



# RULE-MAKING ORDER PERMANENT RULE ONLY

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

CODE REVISER USE ONLY

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STATE OF WASHINGTON  
FILED

DATE: August 05, 2025

TIME: 9:05 AM

WSR 25-16-089

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

**Effective date of rule:**

**Permanent Rules**

- ☒ 31 days after filing.  
☐ Other (specify) \_\_\_\_\_ (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:** One purpose of this rulemaking is to amend the safety standards for cranes and derricks in construction. The Occupational Safety and Health Administration (OSHA) updated their standards in 2015 and 2018, which included clarifying each employer's duty to ensure the competency of crane operators through training, certification or licensing, and evaluation. In addition, this rulemaking implements some of the changes resulting from Washington state legislation passed in 2024. Second Substitute House Bill (2SHB) 2022 (Chapter 311, Laws of 2024), codified under RCW 49.17.400 through 49.17.445, created new requirements for tower cranes. The changes in the law are in response to an incident in 2019 in which members of the public and workers died following the collapse of a tower crane in Seattle, Washington. The incident was preventable, and 2SHB 2022 aims to address causes of that incident. For example, 2SHB 2022:

- Requires tower crane manufacturers and distributors provide operational and safety information about their tower cranes upon request by any person, and must do so within a reasonable time and in a format determined by L&I.
- Directs L&I to establish effective stop work procedures that ensure the authority of any employee to refuse or delay tasks related to a tower crane that the employee believes could reasonably result in serious physical harm or death.
- Requires the presence of an assembly/disassembly director at every assembly, disassembly, or reconfiguration, and directs L&I to develop rules which address requirements for of an assembly/disassembly director to be considered competent and qualified.
- Establishes maximum allowable wind speed for tower crane assembly, disassembly, and reconfiguration.
- Sets requirements for a written job plan.

This rulemaking also intends to provide clarity on L&I's interpretation of requirements related to crane decertification and reinstatement. The changes clarify what activities are covered, and specifies that damage to critical parts of the crane will require notification to L&I. The adopted rule adds a requirement for crane tip overs to be reported to L&I, and specifies that the crane can only go back into operation once it has been inspected by a certified crane inspector.

Finally, L&I-initiated amendments were adopted to address other areas in chapter 296-155 WAC, Part L, relating to cranes that either need to be updated based on current industry practice, or to clarify some of the language to maintain safety and health protections for workers. Additional housekeeping changes were also included.

**Citation of rules affected by this order:**

New: WAC 296-155-53301, 296-155-53303, 296-155-53416 and 296-155-53910.

Repealed: WAC 296-155-53102, 296-155-53104, 296-155-53106 and 296-155-53108.

Amended: WAC 296-155-52900, 296-155-52901, 296-155-52902, 296-155-53100, 296-155-53110, 296-155-53114, 296-155-53200, 296-155-53202, 296-155-53204, 296-155-53206, 296-155-53208, 296-155-53210, 296-155-53212, 296-155-53214, 296-155-53300, 296-155-53302, 296-155-53304, 296-155-53306, 296-155-53400, 296-155-53401, 296-155-53402, 296-155-53403, 296-155-53404, 296-155-53405, 296-155-53406, 296-155-53408, 296-155-53409, 296-155-53410, 296-155-53412, 296-155-53414, 296-155-53700, 296-155-53715, 296-155-53800, 296-155-53815, 296-155-53900, 296-155-53915, 296-155-54100, 296-155-54115, 296-155-54200, 296-155-54215, 296-155-54300, 296-155-54305, 296-155-54320, 296-155-54400, 296-155-54405, 296-155-54410, 296-155-547, 296-155-54800, 296-155-54900, 296-155-55100, 296-155-55105, 296-155-55110, 296-155-55115, 296-155-55200, 296-155-55205, 296-155-55210, 296-155-553, 296-155-55300, 296-155-55305, 296-155-55400, 296-155-55405, 296-155-55600, 296-155-55800, 296-155-55805, 296-155-55810, 296-155-55815, 296-155-55820, 296-155-55825, 296-155-56100, 296-155-56105, 296-155-56110, 296-155-56115, 296-155-56120, 296-155-56125, 296-155-56200, 296-155-56205, 296-155-56210, 296-155-56215, 296-155-56220, 296-155-56415, 296-155-56420, 296-155-56425 and 296-155-56430.

