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**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, 19.28.006, 19.28.010, 43.22.335, 43.22.340,  
3 43.22.360, 43.22.390, 19.28.101, 43.22.350, 43.22.370, 43.22.380,  
4 43.22.400, 43.22.410, 43.22.420, 43.22.431, 43.22.432, 43.22.434,  
5 43.22.440, 43.22.442, and 43.22.450; reenacting and amending RCW  
6 19.27.060; adding a new section to chapter 43.22 RCW; and creating a  
7 new section.

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

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

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

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

14 (2) "Manufactured home" means a single-family dwelling unit  
15 required to be built in accordance with regulations adopted under the  
16 national manufactured housing construction and safety standards act of  
17 1974 (42 U.S.C. 5401 et seq.) and includes a mobile home that is a  
18 factory-built dwelling unit built before June 15, 1976, to other  
19 standards.

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

6       (~~(3)~~) (4) "Permanently fixed manufactured home" means a  
7 manufactured home which has substantially lost its identity as a mobile  
8 unit by being placed in location on a permanent foundation of posts or  
9 blocks with fixed pipe connections with sewer, water, or other  
10 utilities on land owned or leased by the manufactured home owner who  
11 was the first or subsequent purchaser of the manufactured home in good  
12 faith for purposes other than resale.

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

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

19       The purpose of this chapter is to promote the health, safety and  
20 welfare of the occupants or users of buildings and structures, and  
21 permanently fixed manufactured homes, and the general public by the  
22 provision of building codes throughout the state. Accordingly, this  
23 chapter is designed to effectuate the following purposes, objectives,  
24 and standards:

25       (1) To require minimum performance standards and requirements for  
26 construction and construction materials, consistent with accepted  
27 standards of engineering, fire and life safety.

28       (2) To require standards and requirements in terms of performance  
29 and nationally accepted standards.

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

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

1 (5) To provide for standards and specifications for making  
2 buildings and facilities accessible to and usable by physically  
3 disabled persons.

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

6 **Sec. 3.** RCW 19.27.060 and 1989 c 266 s 2 and 1989 c 246 s 1 are  
7 each reenacted and amended to read as follows:

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

14 (a) No amendment to a code enumerated in RCW 19.27.031 as amended  
15 and adopted by the state building code council that affects single  
16 family or multifamily residential buildings shall be effective unless  
17 the amendment is approved by the building code council under RCW  
18 19.27.074(1)(b).

19 (b) Any county or city amendment to a code enumerated in RCW  
20 19.27.031 which is approved under RCW 19.27.074(1)(b) shall continue to  
21 be effective after any action is taken under RCW 19.27.074(1)(a)  
22 without necessity of reapproval under RCW 19.27.074(1)(b) unless the  
23 amendment is declared null and void by the council at the time any  
24 action is taken under RCW 19.27.074(1)(a) because such action in any  
25 way altered the impact of the amendment.

26 (2) Except as permitted or provided otherwise under this section,  
27 the state building code shall be applicable to all buildings and  
28 structures, and to all alterations of permanently fixed manufactured  
29 homes, including those buildings, structures, and permanently fixed  
30 manufactured homes owned by the state or by any governmental  
31 subdivision or unit of local government.

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

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

6 (5) No provision of the uniform fire code concerning roadways shall  
7 be part of the state building code: PROVIDED, That this subsection  
8 shall not limit the authority of a county or city to adopt street,  
9 road, or access standards.

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

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

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

27 (8) The state building code council shall adopt by rule  
28 requirements relating to alterations of permanently fixed manufactured  
29 homes that may be required to comply with regulations adopted under the  
30 national manufactured housing construction and safety standards act of  
31 1974 (42 U.S.C. 5401 et seq.) including requirements for maintaining  
32 the certification label or other label that must be permanently affixed  
33 to a manufactured home under federal or state law.

34 **Sec. 4.** RCW 19.28.006 and 2000 c 238 s 103 are each amended to  
35 read as follows:

36 The definitions in this section apply throughout this subchapter.

1 (1) "Administrator" means a person designated by an electrical  
2 contractor to supervise electrical work and electricians in accordance  
3 with the rules adopted under this chapter.

