

RULE REPORT

Department of Commerce

Clearinghouse Rule No.: 09-012

Rule No.: Comm 18.1702

Relating to: Suspension Ropes and Their Connections Serving Elevators

Contact person for substantive questions:

Contact person for internal processing:

Name Larry Swaziek

Name Larry Swaziek

Title Program Manager

Title Program Manager

Telephone Number 267-7701

Telephone Number 267-7701

1. Basis and purpose of the proposed rule.

The basis of the proposed rule is ss. 101.17, 101.63 and 101.982, Stats. The purpose of the proposed rule is to repeal a provision that the American Society of Mechanical Engineers (ASME) did not incorporate into the latest edition of its national A17.1 standard that is adopted by reference in Comm 18 which became effective January 1, 2009.

2. How the proposed rule advances relevant statutory goals or purposes.

Sections 101.17, 101.63 and 101.982, Stats., grants the Department of Commerce authority to promulgate rules for the safe installation and operation of conveyances (elevators, escalators and lift devices). To fulfill this responsibility, the Department has promulgated this proposed rule to alleviate confusion and enforcement issues.

3. Changes to the rule analysis or fiscal estimate that was prepared for public hearing.

No changes were made.

FINAL REGULATORY FLEXIBILITY ANALYSIS

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Final regulatory flexibility analysis not required. (Statement of determination required.)

Pursuant to s. 227.19 (3m), Stats., the Department of Commerce has determined that the proposed rule to repeal Comm 18.1702 alleviates confusion and enforcement issues and will not have a significant impact on a substantial number of small businesses.

1. Reason for including or failing to include the following methods for reducing impact of the rule on small businesses: Less stringent compliance or reporting requirements; less stringent schedules or deadlines for compliance or reporting requirements; simplification of compliance or reporting requirements; establishment of performance standards to replace design or operational standards; exemption from any or all requirements.
2. Issues raised by small businesses during hearings, changes in proposed rules as a result of comments by small businesses and reasons for rejecting any alternatives suggested by small businesses.

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3. Nature and estimated cost of preparation of any reports by small businesses.

4. Nature and estimated cost of other measures and investments required of small businesses.

5. Additional cost to agency of administering or enforcing a rule which includes any of the methods in 1. for reducing impact on small businesses.

6. Impact on public health, safety and welfare caused by including any of the methods in 1. for reducing impact on small businesses.

RESPONSE TO LEGISLATIVE COUNCIL CLEARINGHOUSE REPORT

Department of Commerce

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RELATING TO: Suspension Ropes and Their Connections Serving Elevators

Agency contact person for substantive questions.

Name: Larry Swaziek

Title: Program Manager

Telephone No. 267-7701

Legislative Council report recommendations accepted in whole.

Yes

No

1. Review of statutory authority [s. 227.15(2)(a)]

a. Accepted

b. Accepted in part

c. Rejected

d. Comments attached

2. Review of rules for form, style and placement in administrative code [s. 227.15(2)(c)]

a. Accepted

b. Accepted in part

c. Rejected

d. Comments attached

(Continued on reverse side)

3. Review rules for conflict with or duplication of existing rules [s. 227.15(2)(d)]
- a. Accepted
 - b. Accepted in part
 - c. Rejected
 - d. Comments attached
4. Review rules for adequate references to related statutes, rules and forms [s. 227.15(2)(e)]
- a. Accepted
 - b. Accepted in part
 - c. Rejected
 - d. Comments attached
5. Review language of rules for clarity, grammar, punctuation and plainness [s. 227.15(2)(f)]
- a. Accepted
 - b. Accepted in part
 - c. Rejected
 - d. Comments attached
6. Review rules for potential conflicts with, and comparability to, related federal regulations [s. 227.15(2)(g)]
- a. Accepted
 - b. Accepted in part
 - c. Rejected
 - d. Comments attached
7. Review rules for permit action deadline [s. 227.15(2)(h)]
- a. Accepted
 - b. Accepted in part
 - c. Rejected
 - d. Comments attached

