
SENATE BILL 5171

State of Washington

58th Legislature

2003 Regular Session

By Senators Esser, Kline, Johnson and Roach; by request of Office of the Code Reviser

Read first time 01/17/2003. 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
19 homes, commercial coaches, conversion vending units, medical units,

1 recreational vehicles, park trailers, factory built housing, and
2 factory built commercial structures are manufactured, stored, or held
3 for sale;

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

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

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

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

25 (b)(i) Until April 1, 2004, subject to (a) of this subsection, and
26 for the purposes of implementing the pilot project approved by the
27 mobile/manufactured home alteration task force, the department may
28 adopt by rule a temporary statewide fee schedule that decreases fees
29 for mobile/manufactured home alteration permits and increases fees for
30 factory-built housing and commercial structures plan review and
31 inspection services. Under the temporary fee schedule, the department
32 may waive mobile/manufactured home alteration permit fees for indigent
33 permit applicants. The department may increase fees for factory-built
34 housing and commercial structures plan review and inspection services
35 in excess of the fiscal growth factor under chapter 43.135 RCW, if the
36 increases are necessary to fund the cost of administering RCW 43.22.335
37 through 43.22.490. In no instance shall any fee that applies to the

1 factory-built housing and commercial plan review and inspection
2 services be increased in excess of forty percent.

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

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

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

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

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

18 EXPLANATORY NOTE

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

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