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**SUBSTITUTE HOUSE BILL 2783**

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**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 December 2020.

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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