Suspended:

**Statutory authority for adoption:** RCW 49.17.010, 49.17.040, 49.17.050, and 49.17.060.

**Other authority:** Chapter 49.17 RCW

**PERMANENT RULE (Including Expedited Rule Making)**

Adopted under notice filed as WSR 25-07-100 on March 18, 2025 (date).  
Describe any changes other than editing from proposed to adopted version:

The adopted rule was reviewed for its use of “and/or” and changes were made throughout the rule to provide clarity. The adopted rule was also reviewed and updated for where it stated “effective date of this section” referring to rules that became effective on February 1, 2012.

**WAC 296-155-52900(3)(b)** – Added a reference to chapter 296-863 WAC, Forklifts and other powered industrial trucks.

**WAC 296-155-52902**

- In the definition of “A/D director (assembly/disassembly) director” added “and is a qualified person who meets the requirements in WAC 296-155-53303” for clarity and consistency.
- In the definition of “assembly/disassembly work zone” added a reference to WAC 296-155-53400(42) and 296-155-53414(8).
- In the definition of crane user, removed the plural references to “crane” and “equipment”, and adjusted for clarity and consistency.
- In the definition of “free rated test load”, corrected grammatical error.
- In the definition of “multipurpose machine”, and updated definition for clarity and consistency.
- In the definition of “operator-in-training”, amended this definition to align with OSHA.
- In the definition of “personnel lifting”, removed the “and/or” for clarity and consistency. Also removed the word “transporting”.
- In the definition of “qualified evaluator (not a third party)”, replaced “third party” with “employer”.
- In the definition of “qualified evaluator (third-party)”, added a hyphen.

**WAC 296-155-53100** – Reorganization of the entire section, to increase understanding of the section, and add back into the rule previously removed existing language addressing the need for crane/equipment certifiers to submit information to the department to be recognized by the department as accredited crane/equipment certifies under the rule.

**WAC 296-155-53114** – Updated “load proof” to “proof load” for clarity and consistency.

**WAC 296-155-53202(4)(c)** – Corrected grammatical error.

**WAC 296-155-53206(1)** – Added allowance for a separately qualified A/D director to perform the inspection of tower crane components for post disassembly only. This is in addition to the requirement for a certified crane inspector to perform component inspection prior to, and following, every assembly, disassembly, and reconfiguration of a tower crane. This is supported by A/D directors being required to be qualified to inspect tower crane components prior to assembly and reconfiguration of the tower crane. This change is necessary to ensure the rule is reasonably necessary and appropriate to provide safe and healthful employment and places of employment.

**WAC 296-155-53300 Table 3** – Added clarifying language relating to increasing or decreasing the height of the tower/mast. Amended the term “signal person”, making it two words for consistency, and added a reference for operator-in-training.

**WAC 296-155-53400(42)(b)(i)** – Replaced the term “crane owner” with “employer”. Made adjustments for clarity, and removed reference to the Manual on Uniform Traffic Control Devices (MUTCD) because it’s already referenced in chapter 296-155 WAC, Part E, Signaling and flaggers.

**WAC 296-155-53401** – Subsections (5)(c) and (f) – Added language to provide clarity that the site supervisor ensures certain roles are properly designated and on-site; (5)(n) – Replaced “business” with “working”; (9)(k) – Corrected numbering errors.

