



PROPOSED RULE MAKING

CR-102 (June 2024)
(Implements RCW 34.05.320)
Do NOT use for expedited rule making

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DATE: March 18, 2025

TIME: 3:56 PM

WSR 25-07-100

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

☒ **Original Notice**

☐ **Supplemental Notice to WSR** _____

☐ **Continuance of WSR** _____

☒ **Preproposal Statement of Inquiry was filed as WSR 21-14-080 ; 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); or**

☐ **Proposal is exempt under RCW** _____.

Title of rule and other identifying information: (describe subject) Cranes, Rigging, and Personnel Lifting – Chapter 296-155 WAC, Part L

Hearing location(s):

Date:	Time:	Location: (be specific)	Comment:
May 13, 2025	10:00 a.m.	Enduris Training Facility 1610 South Technology Boulevard Spokane, WA 99224	A pre-hearing overview will begin at 9:00 a.m. The public hearing will start at 10:00 a.m. and will continue until all oral comments are received.
May 15, 2025	10:00 a.m.	Department of Labor & Industries 12806 Gateway Drive South Tukwila, WA 98168	A pre-hearing overview will begin at 9:00 a.m. The public hearing will start at 10:00 a.m. and will continue until all oral comments are received.
May 19, 2025	10:00 a.m.	Virtual and telephonic hearing To join electronically: https://lni-wa.gov.zoom.us/j/84912985793?pwd=bc0yT8XalGObnbhoi6ExNey2v8g4EV.1 To join by phone (audio only): 253 215-8782 or 253 205-0468 Meeting ID: 849 1298 5793 Passcode: 9187256581	A pre-hearing overview will begin at 9:00 a.m. The public hearing will start at 10:00 a.m. and will continue until all oral comments are received.

Date of intended adoption: August 5, 2025 (Note: This is **NOT** the effective date)

Submit written comments to:

Name Cynthia Ireland

Address Department of Labor & Industries
Division of Occupational Safety and Health
PO Box 44620
Olympia, WA 98504-4620

Email Cynthia.Ireland@lni.wa.gov

Fax 360-902-5619

Other

Beginning (date and time) March 19, 2025 at 8:00 a.m.

By (date and time) May 23, 2025, by 5:00 p.m.

Assistance for persons with disabilities:

Contact Cynthia Ireland

Phone 360-791-5048

Fax 360-902-5619

TTY

Email Cynthia.Ireland@lni.wa.gov

Other

By (date) April 29, 2025

Purpose of the proposal and its anticipated effects, including any changes in existing rules: One purpose of this proposed rulemaking is to amend the safety standards for cranes and derricks in construction. The Occupational Safety and

Health Administration (OSHA) updated their standards in 2015 and 2018, which included clarifying each employer's duty to ensure the competency of crane operators through training, certification or licensing, and evaluation. Secondly, the proposed rulemaking is to implement legislation passed in 2024. Second Substitute House Bill (2SHB) 2022 (Chapter 311, Laws of 2024), codified under RCW 49.17.400 through 49.17.445, created new requirements for tower cranes. The new law is in response to an incident in 2019 in which bystanders and workers died following the collapse of a tower crane in Seattle, Washington. The incident was preventable, and 2SHB 2022 aims to address causes of that incident. For example, 2SHB 2022:

- Requires tower crane manufacturers and distributors provide operational and safety information about their tower cranes available upon request by any person, within a reasonable time and in a format as determined by L&I.
- Directs L&I to establish effective stop work procedures that ensure the authority of any employee to refuse or delay tasks related to a tower crane that the employee believes could reasonably result in serious physical harm or death.
- Requires the presence of an assembly/disassembly director at every assembly, disassembly, or reconfiguration and requires rules establish qualifications of an assembly/disassembly director.
- Establishes maximum allowable wind speed for tower crane assembly, disassembly, and reconfiguration.
- Sets requirements for a written job plan.

This rulemaking also intends to provide clarity on L&I's interpretation of requirements related to crane decertification and reinstatement. The changes under consideration would clarify what activities are covered, and will clearly state that damage to critical parts of the crane would require notification, rather than just implying it. The proposed language will also add crane tipovers as a reporting requirement, while the assumption is that a crane involved in a tipover would be given an inspection prior to returning to service.

