



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: March 18, 2020

TIME: 11:47 AM

WSR 20-07-126

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

Original Notice

Supplemental Notice to WSR _____

Continuance of WSR 20-06-059

Preproposal Statement of Inquiry was filed as WSR 19-20-101 ; 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 changes to the electrical rules in chapter 296-46B WAC, Electrical safety standards, administration, and installation.

Hearing location(s):

Date:	Time:	Location: (be specific)	Comment:
April 9, 2020	10:00 a.m.	Telephonic hearing only. Please call 1-866-715-6499. When prompted for the passcode, enter 9862128073# (pound sign must be entered).	The telephonic hearing starts at 10:00 am and will continue until all oral comments are received.

Date of intended adoption: May 19, 2020 (Note: This is **NOT** the effective date)

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

Fax: 360-902-5292

Other:

By (date) April 16, 2020

Assistance for persons with disabilities:

Contact Alicia Curry

Phone: 360-902-6244

Fax: 360-902-5292

TTY:

Email: Alicia.Curry@Lni.wa.gov

Other:

By (date) March 26, 2020

Purpose of the proposal and its anticipated effects, including any changes in existing rules: The Department of Labor & Industries is filing a continuance of the proposal in order to comply with the Governor's emergency proclamation restricting the size of gatherings due to the evolving public health emergency caused by the coronavirus (COVID-19) outbreak. The hearing will be held by conference call to allow for oral public comments and testimony on the proposal rather than holding in-person meeting. However, we encourage the submittal of written comments.

The proposed rules were developed with opportunity for public proposals, review and recommendation of all proposals by a Technical Advisory Committee (TAC), and review and recommendations by the Electrical Board.

In addition, the written comment period is being extended one week, to April 16, 2020.

Reasons supporting proposal: The NEC sets the standard for safe electrical installation and inspection in homes, businesses, industry and institutions to protect people and property from electrical hazards. These rules are necessary to ensure the new safety codes that affect electrical work align with existing rules before the NEC is implemented.

Statutory authority for adoption: Chapter 19.28 RCW, Electricians and Electrical Installations, including RCWs 19.28.010 and 19.28.031.

Statute being implemented: Chapter 19.28 RCW, Electricians and Electrical Installations, including RCWs 19.28.010 and 19.28.031.

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:	Steve Thornton, Prog. Mgr.	Tumwater, Washington	360-902-6234
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: Alicia Curry
Address: Department of Labor & Industries, Field Services & Public Safety Division, PO Box 44400, Olympia, WA 98504-4400
Phone: 360-902-6244
Fax: 360-902-5292

TTY:
Email: Alicia.Curry@Lni.wa.gov
Other:

No: Please explain:

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:

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 _____.

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. As discussed in the Cost-Benefit Analysis document, those changes that are not exempt from the Regulatory Fairness Act requirement will either result in a cost savings to customers or no increased costs over current practice or the baseline. As such, the proposed rule does not impose more-than-minor-costs.

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: March 18, 2020

Name: Joel Sacks

Title: Director

Signature:

