

SEP 03 1996

September 4, 1996

TO: Washington State Code Revisor's Office

FROM: Nancy Hanna, Office of Manufactured Housing

SUBJECT: Notice of Public Hearing -- On-Site Plumbing in Manufactured Homes

As required by the Joint Administrative Rules Review Committee (JARRC) and the Administrative Procedures Act, Washington Community, Trade and Economic Development (CTED) will conduct a hearing to offer the general public an opportunity to testify in person or in writing concerning whether the section on plumbing installation in the Manufactured Home Installer Training and Certification manual for Washington State is within legislative intent.

Background:

CTED's Manufactured Home Installer Training manual states that only a certified plumber or the home owner may complete drainage piping where drain pipe, fittings, supports and cement are shipped loose with instructions for assembly, and detailed assembly is required on site. This language was included in the manual at the request of the Department of Labor and Industries, and reflects that Department's policy.

After hearing testimony on July 16, 1996, the Joint Administrative Rules Review Committee found that the Legislature, when it passed the manufactured housing installer certification statute (codified as Chapter 43.63B RCW) intended manufactured home installation to cover all plumbing connections necessary for the installation of a manufactured home.

The Committee relied in its decision on portions of two statutes:

Chapter 43.63B.010(6) RCW, the state installer certification statute enacted in 1994 and administered by CTED, defines "Mobile or manufactured home installation" as "all on-site work necessary for the installation of a manufactured home, including: ... (e) Connections to the on-site water and sewer systems that are necessary for the normal operation of the home...."

Chapter 18.106 RCW, the state plumbing statute enacted in 1973 and administered by the Department of Labor and Industries, defines plumbing as "that craft involved in installing, altering, repairing and renovating potable water systems, liquid waste systems, and medical gas piping systems within a building..." and provides that no individual may engage in plumbing without a plumbing certificate or permit.

The JARRC found that the installer certification statute was more specific, and therefore superceded the plumbing statute. The JARRC also found that the installer certification

Hanna
96-2169

statute provided authority for the installers to perform all on-site work necessary, with no limiting or exclusionary language.

Hearing Information:

The hearing will be held on Thursday, October 17, 1996, beginning at 6:00 p.m., in Olympia at the General Administrative Building Auditorium, 11th and Columbia Street, main floor, across the street from the Capitol campus.

At the hearing, CTED will accept oral and written testimony concerning whether the language of the manual is within legislative intent. Written testimony will be continue to be accepted until 5:00 p.m., October 24, 1996.

Testimony may be mailed to:

Washington State Department of Community, Trade and Economic Development
P.O. Box 48300
Olympia, WA 98504-8300
Attn: Nancy Hanna.

The street address in Olympia for delivering written testimony is 9th and Columbia Street, Housing Services, 4th floor. If testimony is 10 pages or less, it may be faxed to Nancy Hanna at 360/586-5880. If you have questions about the hearing, would like more information, or require special accommodations, contact Nancy Hanna at 360/586-2169.