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ENGROSSED SUBSTITUTE HOUSE BILL 1953

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State of Washington

57th Legislature

2001 Regular Session

By House Committee on Commerce & Labor (originally sponsored by Representatives Kessler and Buck)

Read first time 02/27/2001. Referred to Committee on .

1 AN ACT Relating to alterations of mobile homes; amending RCW  
2 19.27.015, 19.27.020, 19.27.031, 43.22.335, 43.22.340, 43.22.360,  
3 43.22.390, 43.22.350, 43.22.370, 43.22.380, 43.22.400, 43.22.410,  
4 43.22.420, 43.22.431, 43.22.432, 43.22.434, 43.22.440, 43.22.442, and  
5 43.22.450; reenacting and amending RCW 19.27.060; and creating a new  
6 section.

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

8 **Sec. 1.** RCW 19.27.015 and 1996 c 157 s 1 are each amended to read  
9 as follows:

10 ~~((As used in this chapter:))~~ The definitions in this section apply  
11 throughout this chapter unless the context clearly requires otherwise.

12 (1) "City" means a city or town((~~+~~)).

13 (2) "Manufactured home" means a single-family dwelling built in  
14 accordance with regulations adopted under the national manufactured  
15 housing construction and safety standards act of 1974 (42 U.S.C. 5401  
16 et seq.) and installed in accordance with standards adopted under RCW  
17 43.22.440.

18 (3) "Mobile home" means a factory-built dwelling built before June  
19 15, 1976, to standards other than the national manufactured housing

1 construction and safety standards act of 1974 (42 U.S.C. 5401 et seq.),  
2 and acceptable under applicable state codes in effect at the time of  
3 construction or introduction of the home into this state, and installed  
4 in accordance with standards adopted under RCW 43.22.440.

5 (4) "Multifamily residential building" means common wall  
6 residential buildings that consist of four or fewer units, that do not  
7 exceed two stories in height, that are less than five thousand square  
8 feet in area, and that have a one-hour fire-resistive occupancy  
9 separation between units(~~(+and)~~).

10 (~~(+3)~~) (5) "Temporary growing structure" means a structure that  
11 has the sides and roof covered with polyethylene, polyvinyl, or similar  
12 flexible synthetic material and is used to provide plants with either  
13 frost protection or increased heat retention.

14 **Sec. 2.** RCW 19.27.020 and 1985 c 360 s 6 are each amended to read  
15 as follows:

16 The purpose of this chapter is to promote the health, safety and  
17 welfare of the occupants or users of buildings (~~(and)~~), structures, and  
18 manufactured and mobile homes, and the general public, by the provision  
19 of building codes throughout the state. Accordingly, this chapter is  
20 designed to effectuate the following purposes, objectives, and  
21 standards:

22 (1) To require minimum performance standards and requirements for  
23 construction and construction materials, consistent with accepted  
24 standards of engineering, fire and life safety.

25 (2) To require standards and requirements in terms of performance  
26 and nationally accepted standards.

27 (3) To permit the use of modern technical methods, devices and  
28 improvements.

29 (4) To eliminate restrictive, obsolete, conflicting, duplicating  
30 and unnecessary regulations and requirements which could unnecessarily  
31 increase construction costs or retard the use of new materials and  
32 methods of installation or provide unwarranted preferential treatment  
33 to types or classes of materials or products or methods of  
34 construction.

35 (5) To provide for standards and specifications for making  
36 buildings and facilities accessible to and usable by physically  
37 disabled persons.

1 (6) To consolidate within each authorized enforcement jurisdiction,  
2 the administration and enforcement of building codes.

3 **Sec. 3.** RCW 19.27.031 and 1995 c 343 s 1 are each amended to read  
4 as follows:

5 Except as otherwise provided in this chapter, there shall be in  
6 effect in all counties and cities the state building code which shall  
7 consist of the following codes which are hereby adopted by reference:

8 (1) Uniform Building Code and Uniform Building Code Standards,  
9 published by the International Conference of Building Officials;

10 (2) Uniform Mechanical Code, including Chapter 13, Fuel Gas Piping,  
11 Appendix B, published by the International Conference of Building  
12 Officials;

13 (3) The Uniform Fire Code and Uniform Fire Code Standards,  
14 published by the International Fire Code Institute: PROVIDED, That,  
15 notwithstanding any wording in this code, participants in religious  
16 ceremonies shall not be precluded from carrying hand-held candles;

17 (4) Except as provided in RCW 19.27.170, the Uniform Plumbing Code  
18 and Uniform Plumbing Code Standards, published by the International  
19 Association of Plumbing and Mechanical Officials: PROVIDED, That  
20 chapters 11 and 12 of such code are not adopted; (~~and~~)

21 (5) The rules and regulations adopted by the council establishing  
22 standards for making buildings and facilities accessible to and usable  
23 by the physically handicapped or elderly persons as provided in RCW  
24 70.92.100 through 70.92.160; and

25 (6) With respect to alterations of manufactured homes, regulations  
26 adopted under the national manufactured housing construction and safety  
27 standards act of 1974 (42 U.S.C. 5401 et seq.), as applicable.

28 In case of conflict among the codes enumerated in subsections (1),  
29 (2), (3), (~~and~~) (4), and (6) of this section, the first named code  
30 shall govern over those following.

31 The codes enumerated in this section shall be adopted by the  
32 council as provided in RCW 19.27.074.

33 The council may issue opinions relating to the codes at the request  
34 of a local official charged with the duty to enforce the enumerated  
35 codes.

36 **Sec. 4.** RCW 19.27.060 and 1989 c 266 s 2 and 1989 c 246 s 1 are  
37 each reenacted and amended to read as follows:

1 (1) The governing bodies of counties and cities may amend the codes  
2 enumerated in RCW 19.27.031 as amended and adopted by the state  
3 building code council as they apply within their respective  
4 jurisdictions, but the amendments shall not result in a code that is  
5 less than the minimum performance standards and objectives contained in  
6 the state building code.

7 (a) No amendment to a code enumerated in RCW 19.27.031 as amended  
8 and adopted by the state building code council that affects single  
9 family or multifamily residential buildings shall be effective unless  
10 the amendment is approved by the building code council under RCW  
11 19.27.074(1)(b).

12 (b) Any county or city amendment to a code enumerated in RCW  
13 19.27.031 which is approved under RCW 19.27.074(1)(b) shall continue to  
14 be effective after any action is taken under RCW 19.27.074(1)(a)  
15 without necessity of reapproval under RCW 19.27.074(1)(b) unless the  
16 amendment is declared null and void by the council at the time any  
17 action is taken under RCW 19.27.074(1)(a) because such action in any  
18 way altered the impact of the amendment.

19 (2) Except as permitted or provided otherwise under this section,  
20 the state building code shall be applicable to all buildings and  
21 structures, and to all alterations of manufactured and mobile homes,  
22 including those buildings, structures, and manufactured and mobile  
23 homes owned by the state or by any governmental subdivision or unit of  
24 local government.

25 (3) The governing body of each county or city may limit the  
26 application of any portion of the state building code to exclude  
27 specified classes or types of buildings or structures according to use  
28 other than single family or multifamily residential buildings:  
29 PROVIDED, That in no event shall fruits or vegetables of the tree or  
30 vine stored in buildings or warehouses constitute combustible stock for  
31 the purposes of application of the uniform fire code.

32 (4) The provisions of this chapter shall not apply to any building  
33 four or more stories high with a B occupancy as defined by the uniform  
34 building code, 1982 edition, and with a city fire insurance rating of  
35 1, 2, or 3 as defined by a recognized fire rating bureau or  
36 organization.

37 (5) No provision of the uniform fire code concerning roadways shall  
38 be part of the state building code: PROVIDED, That this subsection

1 shall not limit the authority of a county or city to adopt street,  
2 road, or access standards.

