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**SUBSTITUTE HOUSE BILL 2443**

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**State of Washington 64th Legislature 2016 Regular Session**

**By** House Labor & Workplace Standards (originally sponsored by Representatives Sells and Kilduff; by request of Department of Labor & Industries)

AN ACT Relating to the compliance of certain conversion vending units and medical units with certain department of labor and industries requirements; amending RCW 43.22.380, 43.22.360, and 43.22.335; creating a new section; and providing an expiration date.

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

**Sec.**  RCW 43.22.380 and 1999 c 22 s 6 are each amended to read as follows:

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

**Sec.**  RCW 43.22.360 and 1999 c 22 s 4 are each amended to read as follows:

(1) Plans and specifications of each model or production prototype of a mobile home, commercial coach, conversion vending units as specified in subsection (2) of this section, medical units, recreational vehicle, and/or park trailer showing body and frame design, construction, plumbing, heating and electrical specifications and data shall be submitted to the department of labor and industries for approval and recommendations with respect to compliance with the rules and standards of each of such agencies. When plans have been submitted and approved as required, no changes or alterations shall be made to body and frame design, construction, plumbing, heating or electrical installations or specifications shown thereon in any mobile home, commercial coach, conversion vending units, medical units, recreational vehicle, or park trailer without prior written approval of the department of labor and industries.

(2)(a) Conversion vending units with any of the following components are subject to the requirements of subsection (1) of this section unless exempted by the department by rule after consultation with the advisory committee created in section 4 of this act:

(i) Have concentrated loads exceeding five hundred pounds;

(ii) Contain fuel gas piping systems and equipment;

(iii) Contain solid fuel burning equipment;

(iv) Contain fire suppression systems;

(v) Contain commercial hoods;

(vi) Contain electrical systems and equipment in excess of 30A/120V;

(vii) Contain electrical systems with more than five circuits;

(viii) Contain electrical systems incorporating photovoltaic energy, fuel cell energy, or other alternative energy systems; or

(ix) Contain plumbing drainage systems conveying solid or bodily waste.

(b) Professional engineer or architect approval is only required for conversion vending units that have concentrated loads exceeding five hundred pounds.

(c) Plan review is not required for those systems and other items listed in (a) of this subsection, or as modified by rule, that are already inspected and approved by another jurisdiction either to a common recognized standard or to standards substantially equivalent to Washington state. An insignia or certified inspection record from the inspecting jurisdiction will suffice as evidence of prior plan review approval.

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

**Sec.**  RCW 43.22.335 and 2002 c 268 s 9 are each amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout RCW 43.22.340 through 43.22.434, 43.22.442, and 43.22.495.

(1) "Conversion ((~~vendor~~)) vending units" means a motor vehicle or recreational vehicle that has been converted or built for the purpose of being used for commercial sales at temporary locations. The units must be less than eight feet six inches wide in the set-up position and the inside working area must be less than forty feet in length.

(2) "Indigent" means a person receiving an annual income, after taxes, of one hundred twenty-five percent or less of the current federally established poverty level.

(3) "Manufactured home" means a single-family dwelling required to be built in accordance with regulations adopted under the national manufactured housing construction and safety standards act of 1974 (42 U.S.C. 5401 et seq.).

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

(5) "Mobile home" means a factory-built dwelling built before June 15, 1976, to standards other than the national manufactured housing construction and safety standards act of 1974 (42 U.S.C. 5401 et seq.), and acceptable under applicable state codes in effect at the time of construction or introduction of the home into this state.

(6) "Park trailer" means a park trailer as defined in the American national standards institute A119.5 standard for park trailers.

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

NEW SECTION. **Sec.**  By July 1, 2016, the department of labor and industries shall convene an advisory committee to identify any additional conversion vending units to exempt from plan review under RCW 43.22.360(1). The advisory committee must include one representative from each of the following: The factory assembled structures advisory board, the state fire marshal or the state fire marshal's designee, a statewide association of local public health officials, a statewide association of local building officials, a statewide association of restaurants, a statewide association of cities, and a statewide association of county fairs. The advisory committee must also include at least one representative, but no more than two representatives, from each of the following: An association or associations representing food truck vendors, and manufacturers of conversion vending units. The representatives from a statewide association of local public health officials and a statewide association of county fairs must be ex officio nonvoting members. The advisory committee may also recommend to the legislature additional statutory changes necessary to implement its recommendations. The department shall report to the relevant committees of the legislature by September 30, 2017, if statutory changes are recommended. This section expires December 1, 2017.

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