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**SENATE BILL 5756**

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**State of Washington**

**66th Legislature**

**2019 Regular Session**

**By** Senators Wellman, King, Keiser, and Rolfes; by request of Department of Labor & Industries

Read first time 01/30/19. Referred to Committee on Labor & Commerce.

1 AN ACT Relating to delegation of inspection duties for factory  
2 built housing and commercial structures; and amending RCW 43.22.470  
3 and 43.22.450.

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

5 **Sec. 1.** RCW 43.22.470 and 1970 ex.s. c 44 s 5 are each amended  
6 to read as follows:

7 The department shall have the authority to delegate all or part  
8 of its duties of inspection to a local enforcement agency or a  
9 qualified inspection agency.

10 Qualified inspection agencies shall be objective, competent, and  
11 independent from the companies responsible for the work being  
12 inspected. The qualified inspection agency will disclose to the  
13 department any conflict of interest so that objectivity may be  
14 confirmed. Qualified inspection agencies shall have adequate  
15 equipment to perform the required inspections and shall employ  
16 experienced personnel with appropriate certifications and knowledge  
17 for the inspections being performed. Certification by the  
18 international code council will be recognized as meeting this last  
19 requirement.

1       **Sec. 2.** RCW 43.22.450 and 2001 c 335 s 8 are each amended to  
2 read as follows:

3       Whenever used in RCW 43.22.450 through 43.22.490:

4       (1) "Department" means the Washington state department of labor  
5 and industries;

6       (2) "Approved" means approved by the department;

7       (3) "Factory built housing" means any structure designed  
8 primarily for human occupancy other than a manufactured or mobile  
9 home the structure or any room of which is either entirely or  
10 substantially prefabricated or assembled at a place other than a  
11 building site;

12       (4) "Install" means the assembly of factory built housing or  
13 factory built commercial structures at a building site;

14       (5) "Building site" means any tract, parcel or subdivision of  
15 land upon which factory built housing or a factory built commercial  
16 structure is installed or is to be installed;

17       (6) "Local enforcement agency" means any agency of the governing  
18 body of any city (~~(or)~~), county, or state which enforces laws or  
19 ordinances governing the construction of buildings;

20       (7) "Commercial structure" means a structure designed or used for  
21 human habitation, or human occupancy for industrial, educational,  
22 assembly, professional or commercial purposes;

23       (8) "Qualified inspection agency" means a nongovernmental entity  
24 approved to perform inspections under contract for the department.

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