3 (6) The provisions of the state building code may be preempted by  
4 any city or county to the extent that the code provisions relating to  
5 the installation or use of sprinklers in jail cells conflict with the  
6 secure and humane operation of jails.

7 (7)(a) Effective one year after July 23, 1989, the governing bodies  
8 of counties and cities may adopt an ordinance or resolution to exempt  
9 from permit requirements certain construction or alteration of either  
10 group R, division 3, or group M, division 1 occupancies, or both, as  
11 defined in the uniform building code, 1988 edition, for which the total  
12 cost of fair market value of the construction or alteration does not  
13 exceed fifteen hundred dollars. The permit exemption shall not  
14 otherwise exempt the construction or alteration from the substantive  
15 standards of the codes enumerated in RCW 19.27.031, as amended and  
16 maintained by the state building code council under RCW 19.27.070.

17 (b) Prior to July 23, 1989, the state building code council shall  
18 adopt by rule, guidelines exempting from permit requirements certain  
19 construction and alteration activities under (a) of this subsection.

20 (8) Before December 1, 2001, the state building code council shall,  
21 for purposes of alterations of manufactured homes, adopt by rule  
22 regulations adopted under the national manufactured housing  
23 construction and safety standards act of 1974 (42 U.S.C. 5401 et seq.),  
24 and requirements for maintaining the certification label or other label  
25 that must be permanently affixed to a manufactured home under federal  
26 law.

27 **Sec. 5.** RCW 43.22.335 and 1999 c 22 s 1 are each amended to read  
28 as follows:

29 Unless the context clearly requires otherwise, the definitions in  
30 this section apply throughout RCW 43.22.340 through 43.22.420.

31 ~~(1) ("Park trailer" means a park trailer as defined in the~~  
32 ~~American National Standards Institute A119.5 standard for park~~  
33 ~~trailers.~~

34 ~~(2) "Recreational vehicle" means a vehicular type unit primarily~~  
35 ~~designed for recreational camping or travel use that has its own motive~~  
36 ~~power or is mounted on or towed by another vehicle. The units include~~  
37 ~~travel trailers, fifth wheel trailers, folding camping trailers, truck~~  
38 ~~campers, and motor homes.~~

1       ~~(3))~~) "Conversion vendor units" means a motor vehicle or  
2 recreational vehicle that has been converted or built for the purpose  
3 of being used for commercial sales at temporary locations. The units  
4 must be less than eight feet six inches wide in the set-up position and  
5 the inside working area must be less than forty feet in length.

6       ~~((4))~~) (2) "Installed manufactured home" means a manufactured home  
7 installed in accordance with the standards adopted under RCW 43.22.440.

8       (3) "Manufactured home" means a single-family dwelling required to  
9 be built in accordance with regulations adopted under the national  
10 manufactured housing construction and safety standards act of 1974 (42  
11 U.S.C. 5401 et seq.).

12       (4) "Medical unit" means a self-propelled unit used to provide  
13 medical examinations, treatments, and medical and dental services or  
14 procedures, not including emergency response vehicles.

15       (5) "Mobile home" means a factory-built dwelling built before June  
16 15, 1976, to standards other than the national manufactured housing  
17 construction and safety standards act of 1974 (42 U.S.C. 5401 et seq.),  
18 and acceptable under applicable state codes in effect at the time of  
19 construction or introduction of the home into this state.

20       (6) "Park trailer" means a park trailer as defined in the American  
21 national standards institute A119.5 standard for park trailers.

22       (7) "Recreational vehicle" means a vehicular-type unit primarily  
23 designed for recreational camping or travel use that has its own motive  
24 power or is mounted on or towed by another vehicle. The units include  
25 travel trailers, fifth-wheel trailers, folding camping trailers, truck  
26 campers, and motor homes.

27       **Sec. 6.** RCW 43.22.340 and 1999 c 22 s 2 are each amended to read  
28 as follows:

29       (1) The director shall adopt specific rules for conversion vending  
30 units and medical units. The rules for conversion vending units and  
31 medical units shall be established to protect the occupants from fire;  
32 to address other life safety issues; and to ensure that the design and  
33 construction are capable of supporting any concentrated load of five  
34 hundred pounds or more.

