



# PROPOSED RULE MAKING

## CR-102 (July 2022) (Implements RCW 34.05.320) Do NOT use for expedited rule making

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STATE OF WASHINGTON  
FILED

DATE: May 02, 2023

TIME: 8:37 PM

WSR 23-10-083

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

**Original Notice**

**Supplemental Notice to WSR** \_\_\_\_\_

**Continuance of WSR** \_\_\_\_\_

**Preproposal Statement of Inquiry was filed as WSR 21-21-088 ; 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) Proposed amendments to the elevator rules under chapter 296-96 WAC, Safety Regulations And Fees For All Elevators, Dumbwaiters, Escalators And Other Conveyances, excluding the rules with fees.

**Hearing location(s):**

Date:	Time:	Location: (be specific)	Comment:
June 7, 2023	9:00 a.m.	Virtual and telephonic hearing  <b>Join electronically:</b> <a href="https://lni-wa.gov.zoom.us/j/88472027841?pwd=ZGcVJYZz09">https://lni-wa.gov.zoom.us/j/88472027841?pwd=ZGcVJYZz09</a> Passcode: 1Nh+8S+Y  OR <b>Join by phone (audio only):</b> 1-253-215-8782 Meeting ID: 884 7202 7841 Passcode: 57042695	The virtual/telephonic hearing starts at 9:00 a.m. and will continue until all oral comments are received.
June 13, 2023	9:00 a.m.	L&I Tukwila Office 12806 Gateway Dr S Tukwila, WA 98168	The in-person hearing starts at 9:00 a.m. and will continue until all oral comments are received.

**Date of intended adoption:** August 1, 2023 (Note: This is **NOT** the effective date)

**Submit written comments to:**

Name: Alicia Curry  
Address: Department of Labor & Industries  
Field Services & Public Safety  
PO Box 44400  
Olympia, WA 98504-4400  
Email: Alicia.Curry@Lni.wa.gov  
Fax: 360-902-6134  
Other:  
By (date) 5 p.m. on June 13, 2023

**Assistance for persons with disabilities:**

Contact Alicia Curry  
Phone: 360-902-6244  
  
Fax: 360-902-6134  
TTY:  
Email: Alicia.Curry@Lni.wa.gov  
Other:  
By (date) May 24, 2023

**Purpose of the proposal and its anticipated effects, including any changes in existing rules:** The purpose of this rulemaking is to propose amendments to the elevator rules under chapter 296-96 WAC. The Elevator Program reviewed the existing rules and new safety codes from the 2019 edition of the American Society of Mechanic Engineers (ASME)

A17.1/CSA B44 - 2019, Safety Code for Elevators and Escalators, and other related codes. The review process included an opportunity for elevator stakeholders to participate in the review of the existing rules, submit proposals for amendments, and provide recommendations to L&I on proposals. A Technical Advisory Committee (TAC), consisting of multiple industry representatives, and the Elevator Safety Advisory Board (ESAC) reviewed the proposals and provided advice to L&I on adoption of the rules.

This rulemaking proposes amendments to adopt new safety codes, along with updates, clarification, housekeeping, and other amendments recommended by stakeholders, TAC, ESAC, and L&I to improve public safety.

Proposed rules to this chapter are as follows:

#### **New Sections**

##### **WAC 296-96-00905, Primary point of contact.**

- Adds a new section to establish the duties and responsibilities of an elevator Primary Point of Contact for accountability and uniformity with the Elevator Program's existing practices.

##### **WAC 296-96-02487, State requirements for sprinklers and shunt trips for hydraulic elevators in buildings.**

- Adds a new section to clarify that buildings equipped with sprinklers must have them in hydraulic elevator equipment areas for uniformity with the national consensus codes.

##### **WAC 296-96-02610, Private residence platform lifts.**

- Adds a new section that allows a cord and plug to be used as an additional disconnecting means for private residence platform lifts and the requirements for implementing this option.

##### **WAC 296-96-02705, Location of speed governor.**

- Adds a new section to clarify the existing code requirements for allowing manufacturers to install a governor overspeed in locations where they can be more easily serviced.

##### **WAC 296-96-02710, Residential governor ropes.**

- Adds a new section to allow belts and other means to be used for a governor rope under certain conditions to improve public safety.

##### **WAC 296-96-02715, Disconnecting means, hoistwayless elevators.**

- Adds a new section that requires hoistwayless elevators to have the same standards as hoistway elevators for an auxiliary disconnect to improve safety. The amendments require an additional location for the disconnecting means to allow for safely disconnecting the power without having to get into the elevator.

##### **WAC 296-96-02720, Two-way communications means.**

- Adds a new section to clarify the existing national consensus code requirements for two-way communication means for private residence elevators. Adds new language that phone lines in conveyances must be monitored by a person other than an answering machine or voicemail and connected to either a cellular network, VOIP, or central telephone exchange, and adds requirements to address failure of the communication means.

##### **WAC 296-96-23102, Roof access through horizontal hatch-type covers.**

- Adds a new section that requires the replacement of wooden ladders with metal ladders in kind for existing elevators to provide for safer access to roof doors leading to elevator machine rooms.

#### **Amended Sections**

##### **WAC 296-96-00500, Scope, purpose, and authority.**

- Adds a new subsection to clarify that L&I's interpretation of RCW 70.87.200(1)(b) does not include Construction Personnel Hoists and Material Hoists covered by ANSI/ASSP A10.4 and A10.5.

##### **WAC 296-96-00600, Application of adopted standards and rules.**

- Adds a new subsection to address the need for sprinklers in buildings that have sprinkler systems to clarify the national consensus code requirements. The new language clarifies that when installing an elevator or during construction, sprinklers must be installed per the unabridged edition of NFPA 13 and 72, within ASME A17.1/CSA B44 national standards.
- Amends language for general housekeeping, such as, renumbering of subsections, formatting, adding verbiage for rule clarity, punctuation corrections, and combining language for simplicity, etc.

