

1

SHB 1535 - H AMD 247 Adopted 3-19-91

2 By Representatives Cooper, Grant and May

3 Strike everything after the enacting clause and insert the
4 following:

5 "NEW SECTION. Sec. 1. A new section is added to chapter 19.27
6 RCW to read as follows:

7 (1) Beginning July 1, 1991, at the time of final inspection of
8 a new single-family residence or each ground floor unit in a
9 multifamily residential building, the building inspector shall
10 deliver to each residence and each ground floor unit a radon
11 measurement device that is listed on a current federal
12 environmental protection agency radon measurement proficiency list.
13 The device, the instructions included with the device, and the
14 instructions provided by the state building code council pursuant
15 to subsection (2) of this section shall be placed in a conspicuous
16 location. The device shall be provided to the building inspector
17 by the local government.

18 (2) Not later than June 15, 1991, in consultation with the
19 department of health and the Washington state association of
20 building code officials, the state building code council shall:

21 (a) Develop instructions for use by the owner or occupant on
22 the proper means of installation, maintenance and removal of the
23 radon measurement device provided for in subsection (1) of this

1 section and distribute the instructions to all affected county and
2 city building departments; and

3 (b) Distribute to all affected county and city building
4 departments the current federal environmental protection agency
5 radon measurement proficiency list and known sources for the
6 devices.

7 (3) The owner of a new single-family residence or of a multi-
8 family residential building shall be responsible for returning the
9 radon measurement device left by a building inspector pursuant to
10 this section to the appropriate testing laboratory in accordance
11 with the instructions left with the device by the building
12 inspector.

13 (4) The building inspector's approval of the final inspection
14 on the final inspection record card shall be prima facie evidence
15 that the building inspector left the radon measurement device and
16 instructions as required by this section.

17 (5) The building inspector responsible for the final
18 inspection, the building inspector's employer, and the county or
19 city within which a single family residence or multi-family
20 residential building is located shall not be liable for injuries
21 caused by:

22 (a) The failure of the occupant or owner of the residence or
23 building to properly install, monitor, or send a radon measurement
24 device to the testing laboratory; or

25 (b) Radon entering into any single family residence or multi-
26 family residential building.

1 **Sec. 2.** RCW 4.24.560 and 1990 c 2 s 8 are each amended to read
2 as follows:

3 It is a defense in a civil action brought for damages for injury
4 caused by indoor air pollutants in a residential structure on which
5 construction was begun on or after July 1, 1991, that the builder
6 or design professional complied in good faith, without negligence
7 or misconduct, with:

8 (1) Building product safety standards, including labeling;

9 (2) Restrictions on the use of building materials known or
10 believed to contain substances that contribute to indoor air
11 pollution; and

12 (3) The ventilation and radon resistive construction
13 requirements adopted under RCW 19.27.190.

14 NEW SECTION. **Sec. 3.** This act is necessary for the immediate
15 preservation of the public peace, health, or safety, or support of
16 the state government and its existing public institutions, and
17 shall take effect immediately."

18 **SHB 1535** - H AMD

19 By Representative Cooper

20 On page 1, line 2 of the title, strike "and adding new
21 sections" and insert "adding a new section"