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SENATE BILL 5669

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State of Washington

56th Legislature

1999 Regular Session

By Senators Snyder and Brown

Read first time 02/01/1999. Referred to Committee on Labor & Workforce Development.

1 AN ACT Relating to conversion vending units and medical units;  
2 amending RCW 43.22.335, 43.22.340, 43.22.350, 43.22.370, 43.22.380,  
3 43.22.390, 43.22.410, 43.22.420, and 43.22.434; reenacting and amending  
4 RCW 43.22.360; and adding a new section to chapter 43.22 RCW.

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

6 **Sec. 1.** RCW 43.22.335 and 1995 c 280 s 1 are each amended to read  
7 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 (3) "Conversion vendor units" means a motor vehicle or recreational  
18 vehicle that has been converted for the purpose of being used as a  
19 vendor unit at temporary locations. The units must be less than eight

1 feet six inches wide in the set-up position and the inside working area  
2 must be less than twenty-four feet in length.

3 (4) "Medical unit" means a self-propelled unit used to provide  
4 medical examinations, treatments, and medical and dental services or  
5 procedures, not including emergency response vehicles.

6 **Sec. 2.** RCW 43.22.340 and 1995 c 280 s 2 are each amended to read  
7 as follows:

8 (1) The director shall adopt specific rules for conversion vending  
9 units and medical units. The rules for conversion vending units and  
10 medical units shall be established to protect the occupants from fire;  
11 to address other life safety issues; and to ensure that the design and  
12 construction are capable of supporting any concentrated load of five  
13 hundred pounds or more.

14 (2) The director of labor and industries shall (~~prescribe and~~  
15 enforce)) adopt rules (~~and regulations~~) governing safety of body and  
16 frame design, and the installation of plumbing, heating, and electrical  
17 equipment in mobile homes, commercial coaches, recreational vehicles,  
18 and/or park trailers: PROVIDED, That the director shall not prescribe  
19 or enforce rules (~~and regulations~~) governing the body and frame  
20 design of recreational vehicles and park trailers until after the  
21 American National Standards Institute shall have published standards  
22 and specifications upon this subject. (~~Such~~) The rules (~~and~~  
23 regulations)) shall be reasonably consistent with recognized and  
24 accepted principles of safety for body and frame design and plumbing,  
25 heating, and electrical installations, in order to protect the health  
26 and safety of the people of this state from dangers inherent in the use  
27 of substandard and unsafe body and frame design, construction,  
28 plumbing, heating, electrical, and other equipment and shall correlate  
29 with and, so far as practicable, conform to the then current standards  
30 and specifications of the American National Standards Institute  
31 standards A119.1 for mobile homes and commercial coaches, A119.2 for  
32 recreational vehicles, and A119.5 for park trailers.

33 (3) It shall be unlawful for any person to lease, sell or offer for  
34 sale, within this state, any mobile homes, commercial coaches,  
35 conversion vending units, medical units, recreational vehicles, and/or  
36 park trailers manufactured after January 1, 1968, containing plumbing,  
37 heating, electrical, or other equipment, and after July 1, 1970 body  
38 and frame design or construction unless such equipment meets the

1 requirements of the rules ((and regulations)) provided for ((herein))  
2 in this section.

3       **Sec. 3.** RCW 43.22.350 and 1995 c 280 s 4 are each amended to read  
4 as follows:

5       (1) In compliance with any applicable provisions of this chapter,  
6 the director of the department of labor and industries shall establish  
7 a schedule of fees, whether on the basis of plan approval or  
8 inspection, for the issuance of an insigne which indicates that the  
9 mobile home, commercial coach, conversion vending units, medical units,  
10 recreational vehicle, and/or park trailer complies with the provisions  
11 of RCW 43.22.340 through 43.22.410 or for any other purpose  
12 specifically authorized by any applicable provision of this chapter.

13       (2) Insignia are not required on mobile homes, commercial coaches,  
14 conversion vending units, medical units, recreational vehicles, and/or  
15 park trailers manufactured within this state for sale outside this  
16 state which are sold to persons outside this state.

17       **Sec. 4.** RCW 43.22.360 and 1995 c 289 s 1 and 1995 c 280 s 7 are  
18 each reenacted and amended to read as follows:

19       (1) Plans and specifications of each model or production prototype  
20 of a mobile home, commercial coach, conversion vending units, medical  
21 units, recreational vehicle, and/or park trailer showing body and frame  
22 design, construction, plumbing, heating and electrical specifications  
23 and data shall be submitted to the department of labor and industries  
24 for approval and recommendations with respect to compliance with the  
25 ((regulations)) rules and standards of each of such agencies. When  
26 plans have been submitted and approved as ((aforesaid)) required, no  
27 changes or alterations shall be made to body and frame design,  
28 construction, plumbing, heating or electrical installations or  
29 specifications shown thereon in any mobile home, commercial coach,  
30 conversion vending units, medical units, recreational vehicle, or park  
31 trailer without prior written approval of the department of labor and  
32 industries.

33       (2) The director may adopt rules that provide for approval of a  
34 plan that is certified as meeting state requirements or the equivalent  
35 by a professional who is licensed or certified in a state whose  
36 licensure or certification requirements meet or exceed Washington  
37 requirements.

1        NEW SECTION.    **Sec. 5.**    A new section is added to chapter 43.22 RCW  
2 to read as follows:

3        (1) All construction, installation, or both of plumbing, heating,  
4 or electrical equipment on conversion vending units or medical units  
5 requires the obtaining of an alteration permit and insignia from the  
6 department.

7        (2) An application for insignia shall specify the construction,  
8 equipment installations planned, or both. The department as part of  
9 the approval process may inspect all construction and equipment  
10 installations on conversion vending units or medical units. The  
11 department's approval for issuance of an alteration insignia is limited  
12 to the scope of construction or components being installed. The  
13 department may set by rule the fees necessary to cover the cost of the  
14 alteration approval process.

15        (3) Alteration insignia issued by the department shall be affixed  
16 to the conversion vending unit or medical unit.

17        **Sec. 6.**    RCW 43.22.370 and 1995 c 280 s 8 are each amended to read  
18 as follows:

19        Any mobile home, commercial coach, conversion vending units,  
20 medical units, recreational vehicle, and/or park trailer leased or sold  
21 in Washington and manufactured prior to July 1, 1968, which has not  
22 been inspected prior to its sale and which does not meet the  
23 requirements prescribed will not be required to comply with ((said))  
24 those requirements except for alterations or installations referred to  
25 in RCW 43.22.360.

26        **Sec. 7.**    RCW 43.22.380 and 1995 c 280 s 9 are each amended to read  
27 as follows:

28        Used mobile homes, commercial coaches, conversion vending units,  
29 medical units, recreational vehicles, and/or park trailers manufactured  
30 for use outside this state which do not meet the requirements  
31 prescribed and have been used for six months or more will not be  
32 required to comply with ((said)) those requirements except for  
33 alterations or installations referred to in RCW 43.22.360.

34        **Sec. 8.**    RCW 43.22.390 and 1995 c 280 s 10 are each amended to read  
35 as follows:

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

10 **Sec. 9.** RCW 43.22.410 and 1995 c 280 s 12 are each amended to read  
11 as follows:

12 Any mobile home, commercial coach, conversion vending units,  
13 medical units, recreational vehicle, and/or park trailer that meets the  
14 requirements prescribed under RCW 43.22.340 shall not be required to  
15 comply with any ordinances of a city or county prescribing requirements  
16 for body and frame design, construction or plumbing, heating and  
17 electrical equipment installed in mobile homes, commercial coaches,  
18 conversion vending units, medical units, recreational vehicles, and/or  
19 park trailers.

20 **Sec. 10.** RCW 43.22.420 and 1995 c 280 s 13 are each amended to  
21 read as follows:

22 There is hereby created a factory assembled structures advisory  
23 board consisting of nine members to be appointed by the director of  
24 labor and industries. It shall be the purpose and function of the  
25 board to advise the director on all matters pertaining to the  
26 enforcement of this chapter including but not limited to standards of  
27 body and frame design, construction and plumbing, heating and  
28 electrical installations, minimum inspection procedures, the adoption  
29 of rules (~~and regulations~~) pertaining to the manufacture of factory  
30 assembled structures, mobile homes, commercial coaches, conversion  
31 vending units, medical units, recreational vehicles, and park trailers.  
32 The advisory board shall periodically review the rules (~~promulgated~~)  
33 adopted under RCW 43.22.450 through 43.22.490 and shall recommend  
34 changes of such rules to the department if it deems changes advisable.

35 The members of the advisory board shall be representative of  
36 consumers, the regulated industries, and allied professionals. The  
37 term of each member shall be four years. However, the director may

1 appoint the initial members of the advisory board to staggered terms  
2 not exceeding four years.

3 The chief inspector or any person acting as chief inspector for the  
4 factory assembled structures, mobile home, commercial coach, conversion  
5 vending units, medical units, recreational vehicle, and park trailer  
6 section shall serve as secretary of the board during his tenure as  
7 chief. Meetings of the board shall be called at the discretion of the  
8 director of labor and industries, but at least quarterly. Each member  
9 of the board shall be paid travel expenses in accordance with RCW  
10 43.03.050 and 43.03.060 (~~(as now existing or hereafter amended)~~) which  
11 shall be paid out of the appropriation to the department of labor and  
12 industries, upon vouchers approved by the director of labor and  
13 industries or his or her designee.

14 **Sec. 11.** RCW 43.22.434 and 1995 c 280 s 5 are each amended to read  
15 as follows:

16 (1) The director or the director's authorized representative may  
17 conduct such inspections (~~(and)~~), investigations, and audits as may be  
18 necessary to (~~(promulgate)~~) adopt or enforce mobile home, commercial  
19 coach, conversion vending units, medical units, recreational vehicle,  
20 park trailer, factory built housing, and factory built commercial  
21 structure rules adopted under the authority of this chapter or to carry  
22 out the director's duties under this chapter.

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

26 (a) At reasonable times and without advance notice enter any  
27 factory, warehouse, or establishment in which mobile homes, commercial  
28 coaches, conversion vending units, medical units, recreational  
29 vehicles, park trailers, factory built housing, and factory built  
30 commercial structures are manufactured, stored, or held for sale;  
31 (~~(and)~~)

32 (b) At reasonable times, within reasonable limits, and in a  
33 reasonable manner inspect any factory, warehouse, or establishment as  
34 required to comply with the standards adopted by the secretary of  
35 housing and urban development under the National Mobile Home  
36 Construction and Safety Standards Act of 1974. Each inspection shall  
37 be commenced and completed with reasonable promptness; and

1        (c) As requested by an owner of a conversion vending unit or  
2 medical unit, inspect an alteration.

3        ~~(3) ((In carrying out the inspections authorized by this section~~  
4 ~~the director may establish, by rule, and impose on mobile home~~  
5 ~~manufacturers, distributors, and dealers such reasonable fees as may be~~  
6 ~~necessary to offset the expenses incurred by the director in conducting~~  
7 ~~the inspections.))~~ The department shall set a schedule of fees by rule  
8 which will cover the costs incurred by the department in the  
9 administration of RCW 43.22.335 through 43.22.490.

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