



# RULE-MAKING ORDER PERMANENT RULE ONLY

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

CODE REVISER USE ONLY

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STATE OF WASHINGTON  
FILED

DATE: August 31, 2018

TIME: 1:01 PM

WSR 18-18-068

**Agency:** Department of Labor and Industries

**Effective date of rule:**

**Permanent Rules**

- 31 days after filing.
- Other (specify) October 1, 2018 (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

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

- Yes  No If Yes, explain:

**Purpose:** The Department of Labor and Industries (L&I) is adopting amendments to the elevator licensing rules in Chapter 296-96 WAC Safety Regulations and Fees for All Elevators, Dumbwaiters, Escalators, and Other Conveyances. L&I performed a formal review of the licensing rules to ensure consistency with industry practices, to update and clarify the rules, and make housekeeping changes.

**This rulemaking will:**

- Adopt amendments to existing licensing requirements for elevator mechanics and elevator contractors, for example:
  - Allow the renewal of temporary elevator mechanic licenses (category 09) up to twelve licenses in a twelve-month period;
  - Require applicants to demonstrate more than 75% of the education and training hours to qualify for a temporary license (category 09) if multiple licenses are requested;
  - Adopt the education and training requirements for elevator mechanics from the education policy; and
  - Add “removal” to the elevator mechanic licensing category descriptions to differentiate between removal and decommissioning of conveyances to reflect existing practices.
- Adopt proposals requested by stakeholders, for example:
  - Modified requirements to the ratio, general direction, and education and experience requirements for category 04 elevator mechanics; and
  - A new emergency license for elevator mechanics that is limited for use during a state of emergency.
- Adopt a new fee for the emergency license.
- Adopt language to update and clarify the rules, for example:
  - Clarify the existing requirements and processes for obtaining a license, renewal, and revocation;
  - Clarify the ratio of helper/apprentice to licensed elevator mechanics for various licensing categories;
  - Clarify the fees that may apply and be collected by an outside testing vendor for some elevator mechanic examinations;
  - Clarify that not all conveyances are under “full maintenance” contracts, thereby limiting the responsibility of the contractor; and
  - Remove language from the licensing category descriptions, to eliminate interchangeable terms and confusion on work that requires a license.
- Adopt language for greater consistency with statutory requirements, such as specifying those that perform conveyance work that must have an appropriate license(s).
- Eliminate duplicative language with the national conveyance safety standards to simplify the rules.
- Adopt language for general housekeeping, reformatting, grammatical and reference corrections, to eliminate the question and answer format in section titles, etc.

**Citation of rules affected by this order:**

New: WAC 296-96-00908  
 Repealed: WAC 296-96-00926  
 Amended: WACs 296-96-00900, 296-96-00902, 296-96-00903, 296-96-00904, 296-96-00906, 296-96-00907, 296-96-00910, 296-96-00912, 296-96-00914, 296-96-00916, 296-96-00918, 296-96-00920, 296-96-00922, 296-96-00924, 296-96-00930

Suspended: None.

**Statutory authority for adoption:** Chapter 70.87 RCW, Elevators, Lifting Devices, and Moving Walks

**Other authority:** None.

**PERMANENT RULE (Including Expedited Rule Making)**

Adopted under notice filed as WSR 18-12-102 on June 5, 2018 (date).

Describe any changes other than editing from proposed to adopted version:

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

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Other:

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

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

**The number of sections adopted in order to comply with:**

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

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

New	___	Amended	___	Repealed	___
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**The number of sections adopted on the agency's own initiative:**

New	<u>1</u>	Amended	<u>15</u>	Repealed	<u>1</u>
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**The number of sections adopted in order to clarify, streamline, or reform agency procedures:**

New	___	Amended	___	Repealed	___
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**The number of sections adopted using:**

Negotiated rule making:	New	___	Amended	___	Repealed	___
Pilot rule making:	New	___	Amended	___	Repealed	___
Other alternative rule making:	New	<u>1</u>	Amended	<u>15</u>	Repealed	<u>1</u>

**Date Adopted:** August 31, 2018

**Signature:**

**Name:** Joel Sacks



**Title:** Director