
SUBSTITUTE HOUSE BILL 1508

State of Washington

54th Legislature

1995 Regular Session

By House Committee on Commerce & Labor (originally sponsored by Representatives Goldsmith, Kremen, Cooke and Morris)

Read first time 03/01/95.

1 AN ACT Relating to accounts under the authority of the department
2 of labor and industries; amending RCW 18.27.340, 43.22.434, 43.22.480,
3 and 43.22.500; adding a new section to chapter 18.27 RCW; adding a new
4 section to chapter 43.22 RCW; providing an effective date; and
5 declaring an emergency.

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

7 NEW SECTION. **Sec. 1.** A new section is added to chapter 18.27 RCW
8 to read as follows:

9 The contractor enforcement account is created in the custody of the
10 state treasurer. All receipts from monetary penalties, registration
11 fees, and inspection fees imposed under this chapter shall be deposited
12 into the account. Expenditures from the account may be used only for
13 registration, enforcement of contractor registration, and consumer
14 education activities of the department concerning contractors. Only
15 the director or the director's designee may authorize expenditures from
16 the account. The account is subject to allotment procedures under
17 chapter 43.88 RCW, but no appropriation is required for expenditures.
18 No less than twenty percent of yearly expenditures from the account
19 shall be for consumer education and such consumer education shall

1 include disclosure by public service announcement of persons not
2 registered under this chapter but performing work requiring
3 registration under this chapter.

4 **Sec. 2.** RCW 18.27.340 and 1986 c 197 s 10 are each amended to read
5 as follows:

6 (1) A contractor found to have committed an infraction under RCW
7 18.27.200 shall be assessed a monetary penalty of not less than two
8 hundred dollars and not more than three thousand dollars.

9 (2) The administrative law judge may waive, reduce, or suspend the
10 monetary penalty imposed for the infraction only upon a showing of good
11 cause that the penalty would be unduly burdensome to the contractor.

12 (3) Monetary penalties collected under this chapter shall be
13 deposited in the (~~general fund~~) contractor enforcement account.

14 NEW SECTION. **Sec. 3.** A new section is added to chapter 43.22 RCW
15 to read as follows:

16 The factory assembled structures administration account is created
17 in the state treasury. All receipts from fees collected under RCW
18 43.22.340 through 43.22.505 shall be deposited into the account.
19 Expenditures from the account may be used only for the administration
20 of RCW 43.22.340 through 43.22.505. Only the director of labor and
21 industries or the director's designee may authorize expenditures from
22 the account. The account is subject to allotment procedures under
23 chapter 43.88 RCW, but no appropriation is required for expenditures.

24 **Sec. 4.** RCW 43.22.434 and 1977 ex.s. c 21 s 5 are each amended to
25 read as follows:

26 (1) The director or the director's authorized representative may
27 conduct such inspections and investigations as (~~may be~~) are necessary
28 to (~~promulgate~~) adopt or enforce mobile home, commercial coach,
29 recreational vehicle, factory built housing, and factory built
30 commercial structure rules adopted under the authority of this chapter
31 or to carry out the director's duties under this chapter.

32 (2) For purposes of enforcement of this chapter, persons duly
33 designated by the director upon presenting appropriate credentials to
34 the owner, operator, or agent in charge may:

35 (a) At reasonable times and without advance notice enter any
36 factory, warehouse, or establishment in which mobile homes, commercial

1 coaches, recreational vehicles, factory built housing, and factory
2 build commercial structures are manufactured, stored, or held for sale;
3 and

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 Mobile Home
8 Construction and Safety Standards Act of 1974. Each inspection shall
9 be commenced and completed with reasonable promptness.

10 (3) In carrying out the inspections authorized by this section the
11 director may establish, by rule, and impose on mobile home
12 manufacturers, distributors, and dealers such reasonable fees as ((~~may~~
13 be)) are necessary to offset the expenses incurred by the director in
14 conducting the inspections.

15 (4) All fees collected shall be deposited into the factory
16 assembled structures administration account.

17 **Sec. 5.** RCW 43.22.480 and 1989 c 134 s 1 are each amended to read
18 as follows:

19 The department shall adopt and enforce rules that protect the
20 health, safety, and property of the people of this state by assuring
21 that all factory built housing or factory built commercial structures
22 are structurally sound and that the plumbing, heating, electrical, and
23 other components thereof are reasonably safe. The rules shall be
24 reasonably consistent with recognized and accepted principles of safety
25 and structural soundness, and in adopting the rules the department
26 shall consider, so far as practicable, the standards and specifications
27 contained in the uniform building, plumbing, and mechanical codes,
28 including the barrier free code and the Washington energy code as
29 adopted by the state building code council pursuant to chapter 19.27A
30 RCW, and the national electrical code, including the state rules as
31 adopted pursuant to chapter 19.28 RCW and published by the national
32 fire protection association.

33 The department shall set a schedule of fees which will cover the
34 costs incurred by the department in the administration and enforcement
35 of RCW 43.22.450 through 43.22.490. All fees collected shall be
36 deposited into the factory assembled structures administration account.

1 **Sec. 6.** RCW 43.22.500 and 1979 ex.s. c 67 s 2 are each amended to
2 read as follows:

3 The department of labor and industries, to defray the costs of
4 printing, reprinting, or distributing printed matter issued by the
5 department of labor and industries including, but not limited to, the
6 matters listed in RCW 43.22.505, may charge a fee for ~~((such))~~ the
7 publications in an amount which will reimburse the department for the
8 costs of printing, reprinting, and distributing ~~((such))~~ the
9 publications(~~(:—PROVIDED, That)~~). However, every person subject to
10 regulation by the department may upon request receive without charge
11 one copy per year of any publication printed pursuant to RCW 43.22.505
12 whenever such person is affected by any statute(~~(7)~~) or rule (~~(or~~
13 ~~regulation)~~) printed therein. All fees collected shall be deposited
14 ~~((in the state treasury to the credit of the appropriate fund or))~~ into
15 the factory assembled structures administration account.

16 NEW SECTION. **Sec. 7.** This act is necessary for the immediate
17 preservation of the public peace, health, or safety, or support of the
18 state government and its existing public institutions, and shall take
19 effect July 1, 1995.

--- END ---