4 (2) "Board" means the electrical board under RCW ((19.28.065))  
5 19.28.311.

6 (3) "Chapter" or "subchapter" means the subchapter, if no chapter  
7 number is referenced.

8 (4) "Department" means the department of labor and industries.

9 (5) "Director" means the director of the department or the  
10 director's designee.

11 (6) "Electrical construction trade" includes but is not limited to  
12 installing or maintaining electrical wires and equipment that are used  
13 for light, heat, or power and installing and maintaining remote  
14 control, signaling, power limited, or communication circuits or  
15 systems.

16 (7) "Electrical contractor" means a person, firm, partnership,  
17 corporation, or other entity that offers to undertake, undertakes,  
18 submits a bid for, or does the work of installing or maintaining wires  
19 or equipment that convey electrical current.

20 (8) "Equipment" means any equipment or apparatus that directly  
21 uses, conducts, or is operated by electricity but does not mean plug-in  
22 household appliances.

23 (9) "Industrial control panel" means a factory-wired or user-wired  
24 assembly of industrial control equipment such as motor controllers,  
25 switches, relays, power supplies, computers, cathode ray tubes,  
26 transducers, and auxiliary devices. The panel may include disconnect  
27 means and motor branch circuit protective devices.

28 (10) "Journeyman electrician" means a person who has been issued a  
29 journeyman electrician certificate of competency by the department.

30 (11) "Manufactured home" means the same as the definition in RCW  
31 19.27.015.

32 (12) "Permanently fixed manufactured home" means the same as the  
33 definition in RCW 19.27.015.

34 (13) "Specialty electrician" means a person who has been issued a  
35 specialty electrician certificate of competency by the department.

36 **Sec. 5.** RCW 19.28.010 and 1993 c 275 s 2 are each amended to read  
37 as follows:

1       (1)(a) All wires and equipment, and installations thereof, that  
2 convey electric current and installations of equipment to be operated  
3 by electric current, in, on, or about buildings or structures, except  
4 for telephone, telegraph, radio, and television wires and equipment,  
5 and television antenna installations, signal strength amplifiers, and  
6 coaxial installations pertaining thereto shall be in strict conformity  
7 with this chapter, the statutes of the state of Washington, and the  
8 rules issued by the department, and shall be in conformity with  
9 approved methods of construction for safety to life and property. All  
10 wires and equipment that fall within section 90.2(b)(5) of the National  
11 Electrical Code, 1981 edition, are exempt from the requirements of this  
12 chapter. The regulations and articles in the National Electrical Code,  
13 the national electrical safety code, and other installation and safety  
14 regulations approved by the national fire protection association, as  
15 modified or supplemented by rules issued by the department in  
16 furtherance of safety to life and property under authority hereby  
17 granted, shall be prima facie evidence of the approved methods of  
18 construction. All materials, devices, appliances, and equipment used  
19 in such installations shall be of a type that conforms to applicable  
20 standards or be indicated as acceptable by the established standards of  
21 any electrical product testing laboratory which is accredited by the  
22 department. Industrial control panels, utilization equipment, and  
23 their components do not need to be listed, labeled, or otherwise  
24 indicated as acceptable by an accredited electrical product testing  
25 laboratory unless specifically required by the National Electrical  
26 Code, 1993 edition.

27       (b) This section applies to alterations of permanently fixed  
28 manufactured homes.

29       (2) Residential buildings or structures moved into or within a  
30 county, city, or town are not required to comply with all of the  
31 requirements of this chapter, if the original occupancy classification  
32 of the building or structure is not changed as a result of the move.  
33 This subsection shall not apply to residential buildings or structures  
34 that are substantially remodeled or rehabilitated.