35       (2) The director of labor and industries shall adopt rules  
36 governing safety of body and frame design, and the installation of  
37 plumbing, heating, and electrical equipment in manufactured and mobile

1 homes, commercial coaches, recreational vehicles, and/or park trailers  
2 subject to the following: ((PROVIDED, That))

3 (a) The director shall not prescribe or enforce rules governing the  
4 body and frame design of recreational vehicles and park trailers until  
5 after the American national standards institute shall have published  
6 standards and specifications upon this subject.

7 (b) The rules shall be reasonably consistent with recognized and  
8 accepted principles of safety for body and frame design and plumbing,  
9 heating, and electrical installations, in order to protect the health  
10 and safety of the people of this state from dangers inherent in the use  
11 of substandard and unsafe body and frame design, construction,  
12 plumbing, heating, electrical, and other equipment and shall correlate  
13 with and, so far as practicable, conform to the then current standards  
14 and specifications of the American national standards institute  
15 standards A119.1 for mobile homes and commercial coaches, A119.2 for  
16 recreational vehicles, and A119.5 for park trailers.

17 (c) Beginning on the effective date of rules adopted by the state  
18 building code council under RCW 19.27.060(8), alterations of installed  
19 manufactured or mobile homes are subject to the codes adopted under  
20 chapters 19.27 and 19.28 RCW, to be enforced and fees charged by a  
21 local building official or by the department of labor and industries  
22 under chapter 19.28 RCW, as applicable.

23 (3)(a) Except as provided in (b) of this subsection, it shall be  
24 unlawful for any person to lease, sell or offer for sale, within this  
25 state, any manufactured or mobile homes, commercial coaches, conversion  
26 vending units, medical units, recreational vehicles, and/or park  
27 trailers manufactured after January 1, 1968, containing plumbing,  
28 heating, electrical, or other equipment, and after July 1, 1970 body  
29 and frame design or construction unless such equipment meets the  
30 requirements of the rules provided for in this section.

31 (b) With respect to installed manufactured or mobile homes, this  
32 subsection applies only if an alteration of the home is a serious  
33 noncompliance with the rules provided for in this section and the use  
34 of the home constitutes a hazard to safety, health, or public welfare.

35 **Sec. 7.** RCW 43.22.360 and 1999 c 22 s 4 are each amended to read  
36 as follows:

37 (1) Plans and specifications of each model or production prototype  
38 of a manufactured or mobile home, commercial coach, conversion vending

1 units, medical units, recreational vehicle, and/or park trailer showing  
2 body and frame design, construction, plumbing, heating and electrical  
3 specifications and data shall be submitted to the department of labor  
4 and industries for approval and recommendations with respect to  
5 compliance with the rules and standards of each of such agencies. When  
6 plans have been submitted and approved as required, no (~~changes or~~)  
7 alterations shall be made to body and frame design, construction,  
8 plumbing, heating or electrical installations or specifications shown  
9 thereon in any manufactured or mobile home, commercial coach,  
10 conversion vending units, medical units, recreational vehicle, or park  
11 trailer without prior written approval of the department of labor and  
12 industries.

13 (2) The director may adopt rules that provide for approval of a  
14 plan that is certified as meeting state requirements or the equivalent  
15 by a professional who is licensed or certified in a state whose  
16 licensure or certification requirements meet or exceed Washington  
17 requirements.

18 **Sec. 8.** RCW 43.22.390 and 1999 c 22 s 7 are each amended to read  
19 as follows:

20 Manufactured and mobile homes, commercial coaches, conversion  
21 vending units, medical units, recreational vehicles, and/or park  
22 trailers subject to the provisions of RCW 43.22.340 through 43.22.410,  
23 and uninstalled manufactured and mobile homes, commercial coaches,  
24 conversion vending units, medical units, recreational vehicles, and/or  
25 park trailers upon which alterations of body and frame design,  
26 construction or installations of plumbing, heating or electrical  
27 equipment referred to in RCW 43.22.360 are made after July 1, 1968,  
28 shall have affixed thereto such insigne of approval.

