

ELECTRICAL CURRENTS

A Newsletter from the Office of L&I Chief Electrical Inspector Wayne Molesworth

April 2023 SE

SPECIAL EDITION - WAC 296-46B Revisions

Requesting Stakeholder Input for Rule Change Consideration

This is an opportunity for stakeholders to submit proposals for changes to the Washington Administrative Code (WAC) [296-46B](#) and 2023 National Electrical Code (NEC). If adopted, the new rules and 2023 NEC are expected to take effect April 1, 2024. Examinations will remain unchanged at this time. When available, the draft rules will be posted online to provide advance notice of the changes.

L&I is responsible for development of all rules. We act as the correlating body during the rule development process and may at any time promote rule change as necessary to accommodate statutory change or department policies or procedures. L&I filed a formal [Preproposal Statement of Inquiry \(CR-101\)](#) on April 4.

Rules are developed to aid both stakeholders and L&I in clarification or enforcement of the intent of the electrical statute (chapter 19.28 RCW). Technical changes require evidence of a specific problem and substantiation that the proposal will provide a solution for that problem.

L&I is accepting rule proposals through **May 20, 2023**. All proposals must be submitted electronically to ElectricalWAC@lni.wa.gov as MS WORD documents using this [Rule Proposal Form](#).

Revisions for consideration should include the relevant existing text and should use legislative format. Use underscore wording to be inserted (e.g. inserted wording) and strike-through wording to be deleted (e.g. ~~deleted wording~~). Proposals not submitted according to these instructions and proposals received after May 20, 2023 will be rejected.

Stay informed of rulemaking progress by visiting our [Rule Development](#) page

Apply for the Technical Advisory Committee (TAC)

The TAC process has proven to be very valuable in past years. The department is again appointing a General TAC made up of experts and interest group representatives from the electrical industry to review and make recommendations on proposals.

We are accepting TAC applications through **May 20, 2023**. Persons interested in becoming TAC members must submit a letter of interest for specific positions to the Chief Electrical Inspector by email to ElectricalWAC@lni.wa.gov

The letter should state the position applied for (see TAC - Membership section below) and show constituency support for the prospective member. Letters must include an email address, daytime phone number and license/certificate number for the applicant. All applications will be evaluated to determine that the applicant meets the requirements for the position.

In order to keep the size of the TAC to an efficient and effective number, the committee will be limited to 35 voting members. The TAC makeup will be based on an equitable distribution relative to proportion of involvement within the

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electrical industry in Washington. TAC membership provides an opportunity for everyone interested in the Electrical Program’s rule development to participate in the process.

If necessary, each successful candidate may designate an alternate to attend the TAC meeting. There will be no formal alternate assigned by the department. Any TAC member that is absent must notify the Chief Electrical Inspector by email to ElectricalWAC@lni.wa.gov of the alternate’s name one week prior to the TAC meeting. Failure to make the required notification will result in the position being vacant during the meeting.

The TAC Process

The TAC will make recommendations on industry proposals and identify proposals that may have an economic impact on other specialties, small businesses, construction costs, or the cost of enforcement. Members who know they will be absent from a TAC meeting should make every effort to send an alternate. The TAC must review and evaluate proposals based on the need:

To address a critical life/safety need;

To address a specific state policy/statute;

To maintain a fair competitive environment;

To address a unique character of the State; or

To correct errors and omissions.

The TAC will operate on a majority basis. A majority vote of members in attendance in support of a motion will be considered as significant support for the motion made on a specific proposal. The TAC can propose amendments to a proposal. All voting members share an equal vote. L&I will consider all TAC recommendations. Public comments will not be received during the TAC meeting. Opportunity for public comment will be provided at a later date (see timeline below).

2023 WAC Revision Process – Proposed Sequence of Events

- **April 4, 2023** – A Preproposal Statement of Inquiry (CR-101) was filed with the Office of the Code Reviser.
- **Through May 20, 2023** – Accept proposals from stakeholders to amend or add to the existing chapter 296-46B WAC.
- **Through May 20, 2023** – Accept applications for TAC.
- **July 2023** – TAC meeting (exact date and location to be announced).
- **July 2023** – Electrical Board review and recommendation on proposals.
- **November 21, 2023** – The proposed rules (CR 102) are expected to be filed with the Office of the Code Reviser (opens the official required public comment period).
- **January 3, 2024** – A public hearing is tentatively scheduled.
- **April 1, 2024** – The new rules are expected to take effect.

General TAC – Membership

Chair– Chief Electrical Inspector (non-voting)			
2	Electrical Board Members (non-voting)	1	WA Manufacturing Business
1	Training School Representative	1	Electrical Engineer
1	Continuing Education Provider	1	Electrical Testing Laboratory
2	Electrical Apprenticeship Representatives	1	Electric Utility Representative
1	Electrical Manufacturer Representative	1	General Public Member
2	L&I Inspection (Supervisor & Inspector)	10	Electricians
2	City Electrical Jurisdiction (Supervisor & Inspector)	10	Electrical Contractors
1	Plumber (Contractor or Plumber)		

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Notes:

- Contractor positions must be filled by a member of the firm or assigned administrator/master electrician of a licensed electrical/telecommunications contractor or representative of an electrical contractors' association in Washington representing that specialty.
- Electrician positions must be filled by a certified electrician who is not a member of the firm or assigned administrator/master electrician in an electrical contracting business.
- The AD HOC contractor and electrician positions must be filled by a specialty not otherwise represented on the TAC.

Plumbing positions must be filled by plumbing contractor or a representative of a Washington plumber contractor's association or certified journey level plumber.

Methodology for Determining the Number						
Active Licenses & Certificates	# of Contractors	% of All Licenses	# of TAC Members (Contractors)	# of Electricians	% of All Certificates	# of TAC Members (Electricians)
01	2992	57.78%	6	19,433	62.21%	6
02	410	7.92%		3,075	9.84%	
03	94	1.82%		267	0.85%	
03A	37	0.71%		93	0.30%	
04	86	1.66%		251	0.80%	
06	527	10.18%	1	3,327	10.65%	1
06A	554	10.70%	1	3,173	10.16%	1
06B	12	0.23%		159	0.51%	
07	74	1.43%		885	2.83%	
07A	13	0.25%		63	0.20%	
07B	80	1.54%		172	0.55%	
07C	1	0.02%		24	0.08%	
07D	38	0.73%		184	0.59%	
07E	6	0.12%		65	0.21%	
09	229	4.42%		0	0.00%	
10	25	0.48%		66	0.21%	
Ad Hoc Group	1,104	21.34%	2	5,304	16.98%	2
Total	5178		10	31,237		10
Notes:	<10% of Licenses/Certificates joins the Ad Hoc group					
	The Ad Hoc group will be filled on an equitable basis with an emphasis on representation closely following the % of licenses.					
	Unfilled positions will remain vacant.					

Learn more about this rulemaking

- <https://www.lni.wa.gov/rulemaking-activity/?query=electrical&ruleTopic=All&ruleStatus=Open>,
- <https://www.lni.wa.gov/licensing-permits/electrical/laws-rules-policies#rule-development>.

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