

WSR 23-19-075
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
LABOR AND INDUSTRIES

[Filed September 19, 2023, 8:21 a.m.]

Subject of Possible Rule Making: Factory assembled structures (FAS) rules; chapter 296-49A WAC, Director's factory assembled structures advisory board; chapter 296-150P WAC, Recreational park trailers; and chapter 296-150R WAC, Recreational vehicles.

Statutes Authorizing the Agency to Adopt Rules on this Subject: HB 1514, chapter 78, Laws of 2023; SB 5089, chapter 36, Laws of 2023; including chapters 43.22 and 43.22A RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The Washington state department of labor and industries (L&I) is considering amendments to FAS rules. The changes would affect L&I's FAS advisory board, and distribution of inspection insignia to manufacturers of recreational vehicles (RVs). The changes are necessary after passage of two bills in 2023 that took effect July 23: HB 1514, chapter 78, Laws of 2023; and SB 5089, chapter 36, Laws of 2023.

HB 1514 streamlines the plan review process. It allows manufacturers of RVs and recreational park trailers to request and purchase insignia while their plans are under review by L&I's FAS program.

SB 5089 was an L&I request bill that amends membership for the FAS advisory board. Changes include:

- Increasing the number of board members from nine to at least 11;
- Adding a representative for allied trades such as electricians, plumbers, and contractors;
- Adding diversity considerations for board appointments; and
- Requiring members to apply for reappointment if serving consecutive terms.

The new statutory amendments also make technical and clean-up changes under chapters 43.22 and 43.22A RCW.

The rule amendments under consideration include:

- Making changes to the plan review requirements for RVs and recreational park trailers for consistency with the changes to the statute under HB 1514;
- Updating the FAS advisory board rules to align with SB 5089, including consideration of adding new members to the advisory board representing the allied trades and other regulated industries; and
- Making various updates and clean-up changes under chapter 296-49A WAC.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None.

Process for Developing New Rule: Interested parties can participate in the decision to adopt the new rules and formulation of the proposed rules before publication by contacting the individual listed below. In addition, L&I will seek input from the FAS advisory committee. The public can also participate after amendments are proposed by providing written comments and testimony during the public hearing and comment process.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by

contacting Meagan Edwards, Department of Labor and Industries, Field Services and Public Safety Division, P.O. Box 44400, Olympia, WA 98504-4400, phone 360-522-0125, fax 360-902-6134, email Meagan.Edwards@Lni.wa.gov, website <https://lni.wa.gov/licensing-permits/manufactured-modular-mobile-structures/laws-rules#rule-development>.

September 19, 2023

Joel Sacks
Director