29 **Sec. 9.** RCW 43.22.350 and 1999 c 22 s 3 are each amended to read  
30 as follows:

31 (1) In compliance with any applicable provisions of this chapter,  
32 the director of the department of labor and industries shall establish  
33 a schedule of fees, whether on the basis of plan approval or  
34 inspection, for the issuance of an insigne which indicates that the  
35 manufactured or mobile home, commercial coach, conversion vending  
36 units, medical units, recreational vehicle, and/or park trailer  
37 complies with the provisions of RCW 43.22.340 through 43.22.410 or for



1 any other purpose specifically authorized by any applicable provision  
2 of this chapter.

3 (2) Insignia are not required on manufactured or mobile homes,  
4 commercial coaches, conversion vending units, medical units,  
5 recreational vehicles, and/or park trailers manufactured within this  
6 state for sale outside this state which are sold to persons outside  
7 this state.

8 **Sec. 10.** RCW 43.22.370 and 1999 c 22 s 5 are each amended to read  
9 as follows:

10 Any manufactured or mobile home, commercial coach, conversion  
11 vending units, medical units, recreational vehicle, and/or park trailer  
12 leased or sold in Washington and manufactured prior to July 1, 1968,  
13 which has not been inspected prior to its sale and which does not meet  
14 the requirements prescribed will not be required to comply with those  
15 requirements except for alterations or installations referred to in RCW  
16 43.22.360.

17 **Sec. 11.** RCW 43.22.380 and 1999 c 22 s 6 are each amended to read  
18 as follows:

19 Used manufactured and mobile homes, commercial coaches, conversion  
20 vending units, medical units, recreational vehicles, and/or park  
21 trailers manufactured for use outside this state which do not meet the  
22 requirements prescribed and have been used for six months or more will  
23 not be required to comply with those requirements except for  
24 alterations or installations referred to in RCW 43.22.360.

25 **Sec. 12.** RCW 43.22.400 and 1995 c 280 s 11 are each amended to  
26 read as follows:

27 If the director of the department of labor and industries  
28 determines that the standards for body and frame design, construction  
29 and the plumbing, heating and electrical equipment installed in  
30 manufactured or mobile homes, commercial coaches, recreational  
31 vehicles, and/or park trailers by the statutes or rules and regulations  
32 of other states are at least equal to the standards prescribed by this  
33 state, he or she may so provide by regulation. Any manufactured or  
34 mobile home, commercial coach, recreational vehicle, and/or park  
35 trailer which a state listed in such regulations has approved as  
36 meeting its standards for body and frame design, construction and

1 plumbing, heating and electrical equipment shall be deemed to meet the  
2 standards of the director of the department of labor and industries, if  
3 he or she determines that the standards of such state are actually  
4 being enforced.

5 **Sec. 13.** RCW 43.22.410 and 1999 c 22 s 8 are each amended to read  
6 as follows:

7 Any manufactured or mobile home, commercial coach, conversion  
8 vending units, medical units, recreational vehicle, and/or park trailer  
9 that meets the requirements prescribed under RCW 43.22.340 shall not be  
10 required to comply with any ordinances of a city or county prescribing  
11 requirements for body and frame design, construction or plumbing,  
12 heating and electrical equipment installed in manufactured or mobile  
13 homes, commercial coaches, conversion vending units, medical units,  
14 recreational vehicles, and/or park trailers.

