

# HOUSE BILL REPORT

## HB 1486

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### As Passed Legislature

**Title:** An act relating to delegation of inspection duties for factory built housing and commercial structures.

**Brief Description:** Concerning delegation of inspection duties for factory built housing and commercial structures.

**Sponsors:** Representatives Mosbrucker, Gregerson and Chandler; by request of Department of Labor & Industries.

#### **Brief History:**

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

Labor & Workplace Standards: 1/28/19, 1/29/19 [DP].

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

Passed House: 2/7/19, 96-0.

Passed Senate: 4/17/19, 48-0.

Passed Legislature.

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

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

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### HOUSE COMMITTEE ON LABOR & WORKPLACE STANDARDS

**Majority Report:** Do pass. Signed by 7 members: Representatives Sells, Chair; Chapman, Vice Chair; Mosbrucker, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Gregerson, Hoff and Ormsby.

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

#### **Background:**

The Department of Labor and Industries (Department) regulates factory assembled structures, which include manufactured and mobile homes, recreational vehicles, and factory-

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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 the Department.

The Department conducts an inspection at the factory to ensure standards are met. The Department 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.

**Summary of Bill:**

The Department 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 that is approved to perform inspections under contract with the Department.

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 employment agency includes a state agency, as well as a city or county agency.

**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) The Department is having to send staff to Poland and other overseas locations for up to six months. By allowing qualified nongovernmental agencies to do the inspections, the bill provides a cost-effective way to assure standards are met and ultimately, consumers will benefit.

(Opposed) None.

**Persons Testifying:** Representative Mosbrucker, prime sponsor; Tammy Fellin and Craig Sedlacek, Department of Labor and Industries; and Kraig Stevenson, International Code Council.

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