35       (3) This chapter shall not limit the authority or power of any city  
36 or town to enact and enforce under authority given by law, any  
37 ordinance, rule, or regulation requiring an equal, higher, or better  
38 standard of construction and an equal, higher, or better standard of  
39 materials, devices, appliances, and equipment than that required by

1 this chapter. A city or town shall require that its electrical  
2 inspectors meet the qualifications provided for state electrical  
3 inspectors in accordance with RCW (~~(19.28.070)~~) 19.28.321. In a city  
4 or town having an equal, higher, or better standard the installations,  
5 materials, devices, appliances, and equipment shall be in accordance  
6 with the ordinance, rule, or regulation of the city or town.  
7 Electrical equipment associated with spas, hot tubs, swimming pools,  
8 and hydromassage bathtubs shall not be offered for sale or exchange  
9 unless the electrical equipment is certified as being in compliance  
10 with the applicable product safety standard by bearing the  
11 certification mark of an approved electrical products testing  
12 laboratory.

13 (4) Nothing in this chapter may be construed as permitting the  
14 connection of any conductor of any electric circuit with a pipe that is  
15 connected with or designed to be connected with a waterworks piping  
16 system, without the consent of the person or persons legally  
17 responsible for the operation and maintenance of the waterworks piping  
18 system.

19 **Sec. 6.** RCW 43.22.335 and 1999 c 22 s 1 are each amended to read  
20 as follows:

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

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

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

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

36 (~~(4))~~ (2) "Manufactured home" means the same as the definition in  
37 RCW 19.27.015.

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

4       (4) "Permanently fixed manufactured home" means the same as the  
5 definition in RCW 19.27.015.

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

8       (6) "Recreational vehicle" means a vehicular-type unit primarily  
9 designed for recreational camping or travel use that has its own motive  
10 power or is mounted on or towed by another vehicle. The units include  
11 travel trailers, fifth-wheel trailers, folding camping trailers, truck  
12 campers, and motor homes.

13       NEW SECTION.   **Sec. 7.** A new section is added to chapter 43.22 RCW  
14 to read as follows:

15       Alterations of permanently fixed manufactured homes are subject to  
16 the codes adopted under chapters 19.27 and 19.28 RCW, to be enforced  
17 and fees charged by a local building official or by the department of  
18 labor and industries under chapter 19.28 RCW, as applicable.

19       **Sec. 8.** RCW 43.22.340 and 1999 c 22 s 2 are each amended to read  
20 as follows:

21       (1) The director shall adopt specific rules for conversion vending  
22 units and medical units. The rules for conversion vending units and  
23 medical units shall be established to protect the occupants from fire;  
24 to address other life safety issues; and to ensure that the design and  
25 construction are capable of supporting any concentrated load of five  
26 hundred pounds or more.

27       (2) The director of labor and industries shall adopt rules  
28 governing safety of body and frame design, and the installation of  
29 plumbing, heating, and electrical equipment in (~~mobile~~) manufactured  
30 homes, commercial coaches, recreational vehicles, and/or park trailers  
31 subject to the following: (~~PROVIDED, That~~)

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

36       (b) The rules shall be reasonably consistent with recognized and  
37 accepted principles of safety for body and frame design and plumbing,



1 heating, and electrical installations, in order to protect the health  
2 and safety of the people of this state from dangers inherent in the use  
3 of substandard and unsafe body and frame design, construction,  
4 plumbing, heating, electrical, and other equipment and shall correlate  
5 with and, so far as practicable, conform to the then current standards  
6 and specifications of the American national standards institute  
7 standards A119.1 for mobile homes and commercial coaches, A119.2 for  
8 recreational vehicles, and A119.5 for park trailers.

9 (c) The rules shall not apply to alterations of permanently fixed  
10 manufactured homes.

11 (3) It shall be unlawful for any person to lease, sell or offer for  
12 sale, within this state, any ((mobile)) manufactured homes, commercial  
13 coaches, conversion vending units, medical units, recreational  
14 vehicles, and/or park trailers manufactured after January 1, 1968,  
15 containing plumbing, heating, electrical, or other equipment, and after  
16 July 1, 1970 body and frame design or construction unless such  
17 equipment meets the requirements of the rules provided for in this  
18 section.