15 **Sec. 14.** RCW 43.22.420 and 1999 c 22 s 9 are each amended to read  
16 as follows:

17 There is hereby created a factory assembled structures advisory  
18 board consisting of nine members to be appointed by the director of  
19 labor and industries. It shall be the purpose and function of the  
20 board to advise the director on all matters pertaining to the  
21 enforcement of this chapter including but not limited to standards of  
22 body and frame design, construction and plumbing, heating and  
23 electrical installations, minimum inspection procedures, the adoption  
24 of rules pertaining to the manufacture of factory assembled structures,  
25 (~~mobile~~) manufactured homes, commercial coaches, conversion vending  
26 units, medical units, recreational vehicles, and park trailers. The  
27 advisory board shall periodically review the rules adopted under RCW  
28 43.22.450 through 43.22.490 and shall recommend changes of such rules  
29 to the department if it deems changes advisable.

30 The members of the advisory board shall be representative of  
31 consumers, the regulated industries, and allied professionals. The  
32 term of each member shall be four years. However, the director may  
33 appoint the initial members of the advisory board to staggered terms  
34 not exceeding four years.

35 The chief inspector or any person acting as chief inspector for the  
36 factory assembled structures, manufactured or mobile home, commercial  
37 coach, conversion vending units, medical units, recreational vehicle,

1 and park trailer section shall serve as secretary of the board during  
2 his tenure as chief. Meetings of the board shall be called at the  
3 discretion of the director of labor and industries, but at least  
4 quarterly. Each member of the board shall be paid travel expenses in  
5 accordance with RCW 43.03.050 and 43.03.060 which shall be paid out of  
6 the appropriation to the department of labor and industries, upon  
7 vouchers approved by the director of labor and industries or his or her  
8 designee.

9       **Sec. 15.** RCW 43.22.431 and 1977 ex.s. c 21 s 1 are each amended to  
10 read as follows:

11       The director of the department of labor and industries may enforce  
12 ((mobile)) manufactured home safety and construction standards adopted  
13 by the secretary of housing and urban development under the national  
14 ((Mobile)) manufactured home construction and safety standards act of  
15 1974 (800 Stat. 700; 42 U.S.C. Secs. 5401-5426). Furthermore, the  
16 director may make agreements with the United States government and  
17 private inspection organizations to implement the development and  
18 enforcement of applicable provisions of this chapter and the national  
19 ((Mobile)) manufactured home construction and safety standards act of  
20 1974 (800 Stat. 700; 42 U.S.C. Secs. 5401-5426).

21       **Sec. 16.** RCW 43.22.432 and 1977 ex.s. c 21 s 2 are each amended to  
22 read as follows:

23       The department may adopt all standards and regulations adopted by  
24 the secretary under the national ((Mobile)) manufactured home  
25 construction and safety standards act of 1974 (800 Stat. 700; 42 U.S.C.  
26 Secs. 5401-5426) for ((mobile)) manufactured home construction and  
27 safety standards. If any deletions or amendments to the federal  
28 standards or regulations are thereafter made and notice thereof is  
29 given to the department, the standards or regulations shall be  
30 considered automatically adopted by the state under this chapter after  
31 the expiration of thirty days from publication in the federal register  
32 of a final order describing the deletions or amendments unless within  
33 that thirty day period the department objects to the deletion or  
34 amendment. In case of objection, the department shall proceed under  
35 the rule making procedure of chapter 34.05 RCW.

1       **Sec. 17.** RCW 43.22.434 and 1999 c 22 s 10 are each amended to read  
2 as follows:

3       (1) The director or the director's authorized representative may  
4 conduct such inspections, investigations, and audits as may be  
5 necessary to adopt or enforce manufactured and mobile home, commercial  
6 coach, conversion vending units, medical units, recreational vehicle,  
7 park trailer, factory built housing, and factory built commercial  
8 structure rules adopted under the authority of this chapter or to carry  
9 out the director's duties under this chapter.