Finally, state-initiated amendments will also be proposed to address other areas in chapter 296-155 WAC, Part L, relating to cranes that either need to be updated based on current industry practice, or to clarify some of the language to maintain safety and health protections for employees. Additional housekeeping changes will also be included.

This proposed rulemaking addresses the following major changes:

- General housekeeping changes to streamline, create consistency of terms, and updates references throughout Part L.
- Throughout Part L, updates timeframe of submission of all annual certificates and inspection worksheets from ten to five days. Also, updated timeframes for submitting worksheets relating to proof load testing.
- WAC 296-155-52902 – Definitions are being added, amended, or removed throughout this section to reflect changes to the current rule.
- WAC 296-155-53100 – Amends current criteria requirements when certifiers must have a current and valid crane certifier certificate for the type of crane to be inspected and certified.
- WAC 296-155-53114 – Amends language to allow information from the worksheet to be contained with the annual certificates. Crane owners will no longer be required to wait for L&I to process the worksheet and provide confirmation. Amends timeframe for submitting worksheets, allows for electronic submission, adds requirements on what must be included in the worksheet, and allows for an accessible digital copy of the worksheet/certificate to be placed in an operator's cab or manual.
- WAC 296-155-53200 – Updates and adds requirements regarding when and what must be included in shift inspections by accredited crane certifiers, updates language relating to hoist lines, and requires orders of immediate restraint issued by L&I to be lifted prior to equipment certification.
- WAC 296-155-53200 – Requires the accredited crane certifier to perform a complete inspection covering the surface of the entire length of the wire ropes. Adds an exception to this subsection relating to the feasibility due to the existing set-up and configuration of the equipment.
- WAC 296-155-53200 – Amends language relating to hoist lines not proof load tested are not considered certified.
- WAC 296-155-53206 – Updates language related to inspecting tower crane parts during assembly, disassembly, or reconfiguration. Adds new requirements around shift inspections and the use of static mounted cranes and traveling cranes. Updates timeframes for submission of worksheets to L&I similar to other sections. Require a registered professional engineer (RPE) to determine the setting of tower crane hoist load limit switches in the absence of the manufacturer's specifications.
- WAC 296-155-53214 – Amends language for when a certification of a crane or equipment is suspended, and when L&I must be notified of damage that has occurred to the equipment.
- WAC 296-155-53300 – Amends language relating to operator training. Adds language relating to when a testing organization is to be considered accredited. Adds language and literacy requirements. Adds language for when there is no accredited testing agency for the particular type of equipment an operator will use. Adds language indicating whenever operator certification/licensure is required there will be no cost to the employee. Amends language relating to substance abuse testing. Adds requirements related to retraining and evaluation processes, and makes other adjustments for clarity.
- WAC 296-155-53301 – Adds new section and requirements to address lift director qualifications.
- WAC 296-155-53303 – Adds new section and requirements to address assembly/disassembly (A/D) director qualifications.

- WAC 296-155-53400 – Adds language that the crane owner must ensure the crane receives a current worksheet/annual certificate of operation prior to use, and for tower cranes, after each reconfiguration.
- WAC 296-155-53400 – Adds language relating to outriggers and stabilizers.
- WAC 296-155-53400 – Adds new requirements related to multiple cranes and equipment, keeping clear of a load, tag and restraint line use, non-tower crane use inside or on multi-level building sites, flag and beacon light use, operations when wind speed exceeds limitations, stopping operations in unpredicted wind speeds, critical lift plans, and requiring an RPE to review and approve use of cranes or equipment inside or on multi-level buildings.
- WAC 296-155-53401 – Updates section to reflect duties of assigned personnel, and when a position can perform more than one duty. Adds requirements to ensure the assembly/disassembly work zone is adequate and controlled. Clarifies language regarding radius of cranes and other equipment. Lastly, amendments add language related to load charts, riggers assigned to load handling activities, and additional A/D director duties.
- WAC 296-155-53402 – Adds language that the procedures for assembly, disassembly, or reconfiguration of a tower crane must be written and be on-site, and clarifies what qualified and competent mean.
- WAC 296-155-53404 – Adds language relating to the crane owner and crane user's compliance with manufacturer's established criteria.
- WAC 296-155-53405 – Adds language relating to removing a crane from service when a deficiency is found and creates a hazard.
- WAC 296-155-53406 – Adds language relating to the use of video equipment as an operational aid only.
- WAC 296-155-53408 – Updates section to reflect documenting planning meetings and who is required to attend, these meetings would occur at different phases of the job when working around power lines. Adds language relating to the work zone having demarking boundaries.
- WAC 296-155-53409 – Adds language relating to providing training prior to assembly, disassembly, or reconfiguration work when using a crane or equipment in the vicinity of energized lines.
- WAC 296-155-53414 – Updates section to reflect what is required when using crane or equipment bring used on a multi-level building. Add language requiring operations must cease in the event of safety devices or operational aids fail. Requires the operator must be evaluated prior to operating a crane or equipment and require signal persons be provided in certain situations.
- WAC 296-155-53416 – Adds new section and requirements to address when forklifts are used when lifting a suspended load.
- WAC 296-155-53700 – Amends existing language by adding new requirements when using electrically-operated cranes.
- WAC 296-155-53900 – Updates section to reflect the rigger and lift director must be certified when doing assembly, disassembly, or reconfiguration work. Adds language requiring the lift director must follow manufacturer's recommendations or an RPE. Requires certain criteria be met to address the operations of tower cranes on different job sites. Adds language related to the use of a dedicated spotter and require an anti-collision plan. Clarifies if manufacturer's procedures are not available an RPSE must develop the procedures. Adds new requirements when using electrically-operated cranes. Adds language requiring the crane manufacturer and distributor must provide operation instructions and guidelines when requested. Adds language relating to stop work authority for any employee who has concerns with tower crane assembly, disassembly, reconfiguration, and operation.
- WAC 296-155-53910 – Adds new section to address tower crane notifications and inspections.
- WAC 296-155-53915 – Adds language relating to visual inspections of tower cranes. Adds criteria when working during adverse weather conditions. Also, adds language relating to maximum ballast or counterweight.
- WAC 296-155-54100 – Adds language requiring when manufacturer's procedures for welding on a self-erecting tower crane are not available an RPSE must be consulted. Adds new requirements when using electrically-operated cranes.
- WAC 296-155-55600 – Adds requirements relating to multi-tier rigging. Some current requirements were relocated to this section. Also, throughout this section the following American Society of Mechanical Engineers (ASME) standards were updated to the most current standard:
 - ASME B30.9-2021. Slings manufactured prior to the effective date of this section, must comply with ASME B30.9-2010.
 - ASME B30.26-2020. Rigging hardware manufactured prior to the effective date of this section, must comply with ASME B30.26-2010.
 - ASME B30.20-2021. Below-the-hook lifting devices manufactured prior to the effective date of this section, must comply with ASME B30.20-2010.
 - ASME B30.10-2019. Hooks manufactured prior to the effective date of this section, must comply with ASME B30.10-2009.
- WAC 296-155-55805 – Adds language requiring visually inspecting the wire rope sling before each shift.
- WAC 296-155-55815 - Adds language requiring visually inspecting the synthetic webbing sling before each shift.
- WAC 296-155-55820 - Adds language requiring visually inspecting the synthetic round sling before each shift.
- WAC 296-155-56105 – Current industry practice, adds language relating to shackles to match industry consensus standard.
- WAC 296-155-56110 – Current industry practice, adds language relating to turnbuckles, eyebolts, eye nuts, and swivel hoist rings, to match industry consensus standard.