**WAC 296-155-53403(5)** – Removed reference to “reconfiguration”; (10) – Removed the redundant note.

**WAC 296-155-53410(1)** – Corrected a reference.

**WAC 296-155-53412** – Changes were made to this section to align with OSHA requirements. Due to an oversight, these changes were not included in the proposal. As stated on the CR-102 and reiterated throughout stakeholdering, one of the purposes of this rulemaking is to align all of Part L with OSHA cranes. The change establishes a definitive timeline for using a specified temporary alternative measure, and clearly defines the timeframe allowed for repairing defective operational aids.

**WAC 296-155-53414(9)(b)(i)** – Removed reference to the Manual on Uniform Traffic Control Devices (MUTCD) because it’s already referenced in chapter 296-155 WAC, Part E, Signaling and flaggers.

**WAC 296-155-53715** – Subsections (2), (6), (7), and (8) – Replaced the term “employer” with “operator”.

**WAC 296-155-53815(7)** – Replaced “employers” with “the employer” for consistency.

**WAC 296-155-53900** – Subsection (3) – Removed this subsection relating to the certification requirements for lift directors and riggers. The language in the proposed rule is no longer needed based on stakeholder feedback, a review of the proposed language, and the establishment of a separate Tower Crane Permitting Program. Renumbered the rest of this section. Subsections (57) and (58) – Replaced “wind velocity indicating device” with “wind velocity indicator”. Subsection (63) – Changes were made to this section to align with OSHA requirements. Due to an oversight, these changes were not included in the proposal. As stated on the CR-102, and reiterated throughout stakeholdering, one of the purposes of this rulemaking was to align all of Part L with OSHA cranes. The change establishes a definitive timeline for using a specified temporary alternative measure, and clearly defines the timeframe allowed for repairing defective operational aids.

**WAC 296-155-53900(69)** – Replaced “business” with “working”.

**WAC 296-155-53910(1)** – Replaced “business” with “working”.

**WAC 296-155-53915** – Subsections (9) – (11) – Replaced “employers” with “the employer” for consistency.

**WAC 296-155-54100** – Subsection (11) – Replaced “employer” with “site supervisor”; subsection (41) – Replaced “wind velocity indicating device” with “wind velocity indicator”; subsection (43) – Changes were made to this section to align with OSHA requirements. Due to an oversight these changes were not included in the proposal. As stated on the CR-102 stated and reiterated throughout stakeholdering, one of the purposes of this rulemaking was to align all of Part L with OSHA cranes. The change creates a definitive timeline on what is allowed when utilizing one of the specified temporary alternative measures, while the repair is being made to the operational aid. This section was updated to align with two other sections of Part L that set requirements for operational aids. The change in this section is to ensure there is alignment across all of Part L.

**WAC 296-155-54215(9)(a)** – Replaced the term “employer” with “operator”.

**WAC 296-155-55205(1)(c)(i)-(vii)** – Renumbered subsection.

**WAC 296-155-56425 Table 3** – Added clarifying language relating to increasing or decreasing the height of the tower/mast.

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:

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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	<u>4</u>	Amended	<u>83</u>	Repealed	<u>4</u>
Recently enacted state statutes:	New	_____	Amended	_____	Repealed	_____

<b>The number of sections adopted at the request of a nongovernmental entity:</b>				
	New	_____	Amended	_____ Repealed _____
<b>The number of sections adopted on the agency’s own initiative:</b>				
	New	<u>4</u>	Amended	<u>83</u> Repealed <u>4</u>
<b>The number of sections adopted in order to clarify, streamline, or reform agency procedures:</b>				
	New	<u>4</u>	Amended	<u>83</u> Repealed <u>4</u>
<b>The number of sections adopted using:</b>				
Negotiated rule making:	New	_____	Amended	_____ Repealed _____
Pilot rule making:	New	_____	Amended	_____ Repealed _____
Other alternative rule making:	New	_____	Amended	_____ Repealed _____
<b>Date Adopted:</b> August 5, 2025		<b>Signature:</b>  		
<b>Name:</b> Joel Sacks				
<b>Title:</b> Director				