



# PROPOSED RULE MAKING

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

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STATE OF WASHINGTON  
FILED

DATE: September 02, 2025

TIME: 8:52 AM

WSR 25-18-089

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

☒ Original Notice

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

☐ Continuance of WSR \_\_\_\_\_

☒ Preproposal Statement of Inquiry was filed as WSR 25-10-083 ; 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) Electrical rules: WAC 296-46B-010, General; WAC 296-46B-334, Nonmetallic-sheathed cable; WAC 296-46B-942, Training certificate required.

### Hearing location(s):

Date:	Time:	Location: (be specific)	Comment:
October 7, 2025	9:00 a.m.	Department of Labor & Industries 7273 Linderson Way SW Tumwater, WA 98501  OR  <b>Join electronically (Zoom):</b> <a href="https://lni-wa-gov.zoom.us/j/82850664292?pwd=ZDlXbckaut8lV6KP0tWH3BGtK2e6n8.1">https://lni-wa-gov.zoom.us/j/82850664292?pwd=ZDlXbckaut8lV6KP0tWH3BGtK2e6n8.1</a> Passcode: pL44P%*N  OR  <b>Join by phone (audio only):</b> 253-215-8782 Meeting ID: 828 5066 4292 Passcode: 45660174	The in-person and virtual/telephonic hearing starts at 9:00 a.m. and will continue until all oral comments are received.

Date of intended adoption: November 18, 2025 (Note: This is NOT the effective date)

### Submit written comments to:

Name Meagan Edwards  
Address Department of Labor & Industries  
Field Services & Public Safety Division  
PO Box 44400  
Olympia, WA 98504-4400  
Email Meagan.Edwards@Lni.wa.gov  
Fax 360-704-1980  
Other

Beginning (date and time) September 3, 2025, at 8 a.m.

By (date and time) October 7, 2025, at 5 p.m.

### Assistance for persons with disabilities:

Contact Meagan Edwards  
Phone 360-522-0125

Fax 360-704-1980

TTY

Email Meagan.Edwards@Lni.wa.gov

Other

By (date) September 23, 2025

Purpose of the proposal and its anticipated effects, including any changes in existing rules: L&I is proposing amendments to the electrical rules under chapter 296-46B WAC. The proposed amendments would adopt the 2026 edition of the National Fire Protection Agency (NFPA) 70, the National Electrical Code (NEC), with a delayed effective date of December 31, 2026. The 2026 NEC would replace the current 2023 edition.

L&I is also proposing other amendments, including:

- Amending the adopted NEC requirement for non-metallic sheathed cable by removing the restriction on the temperature rating on certain sizes of Non-Metallic Sheathed Cable, Types NMC and NM carrying the suffix letter “-B”.
- Amending language to clarify the deadline for trainees to report hours of work experience to L&I.
- Amendments for housekeeping, such as removing obsolete language.

**Reasons supporting proposal:** This rulemaking is necessary for adoption of the 2026 NEC to ensure the rules align with the latest national safety standards. The 2026 edition of the NEC will be published in the fall of 2025. The NEC sets the standard for safe electrical installations in homes, businesses, and institutions to protect people and property from hazards arising from the use of electricity. L&I is proposing adopting the 2026 NEC in its entirety by reference under this rulemaking with a delayed effective of December 31, 2026, to give stakeholders advance notice of its adoption and more opportunity for review and comment, prior to its publication and L&I’s formal rule review process.

Following the adoption of rules under this rulemaking, L&I plans to engage in a subsequent rulemaking next year to begin the formal review process of the 2026 NEC. As part of the subsequent rulemaking, stakeholders will have the opportunity to submit proposals for amendments to the 2026 NEC code requirements and make recommendations to L&I on adoption of the rules prior to the effective date for the 2026 NEC.

Additional amendments under this rulemaking are also necessary to eliminate an unnecessary temperature restriction for certain cable types and to provide better clarity for reporting trainee hours of experience.

**Statutory authority for adoption:** Chapter 19.28 RCW, Electricians and Electrical Installations including RCW 19.28.031 and 19.28.251.

**Statute being implemented:** Chapter 19.28 RCW, Electricians and Electrical Installations including RCW 19.28.031 and 19.28.251.

**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

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

**Name of agency personnel responsible for:**

	Name	Office Location	Phone
Drafting	Wayne Molesworth, Prog. Mgr.	Tumwater, WA	360-480-5673
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 Meagan Edwards

Address Department of Labor & Industries

Field Services & Public Safety

PO Box 44400  
Olympia, WA 98504-4400  
Phone 360-522-0125  
Fax 360-704-1980  
TTY  
Email Meagan.Edwards@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)(c)  
(Incorporation by reference)

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

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

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

☒ [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](#)):

	Proposed WAC Sections and Title	This proposed rule section is <u>not exempt</u> -Analysis is required	This proposed rule section is <u>exempt</u> . Provide RCW to support this exemption.
1.	WAC 296-46B-010, General.	<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 296-46B-334, Wiring methods and materials—Nonmetallic-sheathed cable.	<input checked="" type="checkbox"/>	
3.	WAC 296-46B-942, Training certificate required.	<input type="checkbox"/>	This section is exempt under RCW 34.05.310(4)(d) and RCW 34.05.310(4)(g)(ii) because it adopts changes that clarify language of a rule without changing the substance or effect of requirements and adopts changes related to a filing or related process requirement for applying to an agency for a license or permit.

☐ 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. According to the Regulatory Fairness Act (RFA) under RCW 19.85.030, an agency shall prepare a small business economic impact statement (SBEIS): (i) If the proposed rule will impose more than minor costs on businesses in an industry; or (ii) if requested to do so by a majority vote of the joint administrative rules review committee within forty-five days of receiving the notice of proposed rulemaking under RCW 34.05.320. The proposed rule does not impose additional costs on affected entities and individuals; rather the proposed rule may generate a cost savings from changes in installation requirements for certain types of Non-Metallic Sheathed cables. As such, L&I is exempt from conducting a Small Business Economic Impact Statement for this rulemaking.

☐ 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

**Date:** September 2, 2025

**Name:** Joel Sacks

**Title:** Director

**Signature:**

