

RCW 19.27.077 State building code council—Mobile on-demand gasoline operations—Adoption of rules—Fees. (1) The Washington state building code council shall adopt and amend rules, as necessary, for the purpose of clarifying standards and administrative provisions for mobile on-demand gasoline operations, as that term is defined in the 2018 international fire code. The purpose of this chapter is to aid local authorities having jurisdiction in establishing timely and consistent permitting structures, including standard minimum conditions, while eliminating redundancies and improving upon the efficiency of the permitting process. Section 5707 of the 2018 international fire code shall be amended by the council to provide for permitting provisions. All other requirements set forth in section 5707 of the 2018 international fire code shall remain in force. The rules and associated provisions shall be finalized and available for local jurisdictions by May 2021.

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

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

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

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

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

(i) The site permit structure shall provide at least two tiers. When local jurisdictions determine that specific sites or collections of sites do not present atypical geographic, safety, or environmental concerns, they may add these sites to their tier 1 list, provide expedited permitting review that shall allow permit issuance prior to site inspection, and perform the site inspection during the period of permit validity. Tier 2 permits will be issued for sites that are not on the tier 1 list, and may require site inspection prior to issuance.

Nothing in this section prevents a local fire marshal from having the authority to inspect a standard on-demand fueling location, to add additional requirements for said location, or to revoke permission to operate in a particular location for a specific safety or environmental reason.

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

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

(5) Fees may be charged to offset part or all of the inspection and issuing costs, including applicable administrative costs and overhead. [2020 c 43 § 1.]