

**WAC 296-307-34006 Exemption from the requirements of this section.** (1) The employer is exempt from all requirements of this section, if:

(a) The employer has implemented a written fire safety policy that requires all employees to evacuate immediately when the fire alarm sounds; and

(b) The employer has an emergency action plan and a fire prevention plan meeting the requirements of WAC 296-307-35015 and 296-307-35018; and

(c) Extinguishers are not available for employee use in the workplace.

**Note:** If the employer is covered by one of the following sections requiring the employer to provide a portable fire extinguisher, then the employer may not apply this exemption:

1. WAC 296-307-07013(12)—Transporting employees;
2. WAC 296-307-34009(8)—Storage of flammables; or
3. WAC 296-307-49503(2)—Welding.

(2) The employer is exempt from the distribution requirements in WAC 296-307-34012, if:

(a) The employer has an emergency action plan meeting the requirements of WAC 296-307-35015 that authorizes only certain employees to use the available portable fire extinguishers; and

(b) The plan requires all other employees to evacuate immediately when the fire alarm sounds.

[Statutory Authority: RCW 49.17.010, 49.17.040, 49.17.050, and 49.17.060. WSR 20-21-091, § 296-307-34006, filed 10/20/20, effective 11/20/20. Statutory Authority: RCW 49.17.040. WSR 98-24-096, § 296-307-34006, filed 12/1/98, effective 3/1/99. WSR 97-09-013, recodified as § 296-307-34006, filed 4/7/97, effective 4/7/97. Statutory Authority: RCW 49.17.040, [49.17.]050 and [49.17.]060. WSR 96-22-048, § 296-306A-34006, filed 10/31/96, effective 12/1/96.]