- WAC 296-155-56115 – Current industry practice, adds language relating to wire rope clips and wedge sockets, to match industry consensus standard.
- WAC 296-155-56120 – Current industry practice, adds language relating to links, rings, and swivels, to match industry consensus standard.
- WAC 296-155-56125 – Current industry practice, adds language relating to rigging blocks, to match industry consensus standard.
- WAC 296-155-56200 – Updates to the more current ASME standard, ASME B30.20-2021, Below-the-Hook Lifting Devices and B30.20-2010 for structural and mechanical lifting devices manufactured prior to the effective date of this section.
- WAC 296-155-56205 – Updates to the more current ASME standard, ASME B30.20-2021, Below-the-Hook Lifting Devices and B30.20-2010 for vacuum lifting devices manufactured prior to the effective date of this section.
- WAC 296-155-56210 – Updates to the more current ASME standard, ASME B30.20-2021, Below-the-Hook Lifting Devices and B30.20-2010 for close proximity lifting magnets manufactured prior to the effective date of this section.
- WAC 296-155-56215 – Updates to the more current ASME standard, ASME B30.20-2021, Below-the-Hook Lifting Devices and B30.20-2010 for remotely operated lifting magnets manufactured prior to the effective date of this section.
- WAC 296-155-56220 – Updates to the more current ASME standard, ASME B30.20-2021, Below-the-Hook Lifting Devices and B30.20-2010 for grapples manufactured prior to the effective date of this section.

Reasons supporting proposal: The proposed rulemaking is needed in order to meet RCW 49.17.400 through 49.17.445 and to provide additional worker protection. This proposed rulemaking is also needed in order to be at least as effective as federal OSHA under the Washington State Plan.

Statutory authority for adoption: RCW 49.17.010, 49.17.040, 49.17.050, 49.17.060, 49.17.400, 49.17.410, 49.17.420, 49.17.430, 49.17.435, 49.17.440 and 49.17.445.

Statute being implemented: Chapter 49.17 RCW

Is rule necessary because of a:

Federal Law?	<input checked="" type="checkbox"/> Yes	<input 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: 29 CFR 1400 – 1443 Subpart CC

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters: None

Name of proponent: (person or organization) Department of Labor & Industries

Type of proponent: ☐ Private. ☐ Public. ☒ Governmental.

Name of agency personnel responsible for:

	Name	Office Location	Phone
Drafting	Thomas West	Tumwater, WA	509-237-2372
Implementation	Craig Blackwood	Tumwater, WA	360-902-5828
Enforcement	Craig Blackwood	Tumwater, WA	360-902-5828

Is a school district fiscal impact statement required under [RCW 28A.305.135](#)?

☐ Yes ☒ No

If yes, insert statement here:

The public may obtain a copy of the school district fiscal impact statement by contacting:

Name
Address
Phone
Fax
TTY
Email
Other

Is a cost-benefit analysis required under [RCW 34.05.328](#)?

☒ Yes: A preliminary cost-benefit analysis may be obtained by contacting:

Name Cynthia Ireland, Administrative Regulations Analyst
Address Department of Labor & Industries

Division of Occupational Safety and Health
PO Box 44620
Olympia, WA 98504-4620
Phone 360-791-5048
Fax 360-902-5619
TTY
Email Cynthia.Ireland@Lni.wa.gov
Other

☐ No: Please explain:

Regulatory Fairness Act and Small Business Economic Impact Statement

Note: The [Governor's Office for Regulatory Innovation and Assistance \(ORIA\)](#) provides support in completing this part.

(1) Identification of exemptions:

This rule proposal, or portions of the proposal, **may be exempt** from requirements of the Regulatory Fairness Act (see [chapter 19.85 RCW](#)). For additional information on exemptions, consult the [exemption guide published by ORIA](#). Please check the box for any applicable exemption(s):

☐ This rule proposal, or portions of the proposal, is exempt under [RCW 19.85.061](#) because this rule making is being adopted solely to conform and/or comply with federal statute or regulations. Please cite the specific federal statute or regulation this rule is being adopted to conform or comply with, and describe the consequences to the state if the rule is not adopted.

Citation and description:

☐ This rule proposal, or portions of the proposal, is exempt because the agency has completed the pilot rule process defined by [RCW 34.05.313](#) before filing the notice of this proposed rule.

☐ This rule proposal, or portions of the proposal, is exempt under the provisions of [RCW 15.65.570\(2\)](#) because it was adopted by a referendum.