19 **Sec. 9.** RCW 43.22.360 and 1999 c 22 s 4 are each amended to read  
20 as follows:

21 (1) Plans and specifications of each model or production prototype  
22 of a ((mobile)) manufactured home, commercial coach, conversion vending  
23 units, medical units, recreational vehicle, and/or park trailer showing  
24 body and frame design, construction, plumbing, heating and electrical  
25 specifications and data shall be submitted to the department of labor  
26 and industries for approval and recommendations with respect to  
27 compliance with the rules and standards of each of such agencies. When  
28 plans have been submitted and approved as required, no ((changes or))  
29 alterations shall be made to body and frame design, construction,  
30 plumbing, heating or electrical installations or specifications shown  
31 thereon in any ((mobile)) manufactured home, other than a permanently  
32 fixed manufactured home, commercial coach, conversion vending units,  
33 medical units, recreational vehicle, or park trailer without prior  
34 written approval of the department of labor and industries.

35 (2) The director may adopt rules that provide for approval of a  
36 plan that is certified as meeting state requirements or the equivalent  
37 by a professional who is licensed or certified in a state whose

1 licensure or certification requirements meet or exceed Washington  
2 requirements.

3 **Sec. 10.** RCW 43.22.390 and 1999 c 22 s 7 are each amended to read  
4 as follows:

5 ((Mobile)) Manufactured homes, commercial coaches, conversion  
6 vending units, medical units, recreational vehicles, and/or park  
7 trailers subject to the provisions of RCW 43.22.340 through 43.22.410,  
8 and ((mobile)) manufactured homes, other than permanently fixed  
9 manufactured homes, commercial coaches, conversion vending units,  
10 medical units, recreational vehicles, and/or park trailers upon which  
11 alterations of body and frame design, construction or installations of  
12 plumbing, heating or electrical equipment referred to in RCW 43.22.360  
13 are made after July 1, 1968, shall have affixed thereto such insigne of  
14 approval.

15 **Sec. 11.** RCW 19.28.101 and 1996 c 241 s 4 are each amended to read  
16 as follows:

17 (1) The director shall cause an inspector to inspect all wiring,  
18 appliances, devices, and equipment to which this chapter applies.  
19 Nothing contained in this chapter may be construed as providing any  
20 authority for any subdivision of government to adopt by ordinance any  
21 provisions contained or provided for in this chapter except those  
22 pertaining to cities and towns pursuant to RCW 19.28.010(3).

23 (2) Upon request, electrical inspections will be made by the  
24 department within forty-eight hours, excluding holidays, Saturdays, and  
25 Sundays. If, upon written request, the electrical inspector fails to  
26 make an electrical inspection within twenty-four hours, the serving  
27 utility may immediately connect electrical power to the installation if  
28 the necessary electrical work permit is displayed(~~(: PROVIDED, That)~~).  
29 However, if the request is for an electrical inspection that relates to  
30 a ((mobile)) manufactured home installation, the applicant shall  
31 provide proof of a current building permit issued by the local  
32 government agency authorized to issue such permits as a prerequisite  
33 for inspection approval or connection of electrical power to the  
34 ((mobile)) manufactured home.

35 (3) Whenever the installation of any wiring, device, appliance, or  
36 equipment is not in accordance with this chapter, or is in such a  
37 condition as to be dangerous to life or property, the person, firm,

1 partnership, corporation, or other entity owning, using, or operating  
2 it shall be notified by the department and shall within fifteen days,  
3 or such further reasonable time as may upon request be granted, make  
4 such repairs and changes as are required to remove the danger to life  
5 or property and to make it conform to this chapter. The director,  
6 through the inspector, is hereby empowered to disconnect or order the  
7 discontinuance of electrical service to conductors or equipment that  
8 are found to be in a dangerous or unsafe condition and not in  
9 accordance with this chapter. Upon making a disconnection the  
10 inspector shall attach a notice stating that the conductors have been  
11 found dangerous to life or property and are not in accordance with this  
12 chapter. It is unlawful for any person to reconnect such defective  
13 conductors or equipment without the approval of the department, and  
14 until the conductors and equipment have been placed in a safe and  
15 secure condition, and in a condition that complies with this chapter.

