

SENATE BILL REPORT

HB 2821

As Reported by Senate Committee On:
Labor & Commerce, February 19, 2018

Title: An act relating to delegation of inspection duties.

Brief Description: Concerning delegation of inspection duties.

Sponsors: Representatives McCabe, Manweller, Sells and Gregerson; by request of Department of Labor & Industries.

Brief History: Passed House: 2/09/18, 98-0.

Committee Activity: Labor & Commerce: 2/19/18, 2/19/18 [DP].

Brief Summary of Bill

- Allows the Department of Labor and Industries (L&I) to delegate its inspection duties related to factory built housing and commercial structures to a qualified inspection agency.

SENATE COMMITTEE ON LABOR & COMMERCE

Majority Report: Do pass.

Signed by Senators Keiser, Chair; Hasegawa, Vice Chair; Conway, King, Kuderer, Saldaña and Wilson.

Staff: Richard Rodger (786-7461)

Background: L&I regulates factory assembled structures, which include manufactured and mobile homes, recreational vehicles, and factory built housing and commercial structures. Factory built housing is a structure designed primarily for human occupancy, other than a manufactured or mobile home, that is substantially or entirely prefabricated or assembled at a place other than a building site. A commercial structure is a structure designed for human habitation, or human occupancy for industrial, education, assembly, professional or commercial purposes, such as a school portable. Factory built housing and commercial structures may not be installed in the state unless they are approved by and bear an insignia of approval from L&I.

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.

L&I conducts an inspection at the factory to ensure standards are met and may contract with a local enforcement agency to conduct the factory inspection. A local enforcement agency is a city or county agency that enforces the laws governing building construction. L&I currently conducts some factory inspections in other countries where the structures are assembled and shipped to Washington State.

Summary of Bill: L&I may delegate its inspection duties related to factory built housing and commercial structures to a qualified inspection agency in addition to a local enforcement agency.

A qualified inspection agency is a nongovernmental entity which is approved to perform inspections under contract with L&I. A qualified inspection agency must:

- be objective, competent, and independent from the companies responsible for the work being inspected;
- disclose any conflict of interest;
- have adequate equipment to perform the inspections; and
- employ experienced personnel with appropriate certifications and knowledge—a certification by the International Code Council meets this requirement.

A local enforcement agency is defined to include a state agency as well as a city or county agency.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: This bill is about government efficiencies. L&I currently sends its employees to Poland to conduct inspections of structures that are manufactured there and shipped to Washington. It would be more efficient to hire local qualified inspectors to conduct these inspections. L&I currently hires inspectors in other states to conduct inspections, but L&I is not authorized to contract with inspectors in other countries. All parts of these modular buildings must be inspected and labeled as passing inspection. Our staff are currently conducting inspections in Canada and Poland. Later this year will be requested to conduct inspections in China. We expect more of these buildings to be built and shipped to Washington from other counties.

Persons Testifying: PRO: Representative Gina McCabe, Prime Sponsor; Tammy Fellin, Labor & Industries; Craig Sedlacek, Labor & Industries.

Persons Signed In To Testify But Not Testifying: No one.