##### **WAC 296-96-00650, Adopted standards.**

- Adds new language to adopt new safety code requirements for conveyances in the state of Washington to improve public safety. This includes:
  - ASME A17.1/CSA B44-2019, Safety Code for Elevators and Escalators;
  - ASME A18.1-2020, Safety Standards for Platform Lifts and Stairway Chair Lifts; and
  - ASME A10.5 ANSI/ASSP A10.5-2020, Safety Requirements for Material Hoists.

- Updates the installation dates in the table of national elevator codes and supplements adopted by L&I to reflect adoption of new safety codes.
- Updates the title of A10.4-2016 as the code authority has relabeled the standard.

**WAC 296-96-00675, Amendments to adopted standards.**

- Adds new language to clarify the amendments to ASME safety codes.
- Adds new lighting requirements of 200 lx or 19 fc in the machine room and in the truss interior for all conveyances types to improve safety.
- Adds new requirements that allow records for the grain industry to be kept remotely from the building site for uniformity with existing and accepted practices for this industry.
- Adds new requirements for annual cleaning of escalators for uniformity with the national consensus codes.
- Adds a new requirement that a record of the fire alarm initiating device testing must be kept on-site for inspection to improve safety.
- Adds new language to allow exceptions for some minor alterations from full compliance with ASME A17.3 to align with industry standards. A major alteration is defined as an operational controller change and all of the provisions of ASME A17.3 would be effective.
- Adds new language to the firefighter's emergency operation requirements to clarify that deficiencies must be reported to and corrected by elevator personnel for uniformity with the national consensus code.
- Amends existing language to clarify that periodic testing applies to all standards for additional clarification.
- Amends language for general housekeeping, such as relocating existing language throughout the rule, reformatting, reference corrections, replacing the spelling of the number with the numeral for consistency with the national standards, etc.

**WAC 296-96-00700, Chapter definitions.**

- Adds new definitions to define the "authority having jurisdiction (AHJ)", "conveyance work", "construction personnel hoist (CPH)", "controller"; "machine room less (MRL elevator)", "machine room", "material hoist", "vertical reciprocating conveyors (VRC)", and "WAC material lift" for terms used throughout the chapter.
- Amends the existing definition for "replacement" for clarity and uniformity with statute.
- Repeals the definition of "form, fit, and function" and "standard application material lift", as these terms are being removed throughout the chapter.
- Adds subsections to the definitions for formatting and easier referencing.

**WAC 296-96-00904, License requirements for elevator contractors.**

- Amends language for general housekeeping, such as formatting, correcting code references, and replacing the spelling of the number with the numeral for consistency with the national consensus codes.

**WAC 296-96-00910, Elevator mechanic license categories.**

- Removes "special purpose elevators" from the list of conveyances that Category 04 elevator mechanic license holders can perform work on, as this licensing category does not cover the education requirements needed for special purpose elevators.
- Adds new language that allows for elevator mechanic licensing endorsements, so elevator mechanics can attain the ability to do other work.

**WAC 296-96-01000, Permits for new construction and alterations.**

- Amends existing language to remove the term "form, fit, and function" throughout the rules for better uniformity with the national consensus codes.

**WAC 296-96-02400, Requests for acceptance inspections.**

- Adds new requirements for cancellation of acceptance inspections by Contractors and L&I inspectors to clarify expectations.

**WAC 296-96-02421, Layout plans.**

- Adds language for the additional information that must be submitted to L&I on plan views for new machine room less and hydraulic machine room less equipment for uniformity with the national consensus code.
- Amends subsection numbers and removes wording for formatting.

**WAC 296-96-02452, Access to machines, overhead sheaves, shackles, and hitch supports.**

- Adds language for clarity to provide detailed instruction on locating a reference point in the hoistway for taking measurements.
- Amends language to convert measurements for uniformity with the national consensus codes.

**WAC 296-96-02460, Location.**

- Amends language to convert measurements for uniformity with the national consensus codes.

**WAC 296-96-02465, Machine rooms, control rooms, and control spaces.**

- Amends language to convert measurements for uniformity with the national consensus codes.

**WAC 296-96-02530, Handrails.**

- Removes “with a gripping surface” from the handrail configuration requirements for uniformity with the national consensus code.
- Amends language to convert measurements for uniformity with the national consensus codes.

**WAC 296-96-02580, Inspection keys.**

- Amends language to convert measurements for uniformity with the national consensus codes.

**WAC 296-96-02605, Private residence inclined stairway chairlifts.**

- Amends the title to clarify that private residence inclined stairway chairlifts apply to both private residential and commercial buildings.
- Amends language to clarify the requirements allowed for battery operated inclined stairway chairlifts and the way they can be disconnected from power.
- Adds language to clarify the disconnecting means requirements pertaining to residential and commercial stairway chair lifts.
- Amends language to clarify full load safety testing.
- Amends language for reference corrections and to relocate existing language for formatting.

**WAC 296-96-02650, Additional required on-site documentation.**

- Amends language to reformat the rule so it’s easier to understand and use.
- Amends the term “platform lifts” to “platform chair” for proper reference.

**WAC 296-96-02700, Machine room requirements.**

- Amends the rule title to allow other residential spaces to be used for elevator machinery under this section.
- Amends language to provide owners an additional option to not have to partition or install guards in an area to create a dedicated space for their elevator machinery for uniformity with national consensus codes.
- Amends language to convert measurements for uniformity with national consensus codes.

**WAC 296-96-05000, Scope.**

- Amends language to replace the term “standard application” material lifts with “WAC” material lifts throughout the chapter, as this equipment is not standard and is constructed to the rules within Part C1.

**WAC 296-96-05010, Definition and use.**

- Amends language to replace the term “standard application” material lifts with “WAC” material lifts throughout the chapter, as this equipment is not standard and is constructed to the rules within Part C1.
- Amends language to convert measurements for uniformity with the national consensus codes.

**WAC 296-96-05020, Hoistway enclosure.**

- Amends language to convert measurements for uniformity with the national consensus codes.

**WAC 296-96-05030, Hoistway gates and doors.**

- Amends language to convert measurements for uniformity with the national consensus codes.

**WAC 296-96-05070, Car enclosures.**

- Amends language to convert measurements for uniformity with the national consensus codes.
- Amends language to replace the term “standard application” material lifts with “WAC” material lifts throughout the chapter, as this equipment is not standard and is constructed to the rules within Part C1.