16 (4) The director, through the electrical inspector, has the right  
17 during reasonable hours to enter into and upon any building or premises  
18 in the discharge of his or her official duties for the purpose of  
19 making any inspection or test of the installation of new construction  
20 or altered electrical wiring, electrical devices, equipment, or  
21 material contained in or on the buildings or premises. No electrical  
22 wiring or equipment subject to this chapter may be concealed until it  
23 has been approved by the inspector making the inspection. At the time  
24 of the inspection, electrical wiring or equipment subject to this  
25 chapter must be sufficiently accessible to permit the inspector to  
26 employ any testing methods that will verify conformance with the  
27 national electrical code and any other requirements of this chapter.

28 (5) Persons, firms, partnerships, corporations, or other entities  
29 making electrical installations shall obtain inspection and approval  
30 from an authorized representative of the department as required by this  
31 chapter before requesting the electric utility to connect to the  
32 installations. Electric utilities may connect to the installations if  
33 approval is clearly indicated by certification of the electrical work  
34 permit required to be affixed to each installation or by equivalent  
35 means, except that increased or relocated services may be reconnected  
36 immediately at the discretion of the utility before approval if an  
37 electrical work permit is displayed. The permits shall be furnished  
38 upon payment of the fee to the department.

1 (6) The director, subject to the recommendations and approval of  
2 the board, shall set by rule a schedule of license and electrical work  
3 permit fees that will cover the costs of administration and enforcement  
4 of this chapter. The rules shall be adopted in accordance with the  
5 administrative procedure act, chapter 34.05 RCW. No fee may be charged  
6 for plug-in ((mobile)) manufactured homes, recreational vehicles, or  
7 portable appliances.

8 (7) Nothing in this chapter shall authorize the inspection of any  
9 wiring, appliance, device, or equipment, or installations thereof, by  
10 any utility or by any person, firm, partnership, corporation, or other  
11 entity employed by a utility in connection with the installation,  
12 repair, or maintenance of lines, wires, apparatus, or equipment owned  
13 by or under the control of the utility. All work covered by the  
14 national electric code not exempted by the 1981 edition of the national  
15 electric code 90-2(B)(5) shall be inspected by the department.

16 **Sec. 12.** RCW 43.22.350 and 1999 c 22 s 3 are each amended to read  
17 as follows:

18 (1) In compliance with any applicable provisions of this chapter,  
19 the director of the department of labor and industries shall establish  
20 a schedule of fees, whether on the basis of plan approval or  
21 inspection, for the issuance of an insigne which indicates that the  
22 ((mobile)) manufactured home, commercial coach, conversion vending  
23 units, medical units, recreational vehicle, and/or park trailer  
24 complies with the provisions of RCW 43.22.340 through 43.22.410 or for  
25 any other purpose specifically authorized by any applicable provision  
26 of this chapter.

27 (2) Insignia are not required on ((mobile)) manufactured homes,  
28 commercial coaches, conversion vending units, medical units,  
29 recreational vehicles, and/or park trailers manufactured within this  
30 state for sale outside this state which are sold to persons outside  
31 this state.

32 **Sec. 13.** RCW 43.22.370 and 1999 c 22 s 5 are each amended to read  
33 as follows:

34 Any ((mobile)) manufactured home, commercial coach, conversion  
35 vending units, medical units, recreational vehicle, and/or park trailer  
36 leased or sold in Washington and manufactured prior to July 1, 1968,  
37 which has not been inspected prior to its sale and which does not meet

1 the requirements prescribed will not be required to comply with those  
2 requirements except for alterations or installations referred to in RCW  
3 43.22.360.

4 **Sec. 14.** RCW 43.22.380 and 1999 c 22 s 6 are each amended to read  
5 as follows:

6 Used ((mobile)) manufactured homes, commercial coaches, conversion  
7 vending units, medical units, recreational vehicles, and/or park  
8 trailers manufactured for use outside this state which do not meet the  
9 requirements prescribed and have been used for six months or more will  
10 not be required to comply with those requirements except for  
11 alterations or installations referred to in RCW 43.22.360.

