

# HOUSE BILL REPORT

## SHB 2443

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### As Passed Legislature

**Title:** An act relating to the compliance of certain conversion vending units and medical units with certain department of labor and industries requirements.

**Brief Description:** Concerning the compliance of certain conversion vending units and medical units with certain department of labor and industries requirements.

**Sponsors:** House Committee on Labor & Workplace Standards (originally sponsored by Representatives Sells and Kilduff; by request of Department of Labor & Industries).

#### **Brief History:**

##### **Committee Activity:**

Labor & Workplace Standards: 1/18/16, 1/26/16 [DPS].

##### **Floor Activity:**

Passed House: 2/17/16, 97-1.

Passed Senate: 3/1/16, 48-0.

Passed Legislature.

#### **Brief Summary of Substitute Bill**

- Requires conversion vending units (food trucks) and medical units manufactured out of state to meet standards.
- Modifies plan review requirements for conversion vending units.

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### HOUSE COMMITTEE ON LABOR & WORKPLACE STANDARDS

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 7 members: Representatives Sells, Chair; Gregerson, Vice Chair; Manweller, Ranking Minority Member; McCabe, Assistant Ranking Minority Member; Moeller, Ormsby and G. Hunt.

**Staff:** Joan Elgee (786-7106).

#### **Background:**

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

The Department of Labor and Industries (Department) regulates factory assembled structures, including manufactured and mobile homes, conversion vendor units, and medical units. A "conversion vendor unit" is a motor or recreational vehicle that is either converted or built for commercial sales at temporary locations, such as a food truck. A "medical unit" is a self-propelled unit used for medical and dental services. Emergency response vehicles are not included.

The Department must adopt rules for conversion vendor and medical units to protect occupants from fire, address underlying safety issues, and ensure the unit will support a concentrated load of 500 pounds or more. Under the Department's review process, plans for each conversion vending or medical unit must be approved by the Department and the units are inspected. An approved unit receives an insignia indicating approval.

Conversion vending and medical units manufactured and used outside Washington for six months or more are generally not required to meet Washington's standards.

### **Summary of Substitute Bill:**

The exemption from standards for conversion vendor and medical units manufactured out of state is deleted.

Plan approval is required only for certain types of conversion vending units. The requirements apply to units that have concentrated loads exceeding 500 pounds or contain:

- fuel gas piping systems;
- solid fuel burning equipment;
- fire suppression systems;
- commercial hoods;
- electrical systems and equipment in excess of 30A/120V;
- electrical systems with more than five circuits or which incorporate photovoltaic cells, fuel cell energy, or other alternative energy systems; or
- plumbing drainage systems for solid or bodily waste.

Out-of-state conversion vending units are not required to undergo plan review if they were inspected and approved by another jurisdiction as meeting a common standard or standards substantially equivalent to Washington's standards. An insignia or certified inspection record is evidence of approval.

Professional engineer or architect approval is only required for conversion vending units with concentrated loads exceeding 500 pounds.

The Department may exempt units with any of the listed components from plan review by rule. The Department must establish and consult with an advisory committee to identify any conversion vending units to exempt. Committee membership consists of:

- one representative from:
  - the Factory Assembled Structures Advisory Board;
  - the state fire marshal;
  - local building officials;
  - restaurants; and

- cities;
- at least one but not more than two representatives from:
  - food truck vendors; and
  - manufacturers of conversion vending units; and
- at least one nonvoting representative from:
  - local public health officials; and
  - county fairs.

The committee may also recommend statutory changes. The committee must report any recommended statutory changes to the Legislature by September 30, 2017.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.

**Staff Summary of Public Testimony:**

(In support of substitute bill) Many business associations spent a fair amount of time on this bill. Food trucks are popular but we need to make sure they are safe. People have been injured in other states and it makes sense to bring out-of-state trucks in line. The compromise language will ensure out-of-state food trucks are safe without creating unnecessary hoops. If food trucks have passed standards in other states, they should be able to pass Washington's standards.

There are a few complex systems that will require plan review, but the Department has otherwise given up plan review authority.

(Opposed) None.

**Persons Testifying:** Tammy Fellin, Department of Labor and Industries; and Patrick Connor, National Federation of Independent Business.

**Persons Signed In To Testify But Not Testifying:** None.