☒ This rule proposal, or portions of the proposal, is exempt under [RCW 19.85.025\(3\)](#). Check all that apply:

☐ [RCW 34.05.310](#) (4)(b)
(Internal government operations)

☐ [RCW 34.05.310](#) (4)(e)
(Dictated by statute)

☒ [RCW 34.05.310](#) (4)(c)
(Incorporation by reference)

☐ [RCW 34.05.310](#) (4)(f)
(Set or adjust fees)

☒ [RCW 34.05.310](#) (4)(d)
(Correct or clarify language)

☐ [RCW 34.05.310](#) (4)(g)
((i) Relating to agency hearings; or (ii) process requirements for applying to an agency for a license or permit)

☐ This rule proposal, or portions of the proposal, is exempt under [RCW 19.85.025\(4\)](#). (Does not affect small businesses).

☐ This rule proposal, or portions of the proposal, is exempt under RCW _____.

Explanation of how the above exemption(s) applies to the proposed rule:

(2) Scope of exemptions: Check one.

☐ The rule proposal: Is fully exempt. (*Skip section 3.*) Exemptions identified above apply to all portions of the rule proposal.

☒ The rule proposal: Is partially exempt. (*Complete section 3.*) The exemptions identified above apply to portions of the rule proposal, but less than the entire rule proposal. Provide details here (consider using [this template from ORIA](#)): The proposed rule amends 83 sections, creates 4 new sections, and repeals 4 sections of WAC. The following sections are exempt or partially exempt under RCW 34.05.310(4)(c) and (4)(d) because the proposed amendments are adopting without material change federal regulations, making housekeeping updates that provide clarity without changing requirements, or do not impose a penalty or sanction:

- WAC 296-155-52900 Scope.
- WAC 296-155-52901 Certification and proof load testing—Requirement.
- WAC 296-155-52902 Definitions.
- WAC 296-155-53110 Revocation or suspension of an accreditation.
- WAC 296-155-53114 Issuance of worksheet/annual certificates of operation.
- WAC 296-155-53200 General inspection criteria, wire rope inspection and removal criteria, and pre-proof load test requirements for all cranes.
- WAC 296-155-53202 Additional inspection criteria and proof load testing—Mobile cranes.
- WAC 296-155-53204 Additional inspection criteria and proof load testing—Articulating boom cranes.
- WAC 296-155-53208 Additional inspection criteria and proof load testing—Self-erecting tower cranes.
- WAC 296-155-53210 Additional inspection criteria and proof load testing—Overhead/bridge and gantry bridge cranes.

- WAC 296-155-53212 Additional inspection criteria and proof load testing—Derricks.
- WAC 296-155-53300 Operator qualifications and certification.
- WAC 296-155-53302 Signal person qualifications.
- WAC 296-155-53304 Repair, inspection, and maintenance employee qualifications.
- WAC 296-155-53306 Rigger qualifications.
- WAC 296-155-53401 Duties of assigned personnel.
- WAC 296-155-53402 Assembly, disassembly, or reconfiguration.
- WAC 296-155-53403 Fall protection.
- WAC 296-155-53404 Wire Rope.
- WAC 296-155-53405 Inspections.
- WAC 296-155-53406 Signals.
- WAC 296-155-53409 Training.
- WAC 296-155-53410 Safety devices.
- WAC 296-155-53412 Operational aids.
- WAC 296-155-53700 Mobile cranes—General.
- WAC 296-155-53715 Mobile cranes—Operations.
- WAC 296-155-53800 Articulating boom cranes—General.
- WAC 296-155-53815 Articulating boom cranes—Operations.
- WAC 296-155-53910 Tower crane notifications and inspections.
- WAC 296-155-53915 Tower cranes—Operations.
- WAC 296-155-54100 Self-erecting tower cranes—General.
- WAC 296-155-54115 Self-erecting tower cranes—Operations.
- WAC 296-155-54200 Overhead/bridge and gantry cranes—General.
- WAC 296-155-54215 Overhead/bridge and gantry cranes—Operations.
- WAC 296-155-54300 Derricks—General.
- WAC 296-155-54305 Derricks—Construction.
- WAC 296-155-54320 Derricks—Operations.
- WAC 296-155-54400 Floating cranes/equipment and land cranes/equipment on barges.
- WAC 296-155-54405 Dedicated pile drivers.
- WAC 296-155-54410 Sideboom cranes.
- WAC 296-155-547 Personnel lifting platforms (attached and suspended) - Scope.
- WAC 296-155-54800 Design of platforms and suspension systems.
- WAC 296-155-54900 Crane/equipment requirements for personnel lifting.
- WAC 296-155-55100 Inspections on cranes and personnel platforms.
- WAC 296-155-55105 Adjustments and repairs on personnel platforms.
- WAC 296-155-55110 Proof load test platforms and rigging.
- WAC 296-155-55115 Trial lift.
- WAC 296-155-55200 Employer responsibilities for lifting personnel.
- WAC 296-155-55205 Responsibilities of the personnel lift supervisor.
- WAC 296-155-55210 Crane or derrick operation requirements for personnel lifting.
- WAC 296-155-553 Lifting personnel.
- WAC 296-155-55300 Personnel lifting requirements.
- WAC 296-155-55305 Lifting personnel near electrical power lines.
- WAC 296-155-55400 Use boatswain's chairs as a last resort.
- WAC 296-155-55405 Lifting personnel using a boatswain's chair.
- WAC 296-155-55800 Chain slings.
- WAC 296-155-55805 Wire rope slings.
- WAC 296-155-55810 Metal mesh slings.
- WAC 296-155-55815 Synthetic rope slings.
- WAC 296-155-55820 Synthetic webbing slings.
- WAC 296-155-55825 Synthetic round slings.
- WAC 296-155-56100 General requirements.
- WAC 296-155-56105 Shackles.
- WAC 296-155-56110 Adjustable hardware.
- WAC 296-155-56115 Compression hardware.
- WAC 296-155-56120 Links, rings, and swivels.
- WAC 296-155-56125 Rigging blocks.
- WAC 296-155-56200 Structural and mechanical lifters.
- WAC 296-155-56205 Vacuum lifters.
- WAC 296-155-56210 Close proximity lifting magnets.
- WAC 296-155-56215 Remotely operated lifting magnets.