10       (2) For purposes of enforcement of this chapter, persons duly  
11 designated by the director upon presenting appropriate credentials to  
12 the owner, operator, or agent in charge may:

13       (a) At reasonable times and without advance notice enter any  
14 factory, warehouse, or establishment in which manufactured and mobile  
15 homes, commercial coaches, conversion vending units, medical units,  
16 recreational vehicles, park trailers, factory built housing, and  
17 factory built commercial structures are manufactured, stored, or held  
18 for sale;

19       (b) At reasonable times, within reasonable limits, and in a  
20 reasonable manner inspect any factory, warehouse, or establishment as  
21 required to comply with the standards adopted by the secretary of  
22 housing and urban development under the national ((Mobile))  
23 manufactured home construction and safety standards act of 1974. Each  
24 inspection shall be commenced and completed with reasonable promptness;  
25 and

26       (c) As requested by an owner of a conversion vending unit or  
27 medical unit, inspect an alteration.

28       (3) The department shall set a schedule of fees by rule which will  
29 cover the costs incurred by the department in the administration of RCW  
30 43.22.335 through 43.22.490.

31       **Sec. 18.** RCW 43.22.440 and 1988 c 239 s 5 are each amended to read  
32 as follows:

33       (1) The legislature finds that inspections of manufactured and  
34 mobile home installation are not done on a consistent basis.  
35 Manufactured and mobile homes provide housing for many people in the  
36 state, and improperly installed manufactured or mobile homes are a  
37 serious health and safety risk. Where possible and practical,  
38 manufactured and mobile homes should be treated the same as any housing

1 inhabited or to be inhabited by persons in this state, including  
2 housing built according to the state building code.

3 (2) In consultation with the factory assembled structures advisory  
4 board for ((~~mobile~~)) manufactured homes, the director of labor and  
5 industries shall by rule establish uniform standards for the  
6 performance and workmanship of installation service and warranty  
7 service by persons or entities engaged in performing the services  
8 within this state for all manufactured and mobile homes, as defined in  
9 RCW 46.04.302. The standards shall conform, where applicable, with  
10 statutes, rules, and recommendations established under the ((~~federal~~))  
11 national ((~~mobile~~)) manufactured home construction and safety standards  
12 act of 1974 (42 U.S.C. Sec. 5401 et seq.). These rules regarding the  
13 installation of manufactured and mobile homes shall be enforced and  
14 fees charged by the counties and cities in the same manner the state  
15 building code is enforced under RCW 19.27.050.

16 (3) In addition to and in conjunction with the remedies provided in  
17 this chapter, failure to remedy any breach of the standards and rules  
18 so established, upon adequate notice and within a reasonable time, is  
19 a violation of the consumer protection act, chapter 19.86 RCW and  
20 subject to the remedies provided in that chapter.

21 **Sec. 19.** RCW 43.22.442 and 1980 c 153 s 2 are each amended to read  
22 as follows:

23 A manufacturer of ((~~mobile~~)) manufactured homes who designates a  
24 representative within this state to provide consumers with warranty  
25 service for ((~~mobile~~)) manufactured homes on behalf of the manufacturer  
26 shall make reasonable and timely compensation to the representative for  
27 performance of the warranty service.

28 **Sec. 20.** RCW 43.22.450 and 1973 1st ex.s. c 22 s 1 are each  
29 amended to read as follows:

30 Whenever used in RCW 43.22.450 through 43.22.490:

31 (1) "Department" means the Washington state department of labor and  
32 industries;

33 (2) "Approved" means approved by the department;

34 (3) "Factory built housing" means any structure designed primarily  
35 for human occupancy other than a manufactured or mobile home the  
36 structure or any room of which is either entirely or substantially  
37 prefabricated or assembled at a place other than a building site;

1 (4) "Install" means the assembly of factory built housing or  
2 factory built commercial structures at a building site;

3 (5) "Building site" means any tract, parcel or subdivision of land  
4 upon which factory built housing or a factory built commercial  
5 structure is installed or is to be installed;

6 (6) "Local enforcement agency" means any agency of the governing  
7 body of any city or county which enforces laws or ordinances governing  
8 the construction of buildings;

9 (7) "Commercial structure" means a structure designed or used for  
10 human habitation, or human occupancy for industrial, educational,  
11 assembly, professional or commercial purposes.

12 NEW SECTION. **Sec. 21.** This act applies to installed manufactured  
13 and mobile homes without regard to the date of installation.

--- END ---