



RULE-MAKING ORDER

CR-103 (June 2004) (Implements RCW 34.05.360)

Agency: State Building Code Council

- Permanent Rule
 Emergency Rule

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)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
 Later (specify) July 1, 2005

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

- Yes No If Yes, explain:

Purpose: To amend WAC 51-50, State Building Code Adoption & Amendment of the 2003 edition of the International Building Code, to eliminate the wired glass safety glazing exception in Section 2406.1.2

Citation of existing rules affected by this order:

Repealed:
 Amended: WAC 51-50, Section 2406.
 Suspended:

Statutory authority for adoption: RCW 19.27.031 and RCW 19.27.074

Other authority: RCW 19.27 and RCW 34.05

PERMANENT RULE ONLY (Including Expedited Rule Making)

Adopted under notice filed as WSR _____ on _____ (date).
 Describe any changes other than editing from proposed to adopted version: None

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

Name: _____ phone () _____
 Address: _____ fax () _____
 e-mail _____

EMERGENCY RULE ONLY

Under RCW 34.05.350 the agency for good cause finds:

- That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.
 That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this finding: See Attached

Date adopted: June 10, 2005

NAME (TYPE OR PRINT)
 John Neff

SIGNATURE

TITLE
 Council Chair

CODE REVISER USE ONLY

CODE REVISER'S OFFICE
 STATE OF WASHINGTON
 FILED

JUN 21 2005

TIME 10:19 AM
 WSR 05-13-144 PM

**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Federal statute:	New	_____	Amended	_____	Repealed	_____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	_____	Amended	_____	Repealed	_____
Recently enacted state statutes:	New	_____	Amended	_____	Repealed	_____

The number of sections adopted at the request of a nongovernmental entity:

New	_____	Amended	_____	Repealed	_____
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The number of sections adopted in the agency's own initiative:

New	_____	Amended	<u>1</u>	Repealed	_____
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	_____	Amended	_____	Repealed	_____
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The number of sections adopted using:

Negotiated rule making:	New	_____	Amended	_____	Repealed	_____
Pilot rule making:	New	_____	Amended	_____	Repealed	_____
Other alternative rule making:	New	_____	Amended	_____	Repealed	_____

DECLARATION OF EMERGENCY AND FINDINGS TO SUPPORT EMERGENCY RULEMAKING

The State Building Code Council (council), based on the following good cause, finds that an emergency affecting the general welfare of the state of Washington exists. The council further finds that immediate amendment of certain council rules is necessary for the public welfare and that observing the time requirements of notice and opportunity to comment would be contrary to the public interest.

The declaration of emergency affecting the general welfare of the state of Washington is based on the following findings:

The council's adoption of chapter 51-50 WAC, the state amended 2003 edition of the International Building Code (IBC), published by the International Code Council (ICC), took effect July 1, 2004. The membership of the ICC voted in 2004 to delete an exception in the IBC allowing wired glass installed in hazardous locations to meet a safety standard different than that of other types of glass. In reviewing the actions of the ICC, the council found compelling reason to adopt immediately the amended version of Section 2406.1 found in the 2004 Supplement to the IBC.

The Council finds that wired glass installed in hazardous locations where it may be subject to human impact poses a significant threat to the life safety of the citizens of the state of Washington. When broken, the exposed wire mesh pose a significant risk and can cause severe injury to entrapped limbs or impacting body parts. Wired glass manufactured to ANSI Z97.1 is more prone to breakage than other safety glazing products produced. Consumer Products Safety Commission surveillance data show over 2,500 glass door injuries per year in the US. Experts estimate that 90 per cent of these injuries involved wired glass. In light of these findings, the Council determined that the exception allowing wired glass conforming to ANSI Z97.1 should be deleted from the Washington State Building Code.

The amendment herein takes into consideration the general welfare and safety of the public by requiring wired glass to meet Consumer Products Safety Commission 16 CFR part 1201. In order to provide immediate relief, the council finds it necessary to adopt the amendment as an emergency rule. The council also has taken the necessary steps to adopt a permanent rule. The permanent rule will not be effective until the end of the 2006 legislative session as per RCW 19.27.074.

NEW SECTION

WAC 51-50-2406 Section 2406--Safety glazing.

2406.1.2 Wired glass. This section is not adopted.