12 **Sec. 15.** RCW 43.22.400 and 1995 c 280 s 11 are each amended to  
13 read as follows:

14 If the director of the department of labor and industries  
15 determines that the standards for body and frame design, construction  
16 and the plumbing, heating and electrical equipment installed in  
17 ((mobile)) manufactured homes, commercial coaches, recreational  
18 vehicles, and/or park trailers by the statutes or rules and regulations  
19 of other states are at least equal to the standards prescribed by this  
20 state, he or she may so provide by regulation. Any ((mobile))  
21 manufactured home, commercial coach, recreational vehicle, and/or park  
22 trailer which a state listed in such regulations has approved as  
23 meeting its standards for body and frame design, construction and  
24 plumbing, heating and electrical equipment shall be deemed to meet the  
25 standards of the director of the department of labor and industries, if  
26 he or she determines that the standards of such state are actually  
27 being enforced.

28 **Sec. 16.** RCW 43.22.410 and 1999 c 22 s 8 are each amended to read  
29 as follows:

30 Any ((mobile)) manufactured home, commercial coach, conversion  
31 vending units, medical units, recreational vehicle, and/or park trailer  
32 that meets the requirements prescribed under RCW 43.22.340 shall not be  
33 required to comply with any ordinances of a city or county prescribing  
34 requirements for body and frame design, construction or plumbing,  
35 heating and electrical equipment installed in ((mobile)) manufactured

1 homes, commercial coaches, conversion vending units, medical units,  
2 recreational vehicles, and/or park trailers.

3 **Sec. 17.** RCW 43.22.420 and 1999 c 22 s 9 are each amended to read  
4 as follows:

5 There is hereby created a factory assembled structures advisory  
6 board consisting of nine members to be appointed by the director of  
7 labor and industries. It shall be the purpose and function of the  
8 board to advise the director on all matters pertaining to the  
9 enforcement of this chapter including but not limited to standards of  
10 body and frame design, construction and plumbing, heating and  
11 electrical installations, minimum inspection procedures, the adoption  
12 of rules pertaining to the manufacture of factory assembled structures,  
13 ((mobile)) manufactured homes, commercial coaches, conversion vending  
14 units, medical units, recreational vehicles, and park trailers. The  
15 advisory board shall periodically review the rules adopted under RCW  
16 43.22.450 through 43.22.490 and shall recommend changes of such rules  
17 to the department if it deems changes advisable.

18 The members of the advisory board shall be representative of  
19 consumers, the regulated industries, and allied professionals. The  
20 term of each member shall be four years. However, the director may  
21 appoint the initial members of the advisory board to staggered terms  
22 not exceeding four years.

23 The chief inspector or any person acting as chief inspector for the  
24 factory assembled structures, ((mobile)) manufactured home, commercial  
25 coach, conversion vending units, medical units, recreational vehicle,  
26 and park trailer section shall serve as secretary of the board during  
27 his tenure as chief. Meetings of the board shall be called at the  
28 discretion of the director of labor and industries, but at least  
29 quarterly. Each member of the board shall be paid travel expenses in  
30 accordance with RCW 43.03.050 and 43.03.060 which shall be paid out of  
31 the appropriation to the department of labor and industries, upon  
32 vouchers approved by the director of labor and industries or his or her  
33 designee.

34 **Sec. 18.** RCW 43.22.431 and 1977 ex.s. c 21 s 1 are each amended to  
35 read as follows:

36 The director of the department of labor and industries may enforce  
37 ((mobile)) manufactured home safety and construction standards adopted

1 by the secretary of housing and urban development under the national  
2 (~~Mobile~~) manufactured home construction and safety standards act of  
3 1974 (800 Stat. 700; 42 U.S.C. Secs. 5401-5426). Furthermore, the  
4 director may make agreements with the United States government and  
5 private inspection organizations to implement the development and  
6 enforcement of applicable provisions of this chapter and the national  
7 (~~Mobile~~) manufactured home construction and safety standards act of  
8 1974 (800 Stat. 700; 42 U.S.C. Secs. 5401-5426).

9 **Sec. 19.** RCW 43.22.432 and 1977 ex.s. c 21 s 2 are each amended to  
10 read as follows:

11 The department may adopt all standards and regulations adopted by  
12 the secretary under the national (~~Mobile~~) manufactured home  
13 construction and safety standards act of 1974 (800 Stat. 700; 42 U.S.C.  
14 Secs. 5401-5426) for (~~mobile~~) manufactured home construction and  
15 safety standards. If any deletions or amendments to the federal  
16 standards or regulations are thereafter made and notice thereof is  
17 given to the department, the standards or regulations shall be  
18 considered automatically adopted by the state under this chapter after  
19 the expiration of thirty days from publication in the federal register  
20 of a final order describing the deletions or amendments unless within  
21 that thirty day period the department objects to the deletion or  
22 amendment. In case of objection, the department shall proceed under  
23 the rule making procedure of chapter 34.05 RCW.

