



Chapter 296-155 WAC, Part L Tower Crane Permit and Safety Requirements

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Agenda

- Overview of 2SHB 2022
- Scoping Discussion
- Next Steps
- Q&A



Overview of 2SHB 2022

- In 2024, in response to the 2019 Seattle tower crane collapse, the Washington State Legislature passed Second Substitute House Bill (2SHB) 2022, codified under RCW 49.17.400 through 49.17.445.
- 2SHB 2022 adds definitions, and creates new requirements for tower cranes, including a permit requirement for any work involving the operation, assembly, disassembly, or reconfiguration of a tower crane.
- The requirements contained in 2SHB 2022 took effect January 1, 2025, except for the requirement for tower crane permits, which is effective January 1, 2026.

Overview of 2SHB 2022 (cont.)

- 2SHB 2022 directs the Department of Labor & Industries (L&I) to establish a rule for tower crane permits. The rule must address:
 - Requirements for both a complete application, and a safety conference, prior to issuing permits;
 - A process for approving, denying, suspending, or revoking a permit, and a process for appeals;
 - Advance notification to L&I of any assembly, disassembly, or reconfiguration activities;
 - L&I inspection of permitted activities for the tower crane after assembly, following any reconfiguration, or any permitted activities; and
 - Requirements for identifying and correcting deficiencies that directly affect the structural integrity or safe operation of a tower crane.

Overview of 2SHB 2022 (cont.)

- 2SHB 2022 includes requirements for:
 - The prime contractor to obtain a permit from L&I before any work involving the operation, assembly, disassembly, or reconfiguration of a tower crane is performed;
 - If the permit is suspended or revoked, operation, assembly, disassembly, or reconfiguration activities may not be performed.
 - Assembly/disassembly director certification; and
 - Having a technical representative of the distributor or manufacturer present at all assembly, disassembly, and reconfigurations.

Overview of 2SHB 2022 (cont.)

- In addition, 2SHB 2022:
 - Requires that if both the application and safety conference materials submitted by the prime contractor are complete, L&I must issue a permit within five working days of the project permit safety conference;
 - If not, L&I must provide the prime contractor with a written list at the safety conference of the materials/information needed, and issue or deny the permit within five days of receiving the outstanding materials.
 - Prescribes when L&I must deny, suspend, or revoke a permit; and
 - Makes updates to existing language requiring that tower cranes and tower crane assembly parts be inspected prior to and following every assembly, disassembly, and reconfiguration.

Overview of 2SHB 2022 (cont.)

- L&I must also adopt rules for tower crane assembly, disassembly, and reconfiguration which address:
 - A process for determining when L&I will be present for the assembly, disassembly, and reconfiguration of a tower crane;
 - Various requirements for the prime contractor of construction projects, including: acknowledgement of applicable safety orders; following crane manufacturer operation instructions and guidelines; and ensuring the presence of an assembly/disassembly director at every assembly, disassembly, and reconfiguration;
 - Conducting programmed inspections of workplaces that contain tower cranes;
 - Establishing maximum allowable wind speed for tower crane assembly, disassembly, and reconfiguration;
 - Requirements for a written job plan;

Overview of 2SHB 2022 (cont.)

- Requirements that must be met for an assembly/disassembly director to be considered competent and qualified;
- Establishing 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; and
- Requirements for the information, format, and method of distribution by which a tower crane manufacturer and distributor must provide all relevant manufacturer operation instructions and guidelines upon request by any person requesting such materials.

Scoping Questions

1. As part of the permit close out process, L&I intends to include a requirement for prime contractors to notify L&I when disassembly of a tower crane has been completed. Would five business days to make notification following completion of disassembly be a reasonable amount of time?

Scoping Questions

2. RCW 49.17.435 requires that beginning January 1, 2026, a prime contractor must obtain a permit from L&I prior to performing or allowing the performance of any work involving the operation, assembly, disassembly, or reconfiguration of a tower crane. The law includes a requirement for L&I to complete a safety permit conference prior to approving the permit application. For tower cranes already assembled and in operation prior to January 1, 2026, what information and materials should be reviewed at the safety permit conference?

Scoping Questions (cont.)

3. RCW 49.17.435(6)(a) requires L&I to establish who the required attendees are for the safety permit conference. In addition to the prime contractor, assembly/disassembly director, and lift director, what additional attendees should be considered for inclusion in the rule (e.g. operator(s), representatives of any subcontractors involved with the assembly, disassembly, or reconfiguration, etc.)?

Scoping Questions (cont.)

4. RCW 49.17.435(8) requires L&I to deny a tower crane permit application if the permit applicant "...has a record of safety and health violations which indicates that the permit applicant may not be maintaining a safe worksite or operation." For the purposes of tower crane permitting, from an industry perspective, what types of violations should L&I consider when determining what violations would indicate an unsafe worksite or operation?

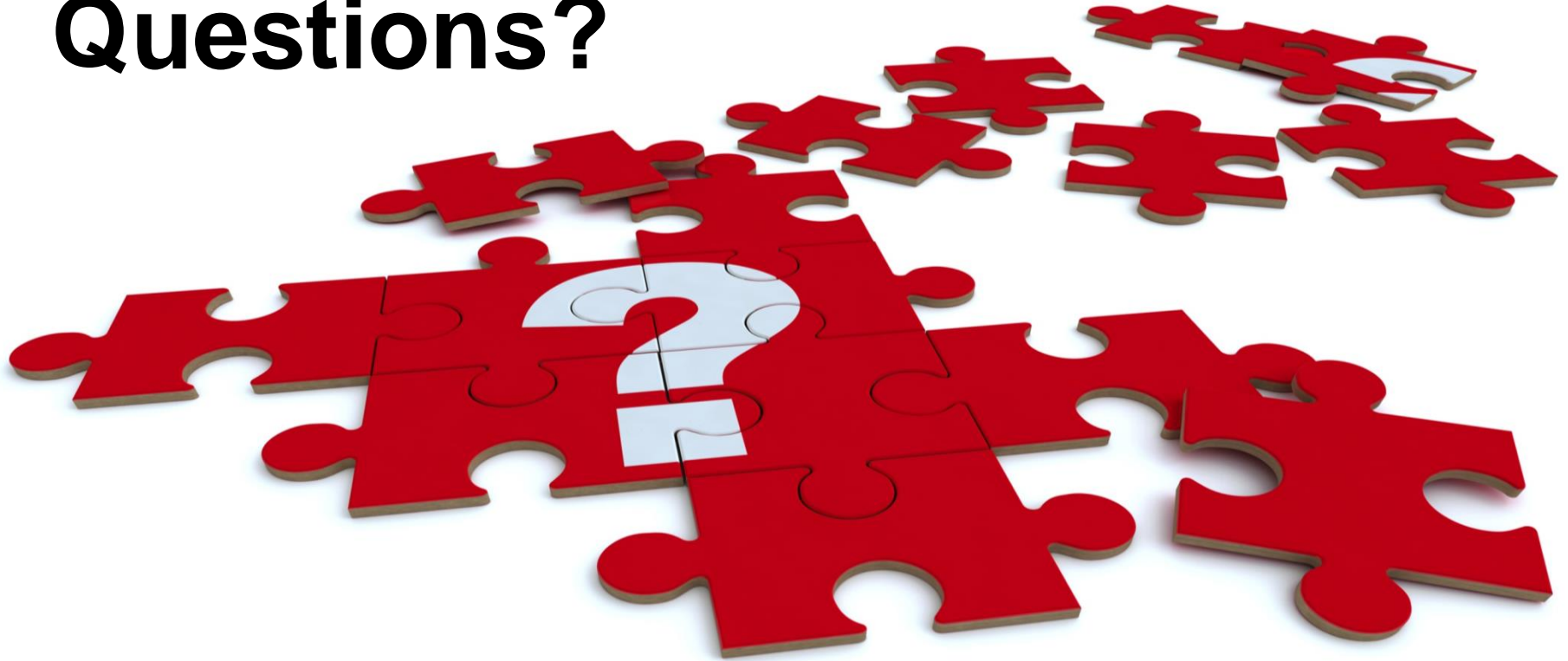
Scoping Questions (cont.)

5. RCW 49.17.435(2)(g) requires prime contractors to provide L&I advance notification of any assembly, disassembly, or reconfiguration of a tower crane, and requires confirmation from L&I prior to proceeding. Would 14 business days in advance be a reasonable amount of time for prime contractors to provide notification?

Next Steps

- Deadline for submitting additional feedback on the scoping questions is 5 p.m. on April 8, 2025. Comments can be submitted to Cynthia.Ireland@Lni.wa.gov.
- L&I staff will be working on completing a preliminary draft of the rule language to circulate for stakeholder review in mid-late April.
- Additional stakeholder meetings are tentatively scheduled for May 13th in Spokane, May 15th in Tukwila, and a virtual option on May 19th.
- Tentatively targeting late July/early August 2025 to file the proposed rule draft (CR-102).

Questions?



Thank you!

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