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SENATE BILL 6649

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State of Washington

58th Legislature

2004 Regular Session

By Senators Benton, Keiser, Berkey and Winsley; by request of Department of Labor & Industries

Read first time 01/28/2004. Referred to Committee on Financial Services, Insurance & Housing.

1 AN ACT Relating to retaining fees for mobile/manufactured homes and  
2 factory built housing and commercial structures; amending RCW  
3 43.22.434; providing an effective date; and declaring an emergency.

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

5 **Sec. 1.** RCW 43.22.434 and 2003 c 67 s 1 are each amended to read  
6 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)((+)) The department shall set a schedule of fees by rule  
23 which will cover the costs incurred by the department in the  
24 administration of RCW 43.22.335 through 43.22.490. The department may  
25 waive mobile/manufactured home alteration permit fees for indigent  
26 permit applicants.

27 ~~((b)(i) Until April 1, 2004, subject to (a) of this subsection,~~  
28 ~~and for the purposes of implementing the pilot project approved by the~~  
29 ~~mobile/manufactured home alteration task force, the department may~~  
30 ~~adopt by rule a temporary statewide fee schedule that decreases fees~~  
31 ~~for mobile/manufactured home alteration permits and increases fees for~~  
32 ~~factory built housing and commercial structures plan review and~~  
33 ~~inspection services. Under the temporary fee schedule, the department~~  
34 ~~may waive mobile/manufactured home alteration permit fees for indigent~~  
35 ~~permit applicants. The department may increase fees for factory built~~  
36 ~~housing and commercial structures plan review and inspection services~~  
37 ~~in excess of the fiscal growth factor under chapter 43.135 RCW, if the~~  
38 ~~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 (b)(i) of  
7 this subsection. However, the new fee schedule must be adjusted by the  
8 fiscal growth factors not applied during the period that the temporary  
9 fee schedule was in effect.)

10 NEW SECTION. **Sec. 2.** This act is necessary for the immediate  
11 preservation of the public peace, health, or safety, or support of the  
12 state government and its existing public institutions, and takes effect  
13 March 31, 2004.

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