

CONCISE EXPLANATORY STATEMENT (CES)

Amusement Ride Rules (Definitions)

WAC 296-403A-100, Definitions

The date of adoption for this rule: May 6, 2025

The effective date for this rule: June 6, 2025

I. Purpose of rulemaking:

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. This rulemaking adopts amendments from the petitioner’s request. The amendments are necessary to ensure the definitions clearly define types of structures 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 - Removing the outdated reference to the 2002 edition of the National Electrical Code (NEC) and referencing to the NEC edition adopted in the electrical rules under Chapter 296-46B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 statutory reference.

2. Differences between the rule as adopted and the proposed rule:

There are no differences between the rules as adopted and proposed.

3. Comments on proposed rule:

The public comment period for this rulemaking began on February 5, 2025, and written comments were accepted through March 13, 2025. L&I received three (3) written comments on the proposed rules.

A hybrid public hearing was held on March 13, 2025, at 10:00 a.m. at L&I headquarters and via Zoom meeting. Three (3) L&I staff and two (2) other persons attended the public hearing. Two (2) persons provided testimony on the proposed rules.

Below is a summary of the comments that L&I received and L&I's responses.

General Comments	L&I Responses
Comment #1: I am writing in support of the proposed amendments to the rule definitions for amusement rides or structures that will affect Washington Administrative Code (WAC) 296-403A-100. The proposed changes are needed to bring the definitions up-to-date and provide for more clear enforcement of the existing code. Excluding walls used for the sport of climbing will also better inform the public that our walls and equipment are not a paid "ride" for passive participation; rather, the sport of climbing requires active participation in education and training.	Response #1: Thank you for your comment in support of the proposed amusement ride rule. Based on the oral and written comments received, L&I has adopted the rule as proposed.
Comment #2: I am writing to express my support for the proposed amendments to the rule definitions for amusement rides and structures, which will affect Washington Administrative Code (WAC) 296-403A-100. I think these changes will modernize the definitions and ensure clearer enforcement of the existing code. Specifically, the exclusion of walls used for the sport of climbing will more accurately define climbing gyms and the difference between those and paid amusement rides. This distinction will also provide greater clarity to the public.	Response #2: Thank you for your comment in support of the proposed amusement ride rule. Based on the oral and written comments received, L&I has adopted the rule as proposed.

Comment #3:	Response #3:
Our company fully supports amending the definition of “Amusement Structures” to exclude fixed artificial climbing surfaces built for the sport of rock climbing, including equipment used for climbing education and safety, when not located on the premises as amusement rides. Thank you for the opportunity to provide comments on this proposal.	Thank you for your comment in support of the proposed amusement ride rule. Based on the oral and written comments received, L&I has adopted the rule as proposed.
Comment #4	Response #4
I just wanted to say I'm in complete support of the rule changes. So just expressing support in the rule changes. I think they're necessary for clarity and also messaging to the public. So thank you so much.	Thank you for your testimony in support of the proposed amusement ride rule. Based on the oral and written comments received, L&I has adopted the rule as proposed.
Comment #5	Response #5
On behalf of our company, I also want to provide comment that we support the rule changes as proposed by the Department.	Thank you for your testimony in support of the proposed amusement ride rule. Based on the oral and written comments received, L&I has adopted the rule as proposed.