 296-403A-100. L&I accepted a rulemaking petition to amend the definition of "Amusement structure" to exclude fixed artificial climbing surfaces built for the sport of rock climbing, including equipment used for climber education and safety, when not located on the same premises as amusement rides or amusement structures. This rulemaking adopts amendments from the petitioner's request. The amendments are necessary to ensure the definitions clearly define the types of structures that are regulated as amusement rides. Additional amendments to WAC 296-403A-100 are also being adopted to bring the rule up-to-date.

Adopted amendments:

WAC 296-403A-100, Definitions.

- Clarifies the definition of "amusement structure" to exclude fixed artificial climbing surfaces built for the sport of rock climbing, including equipment used for climber education and safety, when not located on the same premises as amusement rides.
- Modifies the definition of "NEC". This includes:
 - Removing the outdated reference to the 2002 edition of the National Electrical Code (NEC) and referencing to the NEC edition adopted in the electrical rules under Chapter 296-46B WAC; and
 - Removing the physical location for obtaining hard copies of the NEC and adds how copies can now be obtained.
- Modifies the definitions of "RCW" and "WAC" to clarify that copies of the electrical laws and rules are only available electronically.
- Modifies the definition of "amusement rides" to update a reference.

Citation of rules affected by this order:

New:

Repealed:

Amended: WAC 296-403A-100

Suspended:

Statutory authority for adoption: Chapter 67.42 RCW Amusement Rides

Other authority: None.

PERMANENT RULE (Including Expedited Rule Making)

Adopted under notice filed as WSR 25-04-097 on February 4, 2025 (date).

Describe any changes other than editing from proposed to adopted version: None.

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:

Name:

Address:

Phone:

Fax:
TTY:
Email:
Web site:
Other:

**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.**

The number of sections adopted in order to comply with:

Federal statute:	New	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	_____	Amended	_____	Repealed	_____
Recently enacted state statutes:	New	_____	Amended	_____	Repealed	_____

The number of sections adopted at the request of a nongovernmental entity:

New	_____	Amended	<u>1</u>	Repealed	_____
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The number of sections adopted on the agency's own initiative:

New	_____	Amended	<u>1</u>	Repealed	_____
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	_____	Amended	_____	Repealed	_____
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The number of sections adopted using:

Negotiated rule making:	New	_____	Amended	_____	Repealed	_____
Pilot rule making:	New	_____	Amended	_____	Repealed	_____
Other alternative rule making:	New	_____	Amended	_____	Repealed	_____

Date Adopted: May 6, 2025

Name: Joel Sacks

Title: Director

Signature:

