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HOUSE BILL 1959

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State of Washington

53rd Legislature

1993 Regular Session

By Representatives Heavey and Springer

Read first time 02/17/93. Referred to Committee on Commerce & Labor.

1 AN ACT Relating to the issuance of citations under the Washington  
2 industrial safety and health act; and amending RCW 49.17.120.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 49.17.120 and 1973 c 80 s 12 are each amended to read  
5 as follows:

6 (1) If upon inspection or investigation the director or (~~his~~)  
7 director's authorized representative believes that an employer has  
8 violated a requirement of RCW 49.17.060, or any safety or health  
9 standard (~~promulgated~~) adopted by rule adopted by the director, or  
10 the conditions of any order granting a variance pursuant to this  
11 chapter, he or she shall with reasonable promptness issue a citation to  
12 the employer. Each citation shall be in writing and shall describe  
13 with particularity the nature of the violation, including a reference  
14 to the provisions of the statute, standard, rule, regulation, or order  
15 alleged to have been violated. In addition, the citation shall fix a  
16 reasonable time for the abatement of the violation.

17 (2) The director may prescribe procedures for the issuance of a  
18 notice in lieu of a citation with respect to de minimis violations  
19 which have no direct or immediate relationship to safety or health.

1       (3) Each citation, or a copy or copies thereof, issued under the  
2 authority of this section and RCW 49.17.130 shall be prominently  
3 posted, at or near each place a violation referred to in the citation  
4 occurred or as may otherwise be prescribed in (~~regulations issued~~)  
5 rules adopted by the director. The director shall provide by rule for  
6 procedures to be followed by an employee representative upon written  
7 application to receive copies of citations and notices issued to any  
8 employer having employees who are represented by such employee  
9 representative. Such rule may prescribe the form of such application,  
10 the time for renewal of applications, and the eligibility of the  
11 applicant to receive copies of citations and notices.

12       (4) No citation may be issued under this section or RCW 49.17.130  
13 after the expiration of six months following ((a)) the occurrence of  
14 any violation. However, if a compliance inspection, investigation, or  
15 survey has been commenced by the director, with notice given to the  
16 employer, within six months of the occurrence of a violation, then a  
17 citation may be issued under this section or RCW 49.17.130 no later  
18 than six months after the director's commencement of the compliance  
19 inspection, investigation, or survey revealing any such violation.

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