



PREPROPOSAL STATEMENT OF INQUIRY

**CR-101 (October 2017)
(Implements RCW 34.05.310)**

Do **NOT** use for expedited rule making

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STATE OF WASHINGTON
FILED

DATE: October 22, 2019

TIME: 11:26 AM

WSR 19-21-154

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

Subject of possible rule making: L&I is considering changes and a fee increase in the elevator rules, chapter 296-96 WAC, Safety regulations and fees for all elevators, dumbwaiters, escalators and other conveyances..

Statutes authorizing the agency to adopt rules on this subject: Chapter 70.87 RCW, Elevators, Lifting Devices, and Moving Walks

Reasons why rules on this subject may be needed and what they might accomplish: L&I is considering changes to the elevator rules to improve public safety, based on a review of the rules and proposals from stakeholders. The changes under consideration would update and clarify existing rules, increase fees, make housekeeping, and other rule changes.

During 2018, L&I engaged in rulemakings that adopted new safety codes and made changes to the licensing rules. During the past 2018 process, L&I received proposals from stakeholders for additional potential rule revisions.

On January 22, 2019, L&I filed a preproposal statement of inquiry (CR-101) to initiate rulemaking to address requests from stakeholders held over from the past 2018 rulemaking process and to further update and clarify the existing rules (WSR 19-03-162). The CR-101 listed specific sections of chapter 296-96 WAC under consideration for possible changes.

Washington's elevator stakeholders were invited to participate in the review of the existing rules, submit proposals for changes to the rules, and provide recommendations to the department regarding possible rule changes.

In April and May 2019, a Technical Advisory Committee (TAC) of industry experts and the Elevator Safety Advisory Committee (ESAC) reviewed proposals and provided recommendations to the department on adoption of the rules.

Since some of the recommended changes were outside the scope of the CR-101 filed on January 22, 2019, the CR-101 was withdrawn. L&I is filing this new CR-101 to expand the scope of the rulemaking to include consideration of the department, TAC, and the ESAC 2019 recommended changes and other possible changes to chapter 296-96 WAC that may be identified during this rule development process. This rulemaking will also consider increasing fees by 5.08 percent to support operating expenses for inspections and other public safety activities for the Elevator Program. This is the Office of Financial Management's (OFM) maximum allowable fiscal growth factor rate for fiscal year 2020.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies: None.

Process for developing new rule (check all that apply):

Negotiated rule making

Pilot rule making

Agency study

Other (describe) Interested parties can participate in the decision to adopt the new rules and formulation of the proposed rules before publication by contacting the individual listed below. The public can also participate, after amendments are proposed by providing written comments and/or testimony during the public hearing and comment process.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting:

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(If necessary)

Name:

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Other:

Additional comments:

Date: October 22, 2019

Name: Joel Sacks

Title: Director

Signature:

