



# PROPOSED RULE MAKING

## CR-102 (December 2017) (Implements RCW 34.05.320)

Do NOT use for expedited rule making

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STATE OF WASHINGTON  
FILED

DATE: May 17, 2022

TIME: 8:49 AM

WSR 22-11-069

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

Original Notice

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

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

Preproposal Statement of Inquiry was filed as WSR 22-07-088 ; 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) L&I is proposing a fee increase for conveyances under WAC 296-96-00922, 296-96-01005, 296-96-01010, 296-96-01025, 296-96-01027, 296-96-01030, 296-96-01035, 296-96-01040, 296-96-01045, 296-96-01055, 296-96-01057, 296-96-01060, and 296-96-01065.

### Hearing location(s):

Date:	Time:	Location: (be specific)	Comment:
June 22, 2022	9:00 a.m.	Virtual and telephonic hearing only. <b>Please join on your computer or mobile app (Microsoft Teams) by <a 45="" 642="" 817="" 835"="" data-label="Text" href="https://teams.microsoft.com/l/meetup-join/19%3ameeting_NjQxNTBjNzktZGE2MS00NDBhLWE3ZmUtMTQwZTNkMmQyZTk%40thread.v2/0?context=%7b%22id%22%3a%221d0e217-264e-400a-8ba0-57dcc127d72d%22%2c%22oid%22%3a%22acb1df6f-3588-43aa-b503-63aebce21ddc%22%7d&lt;/a&gt;&lt;/b&gt;&lt;br/&gt;&lt;br/&gt;Or calling (audio only)&lt;br/&gt;1-253-372-2181&lt;br/&gt;Phone Conference ID: 437 259 221# (pound sign must be entered)&lt;/td&gt; &lt;td&gt;The virtual/telephonic hearing starts at 9:00 a.m. and will continue until all oral comments are received.&lt;/td&gt; &lt;/tr&gt; &lt;/tbody&gt; &lt;/table&gt; &lt;/div&gt; &lt;div data-bbox="><p>Date of intended adoption: <u>July 19, 2022</u> (Note: This is <b>NOT</b> the effective date)</p></a></b>	

### Submit written comments to:

Name: Alicia Curry

Address: Department of Labor & Industries  
Field Services & Public Safety Division  
PO Box 44400  
Olympia WA 98504-4400

Email: [Alicia.Curry@Lni.wa.gov](mailto:Alicia.Curry@Lni.wa.gov)

Fax: 360-902-5292

Other:

By (date) 5 p.m. on June 22, 2022

**Assistance for persons with disabilities:**

Contact Alicia Curry

Phone: 360-902-6244

Fax: 360-902-5292

TTY:

Email: [Alicia.Curry@Lni.wa.gov](mailto:Alicia.Curry@Lni.wa.gov)

Other:

By (date) June 8, 2022

**Purpose of the proposal and its anticipated effects, including any changes in existing rules:** The purpose of this rulemaking is to propose a 17 percent fee increase to the elevator fees. A fee increase is needed to fund a new Conveyance Management System (CMS) for the Elevator Program. The CMS is the database used to provide permitting, inspection, and other information. The current system is aging, failing, and no longer meets the service needs of customers and staff.

**Reasons supporting proposal:** L&I is in the process of replacing its current CMS database. The fee increase will support funding for the new system and other operating expenses for the Elevator Program.

**Statutory authority for adoption:** Chapter 70.87 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

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

**Name of agency personnel responsible for:**

	Name	Office Location	Phone
Drafting:	Gerald Brown, Prog. Mgr.	Tumwater, Washington	360-999-0952
Implementation:	Steve Reinmuth, Asst. Dir.	Tumwater, Washington	360-902-6348
Enforcement:	Steve Reinmuth, Asst. Dir.	Tumwater, Washington	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:  
Address:  
Phone:  
Fax:  
TTY:  
Email:  
Other:

No: Please explain: The rule is exempt from the Cost Benefit Analysis requirement under the Administrative Procedure Act. Specifically, RCW 34.05.328(5)(b)(vi) exempts rules that set or adjust fees under the authority of RCW 19.02.075 or that set or adjust fees or rates pursuant to legislative standards, including fees set or adjusted under the authority of RCW 19.80.045.

**Regulatory Fairness Act Cost Considerations for a Small Business Economic Impact Statement:**

This rule proposal, or portions of the proposal, **may be exempt** from requirements of the Regulatory Fairness Act (see chapter 19.85 RCW). 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"/> RCW 34.05.310 (4)(b)<br>(Internal government operations) | <input type="checkbox"/> RCW 34.05.310 (4)(e)<br>(Dictated by statute)   |
| <input type="checkbox"/> RCW 34.05.310 (4)(c)<br>(Incorporation by reference)     | <input checked="" type="checkbox"/> RCW 34.05.310 (4)(f)<br>(Set or adjust fees)   |
| <input type="checkbox"/> RCW 34.05.310 (4)(d)<br>(Correct or clarify language)    | <input type="checkbox"/> RCW 34.05.310 (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 \_\_\_\_\_.

Explanation of exemptions, if necessary:

**COMPLETE THIS SECTION ONLY IF NO EXEMPTION APPLIES**

If 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 analysis showing how costs were calculated. \_\_\_\_\_

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

**Date:** May 17, 2022

**Name:** Joel Sacks

**Title:** Director

**Signature:**