**WAC 296-96-05080, Running clearance.**

- Amends language to convert measurements for uniformity with the national consensus codes.

**WAC 296-96-05090, Car and counterweight guides.**

- Amends language to convert measurements for uniformity with the national consensus codes.

**WAC 296-96-05190, Pits.**

- Amends language to convert measurements for uniformity with the national consensus codes.

**WAC 296-96-05210, Signage.**

- Adds language to create new subsections for formatting.
- Amends language to convert measurements for uniformity with the national consensus codes.
- Creates a new subsection to define a “code data plate” and the information needed for WAC material lifts.

**WAC 296-96-07150, Guide rails, track supports and fastenings.**

- Amends language to convert measurements for uniformity with the national consensus codes.

**WAC 296-96-23116, Car numbers.**

- Amends language to convert measurements for uniformity with the national consensus codes.

**WAC 296-96-23117, Car top guard railings.**

- Amends language to convert measurements for uniformity with the national consensus codes.

**WAC 296-96-23119, Low overhead signs.**

- Amends language to convert measurements for uniformity with the national consensus codes.

**WAC 296-96-23122, Machine room and machinery space illumination.**

- Adds new language to correctly reference the full ASME national code.

**WAC 296-96-23126, Guarding of equipment.**

- Amends language to convert measurements for uniformity with the national consensus codes.

**WAC 296-96-23130, Pit access.**

- Amends language to convert measurements for uniformity with the national consensus codes.

**WAC 296-96-23605, Examination of standard application material lifts, special purpose elevators, electric manlifts, and hand-powered manlifts.**

- Amends language to replace the term “standard application” material lifts with “WAC” material lifts throughout the rules, as this equipment is not standard and constructed to the rules within Part C1.
- Amends language to reformat the rule so it’s easier to understand and use.

**WAC 296-96-23606, Installations placed in voluntary red tag status.**

- Amends language to remove “voluntary” from “red tag status” throughout the rule to clarify the requirements are to be followed, regardless of either voluntary or red tag status.

**WAC 296-96-23701, Maintenance and tests on commercial accessibility lifts.**

- Amends language to update the one and five-year inspection test tag requirements for uniformity with national consensus codes.
- Adds new language to clarify that tests, exams, and maintenance must be accessible in the written maintenance program for uniformity with the national consensus codes.

**WAC 296-96-24000, Applicable codes and rules.**

- Amends language to replace the term “standard application” material lifts with “WAC” material lifts throughout the rules, as this equipment is not standard and constructed to the rules within Part C1.

**WAC 296-96-24112, Runway clearances.**

- Amends language to convert measurements for uniformity with the national consensus codes.

**WAC 296-96-24115, Landing enclosures and gates.**

- Amends language to convert measurements for uniformity with the national consensus codes.

**WAC 296-96-24118, Bumpers and buffers.**

- Amends language to convert measurements for uniformity with the national consensus codes.

**WAC 296-96-24127, Maximum rated speed.**

- Amends language to convert measurements for uniformity with the national consensus codes.

**WAC 296-96-24133, Car enclosures.**

- Amends language to convert measurements for uniformity with the national consensus codes.

**WAC 296-96-24136, Car doors and gates.**

- Amends language to convert measurements for uniformity with the national consensus codes.

**WAC 296-96-24139, Capacity and data plates.**

- Amends language to convert measurements for uniformity with the national consensus codes.

**WAC 296-96-24142, Guide rails, track supports and fastenings.**

- Amends language to convert measurements for uniformity with the national consensus codes.

**WAC 296-96-24148, Safeties and governors.**

- Amends language to convert measurements for uniformity with the national consensus codes.

**WAC 296-96-24154, Driving machines and sheaves.**

- Adds new language to correctly reference the full ASME national code.

**WAC 296-96-24163, Suspension means.**

- Amends language to convert measurements for uniformity with the national consensus codes.

**WAC 296-96-24221, Bumpers and buffers.**

- Amends language to convert measurements for uniformity with the national consensus codes.

**WAC 296-96-24231, Rated speed.**

- Amends language to convert measurements for uniformity with the national consensus codes.

**WAC 296-96-24237, Car enclosures.**

- Amends language to convert measurements for uniformity with the national consensus codes.

**WAC 296-96-24240, Capacity and data plates.**

- Amends language to convert measurements for uniformity with the national consensus codes.

**WAC 296-96-24243, Guide rails, track supports, and fastenings.**

- Amends language to convert measurements for uniformity with the national consensus codes.

**WAC 296-96-24255, Drive machines, sheaves and brakes.**

- Adds new language to correctly reference the full ASME national code.

**WAC 296-96-24264, Suspension means.**

- Amends language to convert measurements for uniformity with the national consensus codes.

**WAC 296-96-24279, Additional requirements.**

- Amends language to convert measurements for uniformity with the national consensus codes.

**WAC 296-96-24457, Up-limit stop devices.**

- Amends language to convert measurements for uniformity with the national consensus codes.

**WAC 296-96-24500, Scope.**

- Adds new language to correctly reference the full ASME national code.

**WAC 296-96-24519, Hoistway and landing construction.**

- Amends language to convert measurements for uniformity with the national consensus codes.

**WAC 296-96-24522, Hoistway doors and gates.**

- Amends language to convert measurements for uniformity with the national consensus codes.

**WAC 296-96-24525, Car enclosures and frames.**

- Amends language to convert measurements for uniformity with the national consensus codes.

**WAC 296-96-24528, Car doors and gates.**

- Amends language to convert measurements for uniformity with the national consensus codes.

**WAC 296-96-24531, Counterweight enclosures, counterweight and fastenings.**

- Amends language to convert measurements for uniformity with the national consensus codes.

**WAC 296-96-24534, Guide rails.**

- Amends language to convert measurements for uniformity with the national consensus codes.

**WAC 296-96-24537, Suspension means.**

- Amends language to convert measurements for uniformity with the national consensus codes.

**WAC 296-96-24543, Car safeties.**

- Amends language to convert measurements for uniformity with the national consensus codes.

**WAC 296-96-24553, Drive machines.**

- Amends language to convert measurements for uniformity with the national consensus codes.

**WAC 296-96-24560, Additional applicable requirements.**

- Amends language to convert measurements for uniformity with the national consensus codes.

**WAC 296-96-24620, Landings and entrances.**

- Amends language to convert measurements for uniformity with the national consensus codes.

**WAC 296-96-24635, Guide rails.**

- Amends language to convert measurements for uniformity with the national consensus codes.

**WAC 296-96-24640, Buffers.**

- Amends language to convert measurements for uniformity with the national consensus codes.

**WAC 296-96-24645, Car construction.**

- Amends language to convert measurements for uniformity with the national consensus codes.

**WAC 296-96-24650, Counterweights.**

- Amends language to convert measurements for uniformity with the national consensus codes.

**WAC 296-96-24655, Sheaves and supporting members.**

- Amends language to convert measurements for uniformity with the national consensus codes.

**WAC 296-96-24660, Suspension means.**

- Amends language to convert measurements for uniformity with the national consensus codes.
- Amends language to update a subsection reference.

**WAC 296-96-24665, Operating ropes.**

- Amends language to convert measurements for uniformity with the national consensus codes.

**WAC 296-96-24670, Hoistway requirements.**

- Amends language to convert measurements for uniformity with the national consensus codes.

**Repealed Sections**

**WAC 296-96-02640, Inclined commercial stairway chair lifts.**

- Repeals the rules for inclined commercial stairway chair lifts, as these lifts fall under the same category or design as residential inclined chairlifts under ASME A18.1, Section 10.4.

**WAC 296-96-18010, Definition**

**WAC 296-96-18011, Minimum maintenance requirements.**

**WAC 296-96-18020, Car and platform enclosures**

**WAC 296-96-18030, Electrical wiring requirements**

**WAC 296-96-18040, Brakes**

**WAC 296-96-18050, Stop switches and protective devices**

**WAC 296-96-18060, Reshacking and refastening of hoisting cables**

**WAC 296-96-18070, Hoistway gates and doors**

**WAC 296-96-18080, Hoistway enclosures.**

- Repeals the rules pertaining to Boat Launching Elevators, as the Elevator Program is no longer regulating this type of equipment as no national standard for this equipment exists and there is no longer a need.

**WAC 296-96-20010, Minimum maintenance requirements**

**WAC 296-96-24700, Scope.**

- Repeals the rules pertaining to mechanized parking garages. L&I's Elevator Program is no longer regulating this type of equipment as a national standard for this equipment no longer exists.

**WAC 296-96-24703, Minimum maintenance requirements**

**WAC 296-96-24706, Machine rooms and machinery space**

**WAC 296-96-24709, Equipment in machine rooms/spaces**

**WAC 296-96-24712, Electrical wiring, pipes and ducts in hoistways and machine rooms**

**WAC 296-96-24715, Pits**

**WAC 296-96-24718, Hoistway door openings**

**WAC 296-96-24721, Hoistway door installation**

**WAC 296-96-24724, Hoistway door clearances**

**WAC 296-96-24727, Hoistway door locking devices**

**WAC 296-96-24730, Protection of space beneath hoistway**

**WAC 296-96-24733, Car doors and gates**

**WAC 296-96-24736, Car enclosure**

**WAC 296-96-24739, Construction of car frames and platforms**

**WAC 296-96-24742, Connecting car frames to platforms**

**WAC 296-96-24745, Capacity**

**WAC 296-96-24748, Driving machines**

**WAC 296-96-24751, Material and grooving for sheaves and drums**

**WAC 296-96-24754, Brakes**

**WAC 296-96-24757, Terminal stopping devices**

**WAC 296-96-24760, Suspension means**

**WAC 296-96-24765, Hydraulic casket lifts**

**WAC 296-96-24770, Valves, supply piping and fittings**

**WAC 296-96-24775, Stopping devices****WAC 296-96-24780, Operating devices.**

- Repeals the rules pertaining to casket lifts. L&I's Elevator Program is no longer regulating this type of equipment as a national standard for this equipment no longer exists.

**Reasons supporting proposal:** This rulemaking proposes amendments based on recommendations from the Elevator Program, TAC, and ESAC identified during the rule development process. This rulemaking is needed to update the rules with the latest safety code requirements, so Washington State is consistent with the national consensus codes that govern conveyances. ASME A17.1/B44 CSA is the recognized safety standard for the elevator industry and is adopted throughout North America. The ASME standards address both new and existing elevators, escalators, dumbwaiters, moving walks, material lifts, platform lifts and stairway chairlifts and provides requirements applying to the design, construction, installation, operation, testing, inspection, maintenance, alteration, and repair of these conveyances. The purpose of the safety codes and standards are to enhance public health and safety. Additionally, other amendments to this chapter are needed to bring the rules up-to-date and to adopt amendments requested by stakeholders.

**Statutory authority for adoption:** Chapter 70.87.030 RCW

**Statute being implemented:** Chapter 70.87 RCW

**Is rule necessary because of a:**

- Federal Law?  Yes  No
- Federal Court Decision?  Yes  No
- State Court Decision?  Yes  No

If yes, CITATION:

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

**Type of proponent:**  Private  Public  Governmental

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

**Name of agency personnel responsible for:**

	Name	Office Location	Phone
Drafting:	Gerald Brown, Prog. Mgr.	Tumwater, WA	360-999-0592
Implementation:	Steve Reinmuth, Asst. Dir.	Tumwater, WA	360-902-6348
Enforcement:	Steve Reinmuth, Asst. Dir.	Tumwater, WA	360-902-6348

**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: Alicia Curry

Address: Department of Labor & Industries

Field Services & Public Safety

PO Box 44400

Olympia, WA 98504-4400

Phone: 360-902-6244

Fax: 360-902-6134

TTY:

Email: Alicia.Curry@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:

- |   |  |
|---|--|
| <input type="checkbox"/> <a href="#">RCW 34.05.310</a> (4)(b)<br>(Internal government operations)         | <input checked="" type="checkbox"/> <a href="#">RCW 34.05.310</a> (4)(e)<br>(Dictated by statute)  |
| <input checked="" type="checkbox"/> <a href="#">RCW 34.05.310</a> (4)(c)<br>(Incorporation by reference)  | <input type="checkbox"/> <a href="#">RCW 34.05.310</a> (4)(f)<br>(Set or adjust fees)  |
| <input checked="" type="checkbox"/> <a href="#">RCW 34.05.310</a> (4)(d)<br>(Correct or clarify language) | <input type="checkbox"/> <a href="#">RCW 34.05.310</a> (4)(g)<br>((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: See explanation in Section 2 below.

