
HOUSE BILL 1348

State of Washington

58th Legislature

2003 Regular Session

By Representatives Flannigan and Moeller; by request of Office of the Code Reviser

Read first time 01/23/2003. Referred to Committee on Judiciary.

1 AN ACT Relating to technical corrections concerning manufactured
2 and mobile homes under the authority of RCW 1.08.025; amending 2002 c
3 268 s 10 (uncodified); and reenacting and amending RCW 43.22.434.

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

5 **Sec. 1.** RCW 43.22.434 and 2002 c 268 s 3 and 2002 c 268 s 2 are
6 each reenacted and amended to read as follows:

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

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

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

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 manufactured home
9 construction and safety standards act of 1974. Each inspection shall
10 be commenced and completed with reasonable promptness; and

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

13 (3) For purposes of determining compliance with this chapter's
14 permitting requirements for alterations of mobile and manufactured
15 homes, the department may audit the records of a contractor as defined
16 in chapter 18.27 RCW or RCW 18.106.020(1) or an electrical contractor
17 as defined in RCW 19.28.006 when the department has reason to believe
18 that a violation of the permitting requirements has occurred. The
19 department shall adopt rules implementing the auditing procedures.
20 Information obtained from a contractor through an audit authorized by
21 this subsection is confidential and not open to public inspection under
22 chapter 42.17 RCW.

23 (4)(a) The department shall set a schedule of fees by rule which
24 will cover the costs incurred by the department in the administration
25 of RCW 43.22.335 through 43.22.490.

26 (b)(i) Until April 1, 2004, subject to (a) of this subsection, and
27 for the purposes of implementing the pilot project approved by the
28 mobile/manufactured home alteration task force, the department may
29 adopt by rule a temporary statewide fee schedule that decreases fees
30 for mobile/manufactured home alteration permits and increases fees for
31 factory-built housing and commercial structures plan review and
32 inspection services. Under the temporary fee schedule, the department
33 may waive mobile/manufactured home alteration permit fees for indigent
34 permit applicants. The department may increase fees for factory-built
35 housing and commercial structures plan review and inspection services
36 in excess of the fiscal growth factor under chapter 43.135 RCW, if the
37 increases are necessary to fund the cost of administering RCW 43.22.335

1 through 43.22.490. In no instance shall any fee that applies to the
2 factory-built housing and commercial plan review and inspection
3 services be increased in excess of forty percent.

4 (ii) Effective April 1, 2004, the department must adopt a new fee
5 schedule that is the same as the fee schedule that was in effect
6 immediately prior to the temporary fee schedule authorized in (~~section~~
7 ~~2(4)(b), chapter 268, Laws of 2002~~) (b)(i) of this subsection.
8 However, the new fee schedule must be adjusted by the fiscal growth
9 factors not applied during the period that the temporary fee schedule
10 was in effect.

11 (~~(5) This section expires April 1, 2004.~~)

12 **Sec. 2.** 2002 c 268 s 10 (uncodified) is amended to read as
13 follows:

14 (~~(1)~~) Sections 1, 2, and 4 through 9 of this act are necessary
15 for the immediate preservation of the public peace, health, or safety,
16 or support of the state government and its existing public
17 institutions, and take effect immediately.

18 (~~(2) Section 3 of this act takes effect April 1, 2004.~~)

19 EXPLANATORY NOTE

20 RCW 43.22.434 was amended twice by chapter 268, Laws of 2002.
21 Both versions added identical language as a new subsection (3).
22 One version added a new subsection (4) and expired the entire
23 RCW April 1, 2004, in a new subsection (5). The other version
24 also added a new subsection (4), with provisions effective
25 April 1, 2004. The purpose of this bill is to retain the RCW
26 and allow for certain of its provisions to be effective until
27 April 1, 2004, and other of its provisions to be given effect
28 April 1, 2004.

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