



# 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: April 06, 2021

TIME: 7:55 AM

WSR 21-08-070

Agency: Department of Labor & Industries

Original Notice

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

Continuance of WSR \_\_\_\_\_

Preproposal Statement of Inquiry was filed as WSR 21-05-055 ; 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 fee increase to the electrical rules under WAC 296-46B-906, Inspection Fees; WAC 296-46B-909, Electrical/telecommunications contractor's license, administrator certificate and examination, master electrician certificate and examination, electrician certificate and examination, copy, and miscellaneous fees; and WAC 296-46B-911, Electrical testing laboratory and engineer accreditation fees.

### Hearing location(s):

Date:	Time:	Location: (be specific)	Comment:
May 11, 2021	9:00 a.m.	Virtual and telephonic hearing only. <b>Please join on your computer or mobile app (Microsoft Teams)</b> <a href="https://teams.microsoft.com/l/meetup-join/19%3ameeting_ODJiOGY2YzctZjcxYi00M2E5LTljZTctZGQyZDQ1Mzc1NDMy%40thread.v2/0?context=%7b%22Tid%22%3a%2211d0e217-264e-400a-8ba0-57dcc127d72d%22%2c%22Oid%22%3a%22acb1df6f-3588-43aa-b503-63aebce21ddc%22%7d">Click here to join the meeting</a> or visit: <a href="https://teams.microsoft.com/l/meetup-join/19%3ameeting_ODJiOGY2YzctZjcxYi00M2E5LTljZTctZGQyZDQ1Mzc1NDMy%40thread.v2/0?context=%7b%22Tid%22%3a%2211d0e217-264e-400a-8ba0-57dcc127d72d%22%2c%22Oid%22%3a%22acb1df6f-3588-43aa-b503-63aebce21ddc%22%7d">https://teams.microsoft.com/l/meetup-join/19%3ameeting_ODJiOGY2YzctZjcxYi00M2E5LTljZTctZGQyZDQ1Mzc1NDMy%40thread.v2/0?context=%7b%22Tid%22%3a%2211d0e217-264e-400a-8ba0-57dcc127d72d%22%2c%22Oid%22%3a%22acb1df6f-3588-43aa-b503-63aebce21ddc%22%7d</a>	The virtual/telephonic hearing starts at 9:00 a.m. and will continue until all oral comments are received
		<b>Or call in (audio only)</b> 1-253-372-2181 Phone Conference ID: 645 544 642# (pound sign must be entered)	

Date of intended adoption: May 18, 2021 (Note: This is **NOT** the effective date)

### Submit written comments to:

Name: Alicia Curry

Address: Department of Labor & Industries, PO Box 44400, Olympia, WA 98504-4400

Email: [Alicia.Curry@Lni.wa.gov](mailto:Alicia.Curry@Lni.wa.gov)

Fax: 360-902-5292

Other:

By (date) 5 p.m. on May 11, 2021

Assistance for persons with disabilities:

Contact [Alicia Curry](#)  
Phone: 360-902-6244  
Fax: 360-902-5292  
TTY:  
Email: [Alicia.Curry@Lni.wa.gov](mailto:Alicia.Curry@Lni.wa.gov)  
Other:  
By (date) April 27, 2021

**Purpose of the proposal and its anticipated effects, including any changes in existing rules:** The purpose of this rulemaking is to propose a 5.79 percent fee increase for the Electrical program to support operating expenses for electrical inspections and other program public safety activities. This is the Office of Financial Management's (OFM) maximum allowable fiscal growth rate for fiscal year 2022.

**Reasons supporting proposal:** The Electrical program's budget and projected revenue were evaluated and a fee increase is needed to support the cost of ongoing services. A fee increase enables the program to continue providing quality and timely services to assure safe electrical installations and inspections in homes, businesses, industry and institutions to protect people and property from electrical hazards.

**Statutory authority for adoption:** Chapter 19.28 RCW Electricians and Electrical Installations including RCW 19.28.031, 19.28.041(3), 19.28.051, 19.28.061(3), 19.28.101(6), 19.28.161(2), 19.28.201, 19.28.211(3), 19.28.251, 19.28.420(7), and 19.28.440.

**Statute being implemented:** Chapter 19.28 RCW Electricians and Electrical Installations including RCW 19.28.031, 19.28.041(3), 19.28.051, 19.28.061(3), 19.28.101(6), 19.28.161(2), 19.28.201, 19.28.211(3), 19.28.251, 19.28.420(7), and 19.28.440.

**Is rule necessary because of a:**

Federal Law?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Federal Court Decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
State Court Decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> 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:	Wayne Molesworth, 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:
- Address:
- Phone:
- Fax:
- TTY:
- Email:
- Other:

No: Please explain: The rule is exempt from the cost benefit analysis requirement under the Administrative Procedure Act RCW 34.05.328(5)(b)(vi) rules that set or adjust fees under the authority of RCW 19.02.075 or that set or adjust fees or rates pursuant to legislative standards, including fees set or adjusted under the authority of RCW 19.80.045.

**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:

- |   |  |
|---|--|
| <input type="checkbox"/> RCW 34.05.310 (4)(b)<br>(Internal government operations) | <input type="checkbox"/> RCW 34.05.310 (4)(e)<br>(Dictated by statute)   |
| <input type="checkbox"/> RCW 34.05.310 (4)(c)<br>(Incorporation by reference)     | <input checked="" type="checkbox"/> RCW 34.05.310 (4)(f)<br>(Set or adjust fees)   |
| <input type="checkbox"/> RCW 34.05.310 (4)(d)<br>(Correct or clarify language)    | <input type="checkbox"/> RCW 34.05.310 (4)(g)<br>((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. \_\_\_\_\_

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:** April 6, 2021

**Name:** Joel Sacks

**Title:** Director

**Signature:**

A handwritten signature in black ink that reads "Joel Sacks". The signature is written in a cursive style with a large initial 'J' and 'S'.