



RULE-MAKING ORDER PERMANENT RULE ONLY

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

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: July 23, 2019

TIME: 10:30 AM

WSR 19-15-118

Agency: Department of Labor & Industries

Effective date of rule:

Permanent Rules

- 31 days after filing.
- Other (specify) September 1, 2019 (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: This rulemaking will adopt additional requirements from the 2015 American Society of Mechanical Engineers (ASME) A17.3 safety codes for existing elevators and escalators. The additional requirements include:

- ASME A17.3 requirement 2.7.6 Hoistway Emergency Door Contacts;
- ASME A17.3 requirement 3.3.5 Protection of Platforms Against Fire;
- ASME A17.3 requirement 3.10.7 Operating of Driving Machine
- ASME A17.3 requirement 3.10.12 System to Monitor and Prevent Automatic Operation of the Elevator with Faulty Door Contact Circuits;
- ASME A17.3 requirement 3.11.3 Firefighter's Service;
- ASME A17.3 requirement 3.9.5 Piston Connections; and
- ASME A17.3 requirement 5.5.3 Adjacent Floor Surfaces.

The adopted rules also provide an extended timeframe of two years to come into compliance with ASME A17.3 Requirements 2.7.6, 3.3.5, 3.10.7, 3.9.5, and 5.5.3 or to submit a written plan with a projected timeframe for compliance and 5 years for compliance with ASME A17.3 Requirements 3.10.12 and 3.11.3.

The changes were originally proposed as part of the elevator rule changes that were adopted on August 31, 2018, Washington State Register (WSR) 18-12-103. The development of the proposed rules involved a Technical Advisory Committee (TAC) of diverse elevator stakeholder representatives and review and approval of the changes by the Elevator Safety Advisory Committee (ESAC). During the 2018 process, stakeholders expressed concerns that elevator owners did not understand how the rule changes would affect them or the potential financial impacts. The department decided to adopt only those provisions of ASME A17.3 that were consistent with existing requirements and initiate this separate rulemaking specific to the changes to ensure building owners and other interested parties understand the impacts of the requirements and to provide an additional opportunity for public comment.

Citation of rules affected by this order:

- New:
- Repealed:
- Amended: WAC 296-96-00675 and WAC 296-96-23000
- Suspended:

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 19-09-064 on April 16, 2019 (date).

Describe any changes other than editing from proposed to adopted version: There are no changes from the 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:

Name:

Address:
Phone:
Fax:
TTY:
Email:
Web site:
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	___	Amended	<u>2</u>	Repealed	___
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	___	Amended	<u>2</u>	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	___	Amended	<u>2</u>	Repealed	___

Date Adopted: July 23, 2019

Name: Joel Sacks

Title: Director

Signature:

