

CERTIFICATION OF ENROLLMENT

**SUBSTITUTE HOUSE BILL 1429**

Chapter 280, Laws of 1995

54th Legislature  
1995 Regular Session

RECREATIONAL VEHICLE AND PARK TRAILER REGULATION

EFFECTIVE DATE: 7/23/95

Passed by the House April 19, 1995  
Yeas 97 Nays 0

CLYDE BALLARD

**Speaker of the  
House of Representatives**

Passed by the Senate April 12, 1995  
Yeas 47 Nays 1

JOEL PRITCHARD

**President of the Senate**

Approved May 9, 1995

MIKE LOWRY

**Governor of the State of Washington**

CERTIFICATE

I, Timothy A. Martin, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 1429** as passed by the House of Representatives and the Senate on the dates hereon set forth.

TIMOTHY A. MARTIN

**Chief Clerk**

FILED

May 9, 1995 - 3:42 p.m.

**Secretary of State  
State of Washington**

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**SUBSTITUTE HOUSE BILL 1429**

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AS AMENDED BY THE SENATE

Passed Legislature - 1995 Regular Session

**State of Washington                      54th Legislature                      1995 Regular Session**

**By** House Committee on Commerce & Labor (originally sponsored by Representatives Lisk, Morris, Chandler, Chappell, L. Thomas, Thompson, Hargrove, Casada and Silver)

Read first time 03/01/95.

1            AN ACT Relating to manufacturers of recreation vehicles; amending  
2 RCW 43.22.340, 43.22.345, 43.22.350, 43.22.434, 43.22.360, 43.22.370,  
3 43.22.380, 43.22.390, 43.22.400, 43.22.410, and 43.22.420; and adding  
4 new sections to chapter 43.22 RCW.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6            NEW SECTION.    **Sec. 1.** A new section is added to chapter 43.22 RCW  
7 to read as follows:

8            Unless the context clearly requires otherwise, the definitions in  
9 this section apply throughout RCW 43.22.340 through 43.22.420.

10           (1) "Park trailer" means a park trailer as defined in the American  
11 National Standards Institute A119.5 standard for park trailers.

12           (2) "Recreational vehicle" means a vehicular-type unit primarily  
13 designed for recreational camping or travel use that has its own motive  
14 power or is mounted on or towed by another vehicle. The units include  
15 travel trailers, fifth-wheel trailers, folding camping trailers, truck  
16 campers, and motor homes.

17           **Sec. 2.** RCW 43.22.340 and 1970 ex.s. c 27 s 1 are each amended to  
18 read as follows:

1       The director of labor and industries shall prescribe and enforce  
2 rules and regulations governing safety of body and frame design, and  
3 the installation of plumbing, heating, and electrical equipment in  
4 mobile homes, commercial coaches ((and/or)), recreational vehicles,  
5 and/or park trailers: PROVIDED, That the director shall not prescribe  
6 or enforce rules and regulations governing the body and frame design of  
7 recreational vehicles and park trailers until after the American  
8 National Standards Institute shall have published standards and  
9 specifications upon this subject. Such rules and regulations shall be  
10 reasonably consistent with recognized and accepted principles of safety  
11 for body and frame design and plumbing, heating, and electrical  
12 installations, in order to protect the health and safety of the people  
13 of this state from dangers inherent in the use of substandard and  
14 unsafe body and frame design, construction, plumbing, heating,  
15 electrical, and other equipment and shall correlate with and, so far as  
16 practicable, conform to the then current standards and specifications  
17 of the American National Standards Institute standards A119.1 for  
18 mobile homes and commercial coaches ((and)), A119.2 for recreational  
19 vehicles, and A119.5 for park trailers. It shall be unlawful for any  
20 person to lease, sell or offer for sale, within this state, any mobile  
21 homes, commercial coaches ((and/or)), recreational vehicles, and/or  
22 park trailers manufactured after January 1, 1968, containing plumbing,  
23 heating, electrical, or other equipment, and after July 1, 1970 body  
24 and frame design or construction unless such equipment meets the  
25 requirements of the rules and regulations provided for herein.

26       **Sec. 3.** RCW 43.22.345 and 1969 ex.s. c 229 s 4 are each amended to  
27 read as follows:

28       Any person violating the provisions of RCW 43.22.340 ((~~as amended~~  
29 ~~by section 1, chapter 229, Laws of 1969 ex.s.~~)) shall be guilty of a  
30 misdemeanor. Each day upon which a violation occurs shall constitute  
31 a separate violation.

32       **Sec. 4.** RCW 43.22.350 and 1977 ex.s. c 21 s 6 are each amended to  
33 read as follows:

34       (1) In compliance with any applicable provisions of this chapter,  
35 the director of the department of labor and industries shall establish  
36 a schedule of fees, whether on the basis of plan approval or  
37 inspection, for the issuance of an insigne which indicates that the

1 mobile home, commercial coach (~~and/or~~), recreational vehicle, and/or  
2 park trailer complies with the provisions of RCW 43.22.340 through  
3 43.22.410 or for any other purpose specifically authorized by any  
4 applicable provision of this chapter.

5 (2) Insignia are not required on mobile homes, commercial coaches  
6 (~~and/or~~), recreational vehicles, and/or park trailers manufactured  
7 within this state for sale outside this state which are sold to persons  
8 outside this state.

9 **Sec. 5.** RCW 43.22.434 and 1977 ex.s. c 21 s 5 are each amended to  
10 read as follows:

11 (1) The director or the director's authorized representative may  
12 conduct such inspections and investigations as may be necessary to  
13 promulgate or enforce mobile home, commercial coach, recreational  
14 vehicle, park trailer, factory built housing, and factory built  
15 commercial structure rules adopted under the authority of this chapter  
16 or to carry out the director's duties under this chapter.

17 (2) For purposes of enforcement of this chapter, persons duly  
18 designated by the director upon presenting appropriate credentials to  
19 the owner, operator, or agent in charge may:

20 (a) At reasonable times and without advance notice enter any  
21 factory, warehouse, or establishment in which mobile homes, commercial  
22 coaches, recreational vehicles, park trailers, factory built housing,  
23 and factory (~~build~~) built commercial structures are manufactured,  
24 stored, or held for sale; and

25 (b) At reasonable times, within reasonable limits, and in a  
26 reasonable manner inspect any factory, warehouse, or establishment as  
27 required to comply with the standards adopted by the secretary of  
28 housing and urban development under the National Mobile Home  
29 Construction and Safety Standards Act of 1974. Each inspection shall  
30 be commenced and completed with reasonable promptness.

31 (3) In carrying out the inspections authorized by this section the  
32 director may establish, by rule, and impose on mobile home  
33 manufacturers, distributors, and dealers such reasonable fees as may be  
34 necessary to offset the expenses incurred by the director in conducting  
35 the inspections.

36 NEW SECTION. **Sec. 6.** A new section is added to chapter 43.22 RCW  
37 to read as follows:

1       The director or the director's authorized representative may allow  
2 qualifying recreational vehicle and/or park trailer manufacturers to be  
3 self-certified as to compliance with the American National Standards  
4 Institute A119.2 standard for recreational vehicles and the American  
5 National Standards Institute A119.5 standard for park trailers. Except  
6 as provided in subsection (4) of this section, a manufacturer approved  
7 for the department's self-certification is exempt from the requirements  
8 under RCW 43.22.434 and 43.22.360. The director shall adopt rules to  
9 implement the self-certification program. The director may establish  
10 fees at a sufficient level to cover the costs of administering this  
11 program.

12       (1) Before a manufacturer becomes self-certified, the department  
13 shall make an initial audit of the manufacturer making self-  
14 certification application. The audit must review and report on the  
15 following:

16       (a) The manufacturer's quality control program;

17       (b) The manufacturer's demonstrated ability to manufacture products  
18 in conformance with either or both of the American National Standards  
19 Institute standards A119.2 and A119.5; and

20       (c) The availability on site of comprehensive plans for each model  
21 being manufactured.

22       (2) At the sole discretion of the director, a manufacturer  
23 currently being audited by the department that is deemed to meet the  
24 criteria for an initial self-certification audit may become a self-  
25 certified manufacturer without an additional self-certification audit.

26       (3) If the department denies an application to allow a manufacturer  
27 to be self-certified, the manufacturer shall be notified in writing  
28 including the reasons for denial. A copy of the initial self-  
29 certification audit shall be provided to the manufacturer. A  
30 manufacturer who is denied self-certification may appeal the denial  
31 under chapter 34.05 RCW.

32       (4) If the department has reason to believe that the manufacturer  
33 is no longer meeting the criteria established in subsection (1) of this  
34 section, the department may make an audit of the manufacturer. For  
35 purposes of enforcement of this subsection, the department retains  
36 inspection and investigation authority under RCW 43.22.434. At the  
37 conclusion of this audit, the director or the director's authorized  
38 representative may continue the manufacturer's self-certification or

1 require the manufacturer to meet all of the requirements of this  
2 chapter from which the manufacturer was once exempted.

3 (5) The manufacturer to whom the authorization is given shall pay  
4 all of the costs of the initial self-certification audit and any  
5 subsequent audit that the department has the authority to perform.

6 (6) The department shall conduct a performance audit of additional  
7 industry association quality control programs utilized by self-  
8 certified manufacturers at least once every two years.

9 **Sec. 7.** RCW 43.22.360 and 1970 ex.s. c 27 s 3 are each amended to  
10 read as follows:

11 Plans and specifications of each model or production prototype of  
12 a mobile home, commercial coach (~~(and/or))~~, recreational vehicle,  
13 and/or park trailer showing body and frame design, construction,  
14 plumbing, heating and electrical specifications and data shall be  
15 submitted to the department of labor and industries for approval and  
16 recommendations with respect to compliance with the regulations and  
17 standards of each of such agencies. When plans have been submitted and  
18 approved as aforesaid, no changes or alterations shall be made to body  
19 and frame design, construction, plumbing, heating or electrical  
20 installations or specifications shown thereon in any mobile home,  
21 commercial coach (~~(or))~~, recreational vehicle, or park trailer without  
22 prior written approval of the department of labor and industries.

23 **Sec. 8.** RCW 43.22.370 and 1970 ex.s. c 27 s 4 are each amended to  
24 read as follows:

25 Any mobile home, commercial coach (~~(and/or))~~, recreational vehicle,  
26 and/or park trailer leased or sold in Washington and manufactured prior  
27 to July 1, 1968, which has not been inspected prior to its sale and  
28 which does not meet the requirements prescribed will not be required to  
29 comply with said requirements except for alterations or installations  
30 referred to in RCW 43.22.360.

31 **Sec. 9.** RCW 43.22.380 and 1970 ex.s. c 27 s 5 are each amended to  
32 read as follows:

33 Used mobile homes, commercial coaches (~~(and/or))~~, recreational  
34 vehicles, and/or park trailers manufactured for use outside this state  
35 which do not meet the requirements prescribed and have been used for  
36 six months or more will not be required to comply with said

1 requirements except for alterations or installations referred to in RCW  
2 43.22.360.

3 **Sec. 10.** RCW 43.22.390 and 1970 ex.s. c 27 s 6 are each amended to  
4 read as follows:

5 Mobile homes, commercial coaches (~~(and/or)~~), recreational vehicles,  
6 and/or park trailers subject to the provisions of RCW 43.22.340 through  
7 43.22.410, and mobile homes, commercial coaches (~~(and/or)~~),  
8 recreational vehicles, and/or park trailers upon which alterations of  
9 body and frame design, construction or installations of plumbing,  
10 heating or electrical equipment referred to in RCW 43.22.360 are made  
11 after July 1, 1968, shall have affixed thereto such insigne of  
12 approval.

13 **Sec. 11.** RCW 43.22.400 and 1970 ex.s. c 27 s 7 are each amended to  
14 read as follows:

15 If the director of the department of labor and industries  
16 determines that the standards for body and frame design, construction  
17 and the plumbing, heating and electrical equipment installed in mobile  
18 homes, commercial coaches (~~(and/or)~~), recreational vehicles, and/or  
19 park trailers by the statutes or rules and regulations of other states  
20 are at least equal to the standards prescribed by this state, he may so  
21 provide by regulation. Any mobile home, commercial coach (~~(and/or)~~),  
22 recreational vehicle, and/or park trailer which a state listed in such  
23 regulations has approved as meeting its standards for body and frame  
24 design, construction and plumbing, heating and electrical equipment  
25 shall be deemed to meet the standards of the director of the department  
26 of labor and industries, if he determines that the standards of such  
27 state are actually being enforced.

28 **Sec. 12.** RCW 43.22.410 and 1970 ex.s. c 27 s 8 are each amended to  
29 read as follows:

30 Any mobile home, commercial coach (~~(and/or)~~), recreational vehicle,  
31 and/or park trailer that meets the requirements prescribed under RCW  
32 43.22.340 shall not be required to comply with any ordinances of a city  
33 or county prescribing requirements for body and frame design,  
34 construction or plumbing, heating and electrical equipment installed in  
35 mobile homes, commercial coaches (~~(and/or)~~), recreational vehicles,  
36 and/or park trailers.

1       **Sec. 13.** RCW 43.22.420 and 1987 c 330 s 601 are each amended to  
2 read as follows:

3       There is hereby created a factory assembled structures advisory  
4 board consisting of nine members to be appointed by the director of  
5 labor and industries. It shall be the purpose and function of the  
6 board to advise the director on all matters pertaining to the  
7 enforcement of this chapter including but not limited to standards of  
8 body and frame design, construction and plumbing, heating and  
9 electrical installations, minimum inspection procedures, the adoption  
10 of rules and regulations pertaining to the manufacture of factory  
11 assembled structures, mobile homes, commercial coaches ((and)),  
12 recreational vehicles, and park trailers. The advisory board shall  
13 periodically review the rules promulgated under RCW 43.22.450 through  
14 43.22.490 and shall recommend changes of such rules to the department  
15 if it deems changes advisable.

16       The members of the advisory board shall be representative of  
17 consumers, the regulated industries, and allied professionals. The  
18 term of each member shall be four years. However, the director may  
19 appoint the initial members of the advisory board to staggered terms  
20 not exceeding four years.

21       The chief inspector or any person acting as chief inspector for the  
22 factory assembled structures, mobile home, commercial coach ((and)),  
23 recreational vehicle, and park trailer section shall serve as secretary  
24 of the board during his tenure as chief. Meetings of the board shall  
25 be called at the discretion of the director of labor and industries,  
26 but at least quarterly. Each member of the board shall be paid travel  
27 expenses in accordance with RCW 43.03.050 and 43.03.060 as now existing  
28 or hereafter amended which shall be paid out of the appropriation to  
29 the department of labor and industries, upon vouchers approved by the  
30 director of labor and industries or his or her designee.

Passed the House April 19, 1995.

Passed the Senate April 12, 1995.

Approved by the Governor May 9, 1995.

Filed in Office of Secretary of State May 9, 1995.