



PROPOSED RULE MAKING

CR-102 (June 2004)

(Implements RCW 34.05.320)

Do NOT use for expedited rule making

Agency: Department of Labor and Industries

<input checked="" type="checkbox"/> Preproposal Statement of Inquiry was filed as WSR 05-13-148 ; or	<input checked="" type="checkbox"/> Original Notice
<input type="checkbox"/> Expedited Rule Making--Proposed notice was filed as WSR _____; or	<input type="checkbox"/> Supplemental Notice to WSR _____
<input type="checkbox"/> Proposal is exempt under RCW 34.05.310(4).	<input type="checkbox"/> Continuance of WSR _____

Title of rule and other identifying information: Chapter 296-150M WAC, Manufactured Homes

Hearing location(s):

Date: November 15, 2005 Time: 8:30 am
 Department of Labor and Industries
 7273 Linderson Way SW, S119
 Tumwater, Washington

Date: November 16, 2005 Time: 11:00 am
 Department of Labor and Industries
 15 West Yakima Avenue, Suite 100
 Yakima, Washington

Submit written comments to:

Name: Sally Elliott
 Department of Labor and Industries
 Address: Post Office Box 44400
 Olympia, Washington 98504-4400
 e-mail yous235@lni.wa.gov
 fax (360) 902-5292 by November 16,2005

Assistance for persons with disabilities: Contact
 Sally Elliott by November 1, 2005
 (360) 902-6411 or yous235@lni.wa.gov

Date of intended adoption: November 29, 2005
 (Note: This is NOT the effective date)

Purpose of the proposal and its anticipated effects, including any changes in existing rules: This rulemaking is a result of Chapter 399, Laws of 2005 (SHB 1393), which passed the 2005 Legislature. This legislation requires the department to perform a fire safety inspection and issue a certificate on all pre-HUD (mobile) homes prior to them being moved from their current location.

The proposed changes will:

- Outline how to apply for a fire safety inspection with the department.
- Summarize the requirements the mobile home must meet in order to successfully pass the fire safety inspection.
- Incorporate current Factory Assembled Structure policies, FAS 02-06 and FAS 03-01, into the rules. The new rules will provide statewide consistency in the enforcement of the National Electrical Code (NEC) for alterations to manufactured/mobile homes and clarify the requirement that water heaters and furnaces must meet the Manufactured Home Construction Safety Standards for manufactured home installation.
- Make housekeeping changes for clarification. For example, references will be updated in the rule.

Reasons supporting proposal: See purpose statement.

Statutory authority for adoption: Chapter 43.22 RCW and Chapter 399, Laws of 2005 (Substitute House Bill 1393)

Statute being implemented: Chapter 43.22 RCW and Chapter 399, Laws of 2005 (Substitute House Bill 1393)

Is rule necessary because of a:

Federal Law?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Federal Court Decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
State Court Decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If yes, CITATION:		

CODE REVISER USE ONLY

WSR# 05-20-067

DATE
 October 4, 2005

NAME (type or print)
 Gary K. Weeks

SIGNATURE

TITLE
 Director

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:

None.

Name of proponent: (person or organization) Department of Labor and Industries

- Private
- Public
- Governmental

Name of agency personnel responsible for:

Name	Office Location	Phone
Drafting..... Pete Schmidt	Tumwater	(360) 902-5571
Implementation.... Patrick Woods	Tumwater	(360) 902-6348
Enforcement..... Patrick Woods	Tumwater	(360) 902-6348

Has a small business economic impact statement been prepared under chapter 19.85 RCW?

Yes. Attach copy of small business economic impact statement.

A copy of the statement may be obtained by contacting:

Name:

Address:

phone () _____

fax () _____

e-mail _____

No. Explain why no statement was prepared.

The department determined the proposed rules do not require a small business economic impact statement because the costs associated with the proposed changes are exempted by law since the proposed changes are updating the rule based upon Washington State statutes and clarifying the rule for ease of use and understanding [see RCW 34.05.310(4)(c) and (d)].

Is a cost-benefit analysis required under RCW 34.05.328?

Yes A preliminary cost-benefit analysis may be