**(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](#)):

	<b>Proposed WAC Sections</b>	<b>This proposed rule section is <u>not exempt</u>- Analysis is required</b>	<b>This proposed rule section is <u>exempt</u>. Provide RCW to support this exemption.</b>
1.	WAC 296-96-00600, Application of adopted standards and rules.	<input type="checkbox"/>	This section is exempt under RCW 34.05.310(4)(c) and RCW 34.05.310(4)(d) because it adopts national consensus codes that generally establish industry standards and changes that only clarify language of a rule without changing the substance or effect of requirements.
2.	WAC 296-96-00650, Adopted standards.	<input type="checkbox"/>	This section is exempt under RCW 34.05.310(4)(c) because it adopts national consensus standards.
3.	WAC 296-96-00675, Amendments to adopted standards.	<input checked="" type="checkbox"/>	This section is partially exempt under RCW 34.05.310(4)(c), RCW 34.05.310(4)(d), and RCW 34.05.310(4)(e) because it adopts national consensus codes that generally establish industry standards, changes that only correct typographical errors or clarify language of a rule without changing the substance or effect of requirements, and content of which is explicitly and specifically dictated by statute.
4.	WAC 296-96-00700, Chapter definitions.	<input type="checkbox"/>	This section is exempt under RCW 34.05.310(4)(c) and RCW 34.05.310(4)(d) because it adopts national consensus codes that generally establish industry standards and Washington state statutes and changes that clarify language of a rule without changing the substance or effect of requirements.
5.	WAC 296-96-00904, License requirements for elevator contractors.	<input type="checkbox"/>	This section is exempt under RCW 34.05.310(4)(d) because it adopts changes that only correct typographical errors or clarify language of a rule without changing the substance or effect of requirements.

6.	WAC 296-96-01000, Permits for new construction and alterations.	<input type="checkbox"/>	This section is exempt under RCW 34.05.310(4)(d) because it adopts changes that clarify language of a rule without changing the substance or effect of requirements.
7.	WAC 296-96-02421, Layout plans.	<input type="checkbox"/>	This section is exempt under RCW 34.05.310(4)(c) and RCW 34.05.310(4)(d) because it adopts national consensus codes that generally establish industry standards and changes that only clarify language of a rule without changing the substance or effect of requirements.
8.	WAC 296-96-02452, Access to machines, overhead sheaves, shackles, and hitch supports.	<input type="checkbox"/>	This section is exempt under RCW 34.05.310(4)(c) because it adopts national consensus codes that generally establish industry standards.
9.	WAC 296-96-02460, Location.	<input type="checkbox"/>	This section is exempt under RCW 34.05.310(4)(d) because it adopts changes that only clarify language of a rule without changing the substance or effect of requirements.
10.	WAC 296-96-02465, Machine rooms, control rooms, and control spaces.	<input type="checkbox"/>	This section is exempt under RCW 34.05.310(4)(d) because it adopts changes that only clarify language of a rule without changing the substance or effect of requirements.
11.	WAC 296-96-02487, State requirements for sprinklers and shunt trips for hydraulic elevators in buildings.	<input type="checkbox"/>	This section is exempt under RCW 34.05.310(4)(c) because it adopts national consensus codes that generally establish industry standards.
12.	WAC 296-96-02530, Handrails.	<input type="checkbox"/>	This section is exempt under RCW 34.05.310(4)(c) and RCW 34.05.310(4)(d) because it adopts national consensus codes that generally establish industry standards and changes that clarify language of a rule without changing the substance or effect of requirements.
13.	WAC 296-96-02580, Inspection keys.	<input type="checkbox"/>	This section is exempt under RCW 34.05.310(4)(d) because it adopts changes that only clarify language of a rule without changing the substance or effect of requirements.
14.	WAC 296-96-02605, Private residence inclined stairway chairlifts.	<input type="checkbox"/>	This section is exempt under RCW 34.05.310(4)(c) and RCW 34.05.310(4)(d) because it adopts national consensus codes that generally establish industry standards and changes that clarify language of a rule without changing the substance or effect of requirements.
15.	WAC 296-96-02610, Private residence platform lifts.	<input checked="" type="checkbox"/>	This section is partially exempt under RCW 34.05.310(4)(c) because it adopts national consensus codes that generally establish industry standards.
16.	WAC 296-96-02650, Additional required on-site documentation.	<input type="checkbox"/>	This section is exempt under RCW 34.05.310(4)(d) because it adopts changes that only clarify language of a rule without changing the substance or effect of requirements.
17.	WAC 296-96-02700, Machine room requirements.	<input checked="" type="checkbox"/>	This section is partially exempt under RCW 34.05.310(4)(c) and RCW 34.05.310(4)(d) because it adopts national consensus codes that generally establish industry standards and changes that clarify language of a rule without changing the substance or effect of requirements.
18.	WAC 296-96-02705, Location of speed governor.	<input type="checkbox"/>	This section is exempt under RCW 34.05.310(4)(c) because it adopts national consensus codes that generally establish industry standards.
19.	WAC 296-96-02720, Two-way communications means.	<input type="checkbox"/>	This section is exempt under RCW 34.05.310(4)(c) because it adopts national consensus codes that generally establish industry standards.
20.	WAC 296-96-05000, Scope.	<input type="checkbox"/>	This section is exempt under RCW 34.05.310(4)(d) because it adopts changes that clarify language of a rule without changing the substance or effect of requirements.
21.	WAC 296-96-05010, Definition and use.	<input type="checkbox"/>	This section is exempt under RCW 34.05.310(4)(d) because it adopts changes that clarify language of a rule without changing the substance or effect of requirements.
22.	WAC 296-96-05020, Hoistway enclosure.	<input type="checkbox"/>	This section is exempt under RCW 34.05.310(4)(d) because it adopts changes that clarify language of a rule without changing the substance or effect of requirements.
23.	WAC 296-96-05030, Hoistway gates and doors.	<input type="checkbox"/>	This section is exempt under RCW 34.05.310(4)(d) because it adopts changes that clarify language of a rule without changing the substance or effect of requirements.
24.	WAC 296-96-05070, Car enclosures.	<input type="checkbox"/>	This section is exempt under RCW 34.05.310(4)(d) because it adopts changes that clarify language of a rule without changing the substance or effect of requirements.
25.	WAC 296-96-05080, Running clearance.	<input type="checkbox"/>	This section is exempt under RCW 34.05.310(4)(d) because it adopts changes that clarify language of a rule without changing the substance or effect of requirements.
26.	WAC 296-96-05090, Car and counterweight guides.	<input type="checkbox"/>	This section is exempt under RCW 34.05.310(4)(d) because it adopts changes that clarify language of a rule without changing the substance or effect of requirements.

