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ENGROSSED HOUSE BILL 2555

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State of Washington                      53rd Legislature                      1994 Regular Session

By Representative Heavey; by request of Department of Health

Read first time 01/17/94. Referred to Committee on Commerce & Labor.

1            AN ACT Relating to transient accommodations licensing and  
2 inspections; amending RCW 70.62.200, 70.62.220, 70.62.240, 70.62.250,  
3 70.62.260, 70.62.270, and 70.62.290; repealing RCW 70.62.230; and  
4 prescribing penalties.

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

6            **Sec. 1.** RCW 70.62.200 and 1971 ex.s. c 239 s 1 are each amended to  
7 read as follows:

8            The purpose of this chapter is to provide for the development,  
9 establishment, and enforcement of standards for the maintenance and  
10 operation of (~~hotels and motels~~) transient accommodations through a  
11 licensing program to promote the protection of the health and  
12 (~~welfare~~) safety of individuals using such accommodations in this  
13 state.

14            **Sec. 2.** RCW 70.62.220 and 1987 c 75 s 9 are each amended to read  
15 as follows:

16            The person operating a transient accommodation as defined in this  
17 chapter shall secure each year an annual operating license and shall  
18 pay a fee (~~therefor~~) to cover the cost of licensure and enforcement

1 activities as established by the department under RCW (~~(43.20B.110)~~)  
2 43.70.110 and 43.70.250. The (~~(annual)~~) initial licensure period shall  
3 run (~~(from January 1st through December 31st of each year)~~) for one  
4 year from the date of issuance, and the license shall be renewed  
5 annually on that date. The license fee shall be paid to the department  
6 (~~(prior to the time the license is issued and such)~~). The license  
7 shall be conspicuously displayed in the lobby or office of the facility  
8 for which it is issued.

9 **Sec. 3.** RCW 70.62.240 and 1971 ex.s. c 239 s 5 are each amended to  
10 read as follows:

11 The board shall (~~(promulgate)~~) adopt such rules (~~(and regulations,~~  
12 ~~to be effective no sooner than February 1, 1972,~~) as may be necessary  
13 to assure that each transient accommodation will be operated and  
14 maintained in a manner consistent with the health and (~~(welfare)~~)  
15 safety of the members of the public using such facilities. Such rules  
16 (~~(and regulations)~~) shall provide for adequate light, heat,  
17 ventilation, cleanliness, and sanitation and shall include provisions  
18 to assure adequate maintenance. All rules (~~(and regulations)~~) and  
19 amendments thereto shall be adopted in conformance with the provisions  
20 of chapter 34.05 RCW.

21 **Sec. 4.** RCW 70.62.250 and 1971 ex.s. c 239 s 6 are each amended to  
22 read as follows:

23 The department is hereby granted and shall have and exercise, in  
24 addition to the powers herein granted, all the powers necessary and  
25 appropriate to carry out and execute the purposes of this chapter,  
26 including but not limited to the power:

27 (1) To develop such rules (~~(and regulations)~~) for proposed adoption  
28 by the board as may be necessary to implement the purposes of this  
29 chapter;

30 (2) To enter and inspect any transient accommodation at any  
31 reasonable time (~~(any transient accommodation and)~~):

32 (a) Prior to initial licensure;

33 (b) To conduct annual verification surveys of at least ten percent  
34 of licensed facilities; and

35 (c) To make such investigations as are reasonably necessary to  
36 carry out the provisions of this chapter and any rules (~~(and~~  
37 regulations promulgated thereunder) adopted under this chapter:

1 PROVIDED, That no room or suite shall be entered for inspection unless  
2 said room or suite is not occupied by any patron or guest of the  
3 transient accommodation at the time of entry;

4 (3) To develop and use alternative survey methods which encourage  
5 the person operating a transient accommodation to self-inspect and  
6 thereby comply with this chapter and rules adopted under this chapter;

7 (4) To perform such other duties and employ such personnel as may  
8 be necessary to carry out the provisions of this chapter; and

9 ~~((4))~~ (5) To administer and enforce the provisions of this  
10 chapter and the rules ~~((and regulations promulgated thereunder))~~  
11 adopted under this chapter by the board.

12 **Sec. 5.** RCW 70.62.260 and 1971 ex.s. c 239 s 7 are each amended to  
13 read as follows:

14 No person shall operate a transient accommodation as defined in  
15 this chapter without having a valid license issued by the department.  
16 Applications for ~~((a license to operate))~~ a transient accommodation  
17 license shall be filed with the department ~~((prior to July 1, 1971, and~~  
18 ~~one half of the annual license fee shall be included with the~~  
19 ~~application))~~ sixty days or more before initiating business as a  
20 transient accommodation. All licenses issued under the provisions of  
21 this chapter shall expire ~~((on the first day of January next~~  
22 ~~succeeding))~~ one year from the effective date ~~((of issue)).~~ All  
23 applications for renewal of licenses shall be made ~~((not later than))~~  
24 thirty days or more prior to the date of expiration of the license.  
25 Each license shall be issued only for the premises and persons named in  
26 the application.

27 **Sec. 6.** RCW 70.62.270 and 1971 ex.s. c 239 s 8 are each amended to  
28 read as follows:

29 (1) Licenses issued under this chapter may be suspended or revoked  
30 upon the failure or refusal of the person operating a transient  
31 accommodation to comply with the provisions of this chapter, or of any  
32 rules ~~((and regulations))~~ adopted under this chapter by the board  
33 ~~((hereunder)).~~ All such proceedings shall be governed by the  
34 provisions of chapter 34.05 RCW.

35 (2) In lieu of or in addition to license suspension or revocation,  
36 the department may assess a civil fine in accordance with RCW  
37 43.70.095.

1       **Sec. 7.** RCW 70.62.290 and 1986 c 266 s 95 are each amended to read  
2 as follows:

3       Rules (~~and regulations~~) establishing fire and life safety  
4 requirements, not inconsistent with the provisions of this chapter,  
5 shall continue to be (~~promulgated and enforced~~) adopted by the  
6 director of community, trade, and economic development, through the  
7 director of fire protection.

8       NEW SECTION. **Sec. 8.** RCW 70.62.230 and 1987 c 75 s 10, 1982 c 201  
9 s 11, & 1971 ex.s. c 239 s 4 are each repealed.

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