

SENATE BILL REPORT

HB 1486

As Passed Senate, April 17, 2019

Title: An act relating to delegation of inspection duties for factory built housing and commercial structures.

Brief Description: Concerning delegation of inspection duties for factory built housing and commercial structures.

Sponsors: Representatives Mosbrucker, Gregerson and Chandler; by request of Department of Labor & Industries.

Brief History: Passed House: 2/07/19, 96-0.

Committee Activity: Labor & Commerce: 3/26/19 [DP].

Floor Activity:

Passed Senate: 4/17/19, 48-0.

Brief Summary of Bill

- Allows the Department of Labor and Industries to delegate its inspection duties related to factory built housing and commercial structures to a qualified inspection agency.

SENATE COMMITTEE ON LABOR & COMMERCE

Majority Report: Do pass.

Signed by Senators Keiser, Chair; Conway, Vice Chair; King, Ranking Member; Braun, Saldaña, Walsh and Wellman.

Staff: Richard Rodger (786-7461)

Background: The Department of Labor and Industries (L&I) regulates factory assembled structures, which include manufactured and mobile homes, recreational vehicles, and factory built housing and commercial structures. Factory built housing is a structure designed primarily for human occupancy, other than a manufactured or mobile home, that is substantially or entirely prefabricated or assembled at a place other than a building site. A commercial structure is a structure designed for human habitation, or human occupancy for industrial, education, assembly, professional, or commercial purposes, such as a school

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portable. Factory built housing and commercial structures may not be installed in the state unless they are approved by and bear an insignia of approval from L&I.

L&I conducts an inspection at the factory to ensure standards are met and may contract with a local enforcement agency to conduct the factory inspection. A local enforcement agency is a city or county agency that enforces the laws governing building construction. L&I currently conducts some factory inspections in other countries where the structures are assembled and shipped to Washington State.

Summary of Bill: L&I may delegate its inspection duties related to factory built housing and commercial structures to a qualified inspection agency, in addition to a local enforcement agency.

A qualified inspection agency is a nongovernmental entity which is approved to perform inspections under contract with L&I. A qualified inspection agency must:

- be objective, competent, and independent from the companies responsible for the work being inspected;
- disclose any conflict of interest;
- have adequate equipment to perform the inspections; and
- employ experienced personnel with appropriate certifications and knowledge—a certification by the International Code Council meets this requirement.

A local enforcement agency is defined to include a state agency, as well as a city or county agency.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: The bill will help save money in the construction of school portables and manufactured homes. L&I currently sends staff to Poland to conduct inspections. Under the legislation, qualified third parties would be able to conduct those types of inspections that will meet the state's inspection standards. It will also help address affordable housing, speed up construction times, and is good for consumer protection by ensuring quality manufactured products are shipped to Washington. Qualified agencies in other states will also be able to conduct these inspections.

Persons Testifying: PRO: Representative Gina Mosbrucker, Prime Sponsor; Kraig Stevenson, International Code Council; Tammy Fellin, L&I.

Persons Signed In To Testify But Not Testifying: No one.