27.	WAC 296-96-05190, Pits.	<input type="checkbox"/>	This section is exempt under RCW 34.05.310(4)(d) because it adopts changes that clarify language of a rule without changing the substance or effect of requirements.
28.	WAC 296-96-05210, Signage.	<input checked="" type="checkbox"/>	This section is partially exempt under RCW 34.05.310(4)(d) because it adopts changes that clarify language of a rule without changing the substance or effect of requirements.
29.	WAC 296-96-07150, Guide rails, track supports and fastenings.	<input type="checkbox"/>	This section is exempt under RCW 34.05.310(4)(d) because it adopts changes that clarify language of a rule without changing the substance or effect of requirements.
30.	WAC 296-96-23116, Car numbers.	<input type="checkbox"/>	This section is exempt under RCW 34.05.310(4)(d) because it adopts changes that clarify language of a rule without changing the substance or effect of requirements.
31.	WAC 296-96-23117, Car top guard railings.	<input type="checkbox"/>	This section is exempt under RCW 34.05.310(4)(d) because it adopts changes that clarify language of a rule without changing the substance or effect of requirements.
32.	WAC 296-96-23119, Low overhead signs.	<input type="checkbox"/>	This section is exempt under RCW 34.05.310(4)(d) because it adopts changes that clarify language of a rule without changing the substance or effect of requirements.
33.	WAC 296-96-23122, Machine room and machinery space illumination.	<input type="checkbox"/>	This section is exempt under RCW 34.05.310(4)(d) because it adopts changes that clarify language of a rule without changing the substance or effect of requirements.
34.	WAC 296-96-23126, Guarding of equipment.	<input type="checkbox"/>	This section is exempt under RCW 34.05.310(4)(d) because it adopts changes that clarify language of a rule without changing the substance or effect of requirements.
35.	WAC 296-96-23130, Pit access.	<input type="checkbox"/>	This section is exempt under RCW 34.05.310(4)(d) because it adopts changes that clarify language of a rule without changing the substance or effect of requirements.
36.	WAC 296-96-23605, Examination of standard application material lifts, special purpose elevators, electric manlifts, and hand-powered manlifts.	<input type="checkbox"/>	This section is exempt under RCW 34.05.310(4)(d) because it adopts changes that clarify language of a rule without changing the substance or effect of requirements.
37.	WAC 296-96-23701, Maintenance and tests on commercial accessibility lifts.	<input type="checkbox"/>	This section is exempt under RCW 34.05.310(4)(c) because it adopts national consensus codes that generally establish industry standards.
38.	WAC 296-96-24000, Applicable codes and rules.	<input type="checkbox"/>	This section is exempt under RCW 34.05.310(4)(d) because it adopts changes that clarify language of a rule without changing the substance or effect of requirements.
39.	WAC 296-96-24112, Runway clearances.	<input type="checkbox"/>	This section is exempt under RCW 34.05.310(4)(d) because it adopts changes that clarify language of a rule without changing the substance or effect of requirements.
40.	WAC 296-96-24115, Landing enclosures and gates.	<input type="checkbox"/>	This section is exempt under RCW 34.05.310(4)(d) because it adopts changes that clarify language of a rule without changing the substance or effect of requirements.
41.	WAC 296-96-24118, Bumpers and buffers.	<input type="checkbox"/>	This section is exempt under RCW 34.05.310(4)(d) because it adopts changes that clarify language of a rule without changing the substance or effect of requirements.
42.	WAC 296-96-24127, Maximum rated speed.	<input type="checkbox"/>	This section is exempt under RCW 34.05.310(4)(d) because it adopts changes that clarify language of a rule without changing the substance or effect of requirements.
43.	WAC 296-96-24133, Car enclosures.	<input type="checkbox"/>	This section is exempt under RCW 34.05.310(4)(d) because it adopts changes that clarify language of a rule without changing the substance or effect of requirements.
44.	WAC 296-96-24136, Car doors and gates.	<input type="checkbox"/>	This section is exempt under RCW 34.05.310(4)(d) because it adopts changes that clarify language of a rule without changing the substance or effect of requirements.
45.	WAC 296-96-24139, Capacity and data plates.	<input type="checkbox"/>	This section is exempt under RCW 34.05.310(4)(d) because it adopts changes that clarify language of a rule without changing the substance or effect of requirements.
46.	WAC 296-96-24142, Guide rails, track supports and fastenings.	<input type="checkbox"/>	This section is exempt under RCW 34.05.310(4)(d) because it adopts changes that clarify language of a rule without changing the substance or effect of requirements.
47.	WAC 296-96-24148, Safeties and governors.	<input type="checkbox"/>	This section is exempt under RCW 34.05.310(4)(d) because it adopts changes that clarify language of a rule without changing the substance or effect of requirements.
48.	WAC 296-96-24154, Driving machines and sheaves.	<input type="checkbox"/>	This section is exempt under RCW 34.05.310(4)(d) because it adopts changes that clarify language of a rule without changing the substance or effect of requirements.
49.	WAC 296-96-24163, Suspension means.	<input type="checkbox"/>	This section is exempt under RCW 34.05.310(4)(d) because it adopts changes that clarify language of a rule without changing the substance or effect of requirements.