- WAC 296-155-56220 Scrap and material handling grapples.
- WAC 296-155-56415 Qualifications for operators of below-the-hook lifting devices.
- WAC 296-155-56420 Operator certification—Written examination—Technical knowledge criteria.
- WAC 296-155-56425 Sample declaration form for hours of experience.
- WAC 296-155-56430 Assembly/disassembly—Working under the boom, jib or other components—Sample procedures for minimizing the risk of unintended dangerous boom movement.

☐ The rule proposal: Is not exempt. (*Complete section 3.*) No exemptions were identified above.

(3) Small business economic impact statement: *Complete this section if any portion is not exempt.*

If any portion of the proposed rule is **not exempt**, does it impose more-than-minor costs (as defined by RCW 19.85.020(2)) on businesses?

☒ No Briefly summarize the agency's minor cost analysis and how the agency determined the proposed rule did not impose more-than-minor costs. The proposed rule impacts businesses and workers who are involved in crane-related activities. These activities include, but are not limited to, leasing, certifying, operating, directing, or supervising. The rules outline the various aspects which are applicable to each and so not every single entity impacted would be subject to the full spectrum of the proposed rules. The rules also outline exemptions and/or restrictions whereby certain occupations or responsibilities are not subject to certain proposed requirements.

Affected Industries and Businesses

The proposed rules apply to all employers who are involved in crane-related activities. Using a low and high range of the likelihood of crane-related activity of businesses within each industry, L&I was able to approximate the number of businesses within each industry likely affected by the proposed rules. The likelihood of overall crane use that informed the range estimates focused on mobile crane, tower cranes, overhead cranes, crawler/tractor cranes, and floating cranes. The industries most heavily impacted by the rules are (1) Crane Rental with Operator, Construction, Mining, and (2) Forestry Machinery and equipment Rental and Leasing, with an average of 95 percent impacted. These are followed by (3) Oil and Gas Pipeline and Related Structures Construction, (4) Highway, Street, and Bridge Construction, (5) Other Heavy and Civil Engineering Construction, and (6) Structural Steel Erection Contractors, at 65 percent each. Altogether more than 5,966 businesses may be affected by these proposed rules. We present the top 20 in Table 1 – Share and number of businesses likely impacted by industry. We also estimated the number of impacted businesses for forklift operator certifications for requirements under WAC 296-155-53416. The results reflect only those businesses with forklifts when used in a crane lifting capacity, and thus omitted businesses with forklifts which are only used for general/standard functions (i.e. in a non-crane-lifting capacity an estimated 4,544 businesses are likely to be impacted. In Table 2 we present the top 20 industries likely impacted by percentage.

