
ENGROSSED SUBSTITUTE HOUSE BILL 2783

State of Washington

66th Legislature

2020 Regular Session

By House Local Government (originally sponsored by Representatives Griffey, Springer, and Walen)

READ FIRST TIME 02/07/20.

1 AN ACT Relating to standardizing fire safety requirements for
2 mobile on-demand gasoline providers; and adding a new section to
3 chapter 19.27 RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 19.27
6 RCW to read as follows:

7 (1) The Washington state building code council shall adopt and
8 amend rules, as necessary, for the purpose of clarifying standards
9 and administrative provisions for mobile on-demand gasoline
10 operations, as that term is defined in the 2018 international fire
11 code. The purpose of this chapter is to aid local authorities having
12 jurisdiction in establishing timely and consistent permitting
13 structures, including standard minimum conditions, while eliminating
14 redundancies and improving upon the efficiency of the permitting
15 process. Section 5707 of the 2018 international fire code shall be
16 amended by the council to provide for permitting provisions. All
17 other requirements set forth in section 5707 of the 2018
18 international fire code shall remain in force. The rules and
19 associated provisions shall be finalized and available for local
20 jurisdictions by May 2021.

1 (2) The Washington state building code council shall request
2 recommendations from the Washington state association of fire
3 marshals prior to clarifying standards and administrative provisions
4 for mobile on-demand fueling.

5 (3) Rules adopted by the council shall provide provisions and
6 administrative guidelines to accomplish the purpose stated in
7 subsection (1) of this section, and address:

8 (a) The creation of a "mobile on-demand operator" certification
9 for owners of mobile on-demand fueling businesses that will conform
10 to the provisions in section 5707 of the 2018 international fire
11 code. In adopting such rules, the Washington state building code
12 council shall establish minimum standards and requirements consistent
13 with section 5707 of the 2018 international fire code and shall
14 consider options including, but not limited to, standardized
15 permitting processes, standardized operational requirements, and a
16 reciprocal acceptance of certification by jurisdictions in Washington
17 state;

18 (b) The creation of a "mobile on-demand fueling truck" permit or
19 certification. In adopting such rules, the Washington state building
20 code council shall establish minimum standards and requirements
21 consistent with section 5707 of the 2018 international fire code and
22 shall consider options including, but not limited to, standardized
23 permitting or certification requirements, standardized vehicular
24 requirements, and processes that do not require multiple
25 substantially similar inspections of a particular vehicle for such
26 vehicle to operate in multiple jurisdictions; and

27 (c) A site permit consistent with 2018 international fire code
28 105.6.16(11). The site permit shall be issued by local jurisdictions
29 that allow mobile fueling, if the local jurisdiction requires a
30 mobile on-demand fueling site permit. Conditions for permitting will
31 be set forth by the local jurisdiction. Local jurisdictions shall
32 issue the permit using the standard conditions and may include local
33 provisions as necessitated by zoning laws, environmental laws, fire
34 code and public safety, and characteristics of the sites being
35 permitted.

36 (i) The site permit structure shall provide at least two tiers.
37 When local jurisdictions determine that specific sites or collections
38 of sites do not present atypical geographic, safety, or environmental
39 concerns, they may add these sites to their tier 1 list, provide
40 expedited permitting review that shall allow permit issuance prior to

1 site inspection, and perform the site inspection during the period of
2 permit validity. Tier 2 permits will be issued for sites that are not
3 on the tier 1 list, and may require site inspection prior to
4 issuance. Nothing in this section prevents a local fire marshal from
5 having the authority to inspect a standard on-demand fueling
6 location, to add additional requirements for said location, or to
7 revoke permission to operate in a particular location for a specific
8 safety or environmental reason.

9 (ii) After receiving an application complete with supporting
10 documentation and payment, local jurisdictions that issue a tier 1 or
11 tier 2 site permit, or both, shall make a good faith effort to reach
12 a permit decision expeditiously.

13 (4) Nothing considered or adopted by the Washington state
14 building code council shall prevent a local fire marshal from having
15 the authority to inspect any mobile on-demand fueling site, to add
16 additional requirements for any site, or to revoke permission to
17 operate in a particular site for a specific safety or environmental
18 reason.

19 (5) Fees may be charged to offset part or all of the inspection
20 and issuing costs, including applicable administrative costs and
21 overhead.

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