50.	WAC 296-96-24221, Bumpers and buffers.	<input type="checkbox"/>	This section is exempt under RCW 34.05.310(4)(d) because it adopts changes that clarify language of a rule without changing the substance or effect of requirements.
51.	WAC 296-96-24231, Rated speed.	<input type="checkbox"/>	This section is exempt under RCW 34.05.310(4)(d) because it adopts changes that clarify language of a rule without changing the substance or effect of requirements.
52.	WAC 296-96-24237, Car enclosures.	<input type="checkbox"/>	This section is exempt under RCW 34.05.310(4)(d) because it adopts changes that clarify language of a rule without changing the substance or effect of requirements.
	WAC 296-96-24240, Capacity and data plates.	<input type="checkbox"/>	This section is exempt under RCW 34.05.310(4)(d) because it adopts changes that clarify language of a rule without changing the substance or effect of requirements.
53.	WAC 296-96-24243, Guide rails, track supports, and fastenings.	<input type="checkbox"/>	This section is exempt under RCW 34.05.310(4)(d) because it adopts changes that clarify language of a rule without changing the substance or effect of requirements.
54.	WAC 296-96-24255, Drive machines, sheaves and brakes.	<input type="checkbox"/>	This section is exempt under RCW 34.05.310(4)(d) because it adopts changes that clarify language of a rule without changing the substance or effect of requirements.
55.	WAC 296-96-24264, Suspension means.	<input type="checkbox"/>	This section is exempt under RCW 34.05.310(4)(d) because it adopts changes that clarify language of a rule without changing the substance or effect of requirements.
56.	WAC 296-96-24279, Additional requirements.	<input type="checkbox"/>	This section is exempt under RCW 34.05.310(4)(d) because it adopts changes that clarify language of a rule without changing the substance or effect of requirements.
57.	WAC 296-96-24457, Up-limit stop devices.	<input type="checkbox"/>	This section is exempt under RCW 34.05.310(4)(d) because it adopts changes that clarify language of a rule without changing the substance or effect of requirements.
58.	WAC 296-96-24500, Scope.	<input type="checkbox"/>	This section is exempt under RCW 34.05.310(4)(d) because it adopts changes that clarify language of a rule without changing the substance or effect of requirements.
59.	WAC 296-96-24519, Hoistway and landing construction.	<input type="checkbox"/>	This section is exempt under RCW 34.05.310(4)(d) because it adopts changes that clarify language of a rule without changing the substance or effect of requirements.
60.	WAC 296-96-24522, Hoistway doors and gates.	<input type="checkbox"/>	This section is exempt under RCW 34.05.310(4)(d) because it adopts changes that clarify language of a rule without changing the substance or effect of requirements.
61.	WAC 296-96-24525, Car enclosures and frames.	<input type="checkbox"/>	This section is exempt under RCW 34.05.310(4)(d) because it adopts changes that clarify language of a rule without changing the substance or effect of requirements.
62.	WAC 296-96-24528, Car doors and gates.	<input type="checkbox"/>	This section is exempt under RCW 34.05.310(4)(d) because it adopts changes that clarify language of a rule without changing the substance or effect of requirements.
63.	WAC 296-96-24531, Counterweight enclosures, counterweight and fastenings.	<input type="checkbox"/>	This section is exempt under RCW 34.05.310(4)(d) because it adopts changes that clarify language of a rule without changing the substance or effect of requirements.
64.	WAC 296-96-24534, Guide rails.	<input type="checkbox"/>	This section is exempt under RCW 34.05.310(4)(d) because it adopts changes that clarify language of a rule without changing the substance or effect of requirements.
65.	WAC 296-96-24537, Suspension means.	<input type="checkbox"/>	This section is exempt under RCW 34.05.310(4)(d) because it adopts changes that clarify language of a rule without changing the substance or effect of requirements.
66.	WAC 296-96-24543, Car safeties.	<input type="checkbox"/>	This section is exempt under RCW 34.05.310(4)(d) because it adopts changes that clarify language of a rule without changing the substance or effect of requirements.
67.	WAC 296-96-24553, Drive machines.	<input type="checkbox"/>	This section is exempt under RCW 34.05.310(4)(d) because it adopts changes that clarify language of a rule without changing the substance or effect of requirements.
68.	WAC 296-96-24560, Additional applicable requirements.	<input type="checkbox"/>	This section is exempt under RCW 34.05.310(4)(d) because it adopts changes that clarify language of a rule without changing the substance or effect of requirements.
69.	WAC 296-96-24620, Landings and entrances.	<input type="checkbox"/>	This section is exempt under RCW 34.05.310(4)(d) because it adopts changes that clarify language of a rule without changing the substance or effect of requirements.
70.	WAC 296-96-24635, Guide rails.	<input type="checkbox"/>	This section is exempt under RCW 34.05.310(4)(d) because it adopts changes that clarify language of a rule without changing the substance or effect of requirements.
71.	WAC 296-96-24640, Buffers.	<input type="checkbox"/>	This section is exempt under RCW 34.05.310(4)(d) because it adopts changes that clarify language of a rule without changing the substance or effect of requirements.

72.	WAC 296-96-24645, Car construction.	<input type="checkbox"/>	This section is exempt under RCW 34.05.310(4)(d) because it adopts changes that clarify language of a rule without changing the substance or effect of requirements.
73.	WAC 296-96-24650, Counterweights.	<input type="checkbox"/>	This section is exempt under RCW 34.05.310(4)(d) because it adopts changes that clarify language of a rule without changing the substance or effect of requirements.
74.	WAC 296-96-24655, Sheaves and supporting members.	<input type="checkbox"/>	This section is exempt under RCW 34.05.310(4)(d) because it adopts changes that clarify language of a rule without changing the substance or effect of requirements.
75.	WAC 296-96-24660, Suspension means.	<input type="checkbox"/>	This section is exempt under RCW 34.05.310(4)(d) because it adopts changes that clarify language of a rule without changing the substance or effect of requirements.
76.	WAC 296-96-24665, Operating ropes.	<input type="checkbox"/>	This section is exempt under RCW 34.05.310(4)(d) because it adopts changes that clarify language of a rule without changing the substance or effect of requirements.
77.	WAC 296-96-24670, Hoistway requirements.	<input type="checkbox"/>	This section is exempt under RCW 34.05.310(4)(d) because it adopts changes that clarify language of a rule without changing the substance or effect of requirements.

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. L&I identified the following amendments that would impose new or additional costs on affected businesses.

**WAC 296-96-00500, Scope, purpose, and authority.**

**Rule overview:** This change clarifies that L&I's interpretation of RCW 70.87.200(1)(b) does not include Construction Personnel Hoists and Material Hoists covered by ANSI/ASSP A10.4 and A10.5 and is an interpretive rule under RCW 34.05.328(5)(c)(ii) which does not subject anyone to a penalty or cost.

**WAC 296-96-00700, Chapter definitions.**

**Rule overview:** This change establishes the definition of "Machine room less (MRL elevator)" and is an interpretive rule under RCW 34.05.328(5)(c)(ii) which does not subject anyone to a penalty or cost.

**WAC 296-96-02715, Disconnecting means, hoistwayless elevators.**

**Rule Overview:** This change deviates from the national code under ASME A17.1 by requiring hoistwayless elevators to have the same standards as hoistway elevators for an auxiliary disconnect. The change now requires an additional location for the disconnecting means to allow for safely disconnecting the power without having to get into the elevator.

**WAC 296-96-05210, Signage, (2) and (2)(a) through (c)**

**Rule Overview:** Creates a definition of "code data plate" and adds this to the signage requirement for WAC material lifts.

**WAC 296-96-23102, Roof access through horizontal hatch-type covers.**

**Rule Overview:** This change adds new requirements to provide for safer access to roof doors leading to elevator machine rooms. Some access to roof areas are currently provided with wooden ladders, which do not comply with ANSI A14.3. The proposed language makes allowances where a stair or collapsible stair is not feasible.

The industries listed in the table below are the ones most likely to be affected by the proposed rule amendments. Businesses in the 238291 and 238292 NAICS categories will be required to install a second disconnect switch when installing hoistwayless elevators, but the added cost will be passed on to the elevator owner. Businesses in the 454110 and 455211 NAICS categories will absorb the cost of the new data plates required on WAC material lifts.

**Industries Affected by the Proposed Rule**

6-Digit NAICS	Industry Group
238291	Other Residential Equipment Contractors
238292	Other Nonresidential Equipment Contractors
454110	Electronic Shopping and Mail-Order Houses
455211	Warehouse Clubs and Supercenters
531110	Lessors of Residential Buildings and Dwellings
531120	Lessors of Nonresidential Buildings (except Miniwarehouses)
531190	Lessors of Other Real Estate Property

**WAC 296-96-02715, Disconnecting means, hoistwayless elevators.**

**Costs:** The new language creates a cost for installing an additional disconnect switch. The estimated average cost for this installation is \$25 per unit and less than one hour of labor at \$75 per hour. Less than 20 hoistwayless elevators are installed each year. Therefore, the total cost of this requirement to the industry is estimated to be \$2,000 or less per year. Hoistwayless elevators are exclusively used in residential homes. Therefore, this cost becomes a consumer expenditure and none of the cost remains with the industry.

**WAC 296-96-05210, Signage, (2) and (2)(a) through (c)**

**Costs:** This is a new requirement that applies to new WAC material lifts only, and there will be a cost for procurement of the data plates for these conveyances. It is estimated that on average, less than 20 such lifts would be installed each year in the state and the data plates are estimated to cost \$10 each. Since no attachment method is specified, the labor cost for installation will be minimal. Therefore, the total cost of this requirement to the industry is estimated to be \$200 or less per year.

**WAC 296-96-23102, Roof access through horizontal hatch-type covers.**

**Costs:** This new language creates a cost for the replacement of fixed wooden ladders. The minimum requirement is that the wooden ladder be replaced with a noncombustible ladder. The estimated cost for replacement of the wooden ladders is \$300 to \$500 each.

As analyzed above, the cost of additional disconnect switches would ultimately be passed on to the owners of residential elevators. Therefore, the changes in WAC 296-96-02715 present no cost to any businesses. WAC material lifts are installed in large warehouse facilities. It is reasonable to assume that on average any one business would install one such lift per year. Given the cost of \$10 for each data plate required with such a lift under WAC 296-96-05210(2), the annual per-business cost is \$10. In addition, WAC 296-96-23102 creates a cost for the purchase of noncombustible ladders. The cost of these ladders is \$300 to \$500 each. The replacement will be required as current ladders become unfit. Therefore, it is reasonable to assume that building owners will, on average, replace one per year at a cost of \$500 or less.

**Per-business Cost V.S. Minor Cost Threshold**


Affected Industries	Per-business annual average cost	Minor cost threshold (1% of annual payroll)
454110 - Electronic Shopping and Mail-Order Houses	\$10	\$21,220
455211 - Warehouse Clubs and Supercenters	\$10	\$3,206,263
531110 - Lessors of Residential Buildings and Dwellings	\$500	\$3,680
531120 - Lessors of Nonresidential Buildings (except Miniwarehouses)	\$500	\$4,672
531190 - Lessors of Other Real Estate Property	\$500	\$1,506

When compared to the minor-cost threshold (1% of annual payroll), the average per-business cost of these proposed rule amendments is far below the threshold for affected businesses discussed above. Therefore, a SBEIS is not required for this rulemaking pursuant to RCW 19.85.030(1), and the information provided above is sufficient to fulfill the requirements in the Regulatory Fairness Act (Chapter 19.85 RCW).

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:

- Name:
- Address:
- Phone:
- Fax:
- TTY:
- Email:
- Other:

<b>Date:</b> May 2, 2023	<b>Signature:</b>  
<b>Name:</b> Joel Sacks	
<b>Title:</b> Director	