
SUBSTITUTE SENATE BILL 6386

State of Washington

52nd Legislature

1992 Regular Session

By Senate Committee on Energy & Utilities (originally sponsored by Senators Roach, McMullen, Anderson and Bauer)

Read first time 02/07/92.

1 AN ACT Relating to radon testing required by the state building
2 code council; amending RCW 4.24.560; adding a new section to chapter
3 19.27 RCW; and declaring an emergency.

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

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

7 (1) Beginning July 1, 1992, at the time of final inspection of a
8 new single-family residence or each ground floor unit in a multifamily
9 residential building, the building inspector shall deliver to each
10 residence and each ground floor unit a three-month etched track radon
11 measurement device that is listed on a current federal environmental
12 protection agency radon measurement proficiency list. Postage to the
13 testing facility and the cost of testing and notification to the
14 homeowner shall be included with the device. The device, the

1 instructions included with the device, and the instructions provided by
2 the state building code council pursuant to subsection (2) of this
3 section shall be placed in a conspicuous location. The device shall be
4 provided to the building inspector by the local government.

5 (2) Not later than June 15, 1992, in consultation with the
6 department of health and the Washington state association of building
7 code officials, the state building code council shall:

8 (a) Develop instructions for use by the owner or occupant on the
9 proper means of installation, maintenance and removal of the radon
10 measurement device provided for in subsection (1) of this section and
11 distribute the instructions to all affected county and city building
12 departments; and

13 (b) Distribute to all affected county and city building departments
14 the current federal environmental protection agency radon measurement
15 proficiency list and known sources for the devices.

16 (3) The owner of a new single-family residence or of a multifamily
17 residential building shall be responsible for returning the radon
18 measurement device left by a building inspector pursuant to this
19 section to the appropriate testing laboratory in accordance with the
20 instructions left with the device by the building inspector.

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

25 (5) The building inspector responsible for the final inspection,
26 the building inspector's employer, and the county or city within which
27 a single-family residence or multifamily residential building is
28 located shall not be liable for injuries caused by:

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

4 (b) Radon entering into any single-family residence or multifamily
5 residential building.

6 (6) This section shall expire June 30, 1995.

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

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

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

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

17 (3) The ventilation and radon resistive construction requirements
18 adopted under RCW 19.27.190.

19 NEW SECTION. **Sec. 3.** This act is necessary for the immediate
20 preservation of the public peace, health, or safety, or support of the
21 state government and its existing public institutions, and shall take
22 effect immediately.