24 **Sec. 20.** RCW 43.22.434 and 1999 c 22 s 10 are each amended to read  
25 as follows:

26 (1) The director or the director's authorized representative may  
27 conduct such inspections, investigations, and audits as may be  
28 necessary to adopt or enforce (~~mobile~~) manufactured home, commercial  
29 coach, conversion vending units, medical units, recreational vehicle,  
30 park trailer, factory built housing, and factory built commercial  
31 structure rules adopted under the authority of this chapter or to carry  
32 out the director's duties under this chapter.

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

36 (a) At reasonable times and without advance notice enter any  
37 factory, warehouse, or establishment in which (~~mobile~~) manufactured

1 homes, commercial coaches, conversion vending units, medical units,  
2 recreational vehicles, park trailers, factory built housing, and  
3 factory built commercial structures are manufactured, stored, or held  
4 for sale;

5 (b) At reasonable times, within reasonable limits, and in a  
6 reasonable manner inspect any factory, warehouse, or establishment as  
7 required to comply with the standards adopted by the secretary of  
8 housing and urban development under the national ((Mobile))  
9 manufactured home construction and safety standards act of 1974. Each  
10 inspection shall be commenced and completed with reasonable promptness;  
11 and

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

14 (3) The department shall set a schedule of fees by rule which will  
15 cover the costs incurred by the department in the administration of RCW  
16 43.22.335 through 43.22.490.

17 **Sec. 21.** RCW 43.22.440 and 1988 c 239 s 5 are each amended to read  
18 as follows:

19 (1) The legislature finds that inspections of ((mobile))  
20 manufactured home installation are not done on a consistent basis.  
21 ((Mobile)) Manufactured homes provide housing for many people in the  
22 state, and improperly installed ((mobile)) manufactured homes are a  
23 serious health and safety risk. Where possible and practical,  
24 ((mobile)) manufactured homes should be treated the same as any housing  
25 inhabited or to be inhabited by persons in this state, including  
26 housing built according to the state building code.

27 (2) In consultation with the factory assembled structures advisory  
28 board for ((mobile)) manufactured homes, the director of labor and  
29 industries shall by rule establish uniform standards for the  
30 performance and workmanship of installation service and warranty  
31 service by persons or entities engaged in performing the services  
32 within this state for all ((mobile)) manufactured homes, as defined in  
33 RCW 46.04.302. The standards shall conform, where applicable, with  
34 statutes, rules, and recommendations established under the ((federal))  
35 national ((mobile)) manufactured home construction and safety standards  
36 act of 1974 (42 U.S.C. Sec. 5401 et seq.). These rules regarding the  
37 installation of ((mobile)) manufactured homes shall be enforced and



1 fees charged by the counties and cities in the same manner the state  
2 building code is enforced under RCW 19.27.050.

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

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

10 A manufacturer of ((mobile)) manufactured homes who designates a  
11 representative within this state to provide consumers with warranty  
12 service for ((mobile)) manufactured homes on behalf of the manufacturer  
13 shall make reasonable and timely compensation to the representative for  
14 performance of the warranty service.

15 **Sec. 23.** RCW 43.22.450 and 1973 1st ex.s. c 22 s 1 are each  
16 amended to read as follows:

17 Whenever used in RCW 43.22.450 through 43.22.490:

18 (1) "Department" means the Washington state department of labor and  
19 industries;

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

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

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

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

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

33 (7) "Commercial structure" means a structure designed or used for  
34 human habitation, or human occupancy for industrial, educational,  
35 assembly, professional or commercial purposes.

1        NEW SECTION.   **Sec. 24.**   This act applies to manufactured homes that  
2 are permanently fixed to land on or after the effective date of this  
3 act.

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