Table 1. Top 20 businesses likely impacted by industry (reflects the top 20 percent of impacted industries)

NAICS	Industry	Percent likely impacted	No. of businesses likely impacted
238992	All Other Nonresidential Trade Contractors	95%	90
532412	Construction, Mining, & Forestry Machinery & Equipment Rental & Leasing	95%	71
237120	Oil and Gas Pipeline and Related Structures Construction	65%	17
237310	Highway, Street, and Bridge Construction	65%	143
237990	Other Heavy and Civil Engineering Construction	65%	116
238122	Structural Steel Erection Contractors	65%	40
236210	Industrial Building Construction	55%	36
236220	Commercial and Institutional Building Construction	55%	476
237130	Power and Communication Line and Related Structures Construction	55%	109
238112	Structural Steel and Precast Concrete Contractors	55%	32
332312	Fabricated Structural Metal Manufacturing	45%	33
237110	Water and Sewer Line and Related Structures Construction	45%	152
333924	Industrial Truck, Tractor, Trailer, and Stacker Machinery Manufacturing	45%	4
221122	Electric Power Distribution	40%	17
238111	Poured Concrete Foundation and Structure Contractors	35%	348
238191	Other Foundation, Structure, and Building Exterior Contractors	35%	63
238911	Site Preparation Contractors	35%	405
238912	Excavation Contractors	35%	113

238991	All Other Specialty Trade Contractors	35%	267
482111	Line-Haul Railroads	35%	*

Table 2. Top 20 businesses likely impacted by forklift operator certifications


NAICS	Industry	Percent likely impacted	No. of businesses likely impacted
532412	Construction, Mining, & Forestry Machinery & Equipment Rental & Leasing	53%	40
333924	Industrial Truck, Tractor, Trailer, & Stacker Machinery Manufacturing	43%	4
423810	Construction and Mining (except Oil Well) Merchant Wholesalers	43%	56
482111	Line-Haul Railroads	38%	*
423990	Other Miscellaneous Durable Goods Merchant Wholesalers	38%	121
321922	Wood Container and Pallet Manufacturing	33%	7
332312	Fabricated Structural Metal Manufacturing	33%	20
236210	Industrial Building Construction	28%	18
236220	Commercial and Institutional Building Construction	28%	242
237120	Oil and Gas Pipeline Construction	28%	7
237310	Highway, Street, and Bridge Construction	28%	62
237990	Other Heavy and Civil Engineering Construction	28%	50
238112	Structural Steel and Precast Concrete Contractors	28%	26
238122	Structural Steel Erection Contractors	28%	17
238911	Site Preparation Contractors	28%	324
333112	Lawn & Garden Tractor & Home Lawn & Garden Equipment Manufacturing	28%	1
221122	Electric Power Distribution	23%	10
236116	New Multifamily Housing Construction	23%	12
237110	Water and Sewer Line Construction	23%	78
237130	Power and Communication Line Construction	23%	46

L&I estimates the total cost of compliance with the proposed rule to be \$1.4 million to \$29.6 million each year for all the affected businesses. Based on this cost range and the share of affected businesses in each industry estimated in the tables above, the average per-business cost of the proposed rule is in a range of \$0.10 to \$816.71 depending on the specific industry to which a business belongs. The minor cost threshold, based on 1 percent of annual payroll for each industry, result in a range of \$1,541 to \$112,774, after adjusting for inflation to 2024 figures. Comparing the per-business cost to the minor cost threshold shows that unit cost is far below the minor cost threshold across all industries. Overall, the average per-business cost is less than one tenth of one percent of the minor cost threshold.

☐ Yes Calculations show the rule proposal likely imposes more-than-minor cost to businesses and a small business economic impact statement is required. Insert the required small business economic impact statement here:

The public may obtain a copy of the small business economic impact statement or the detailed cost calculations by contacting:

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Date: March 18, 2025	Signature: 
Name: Joel Sacks	
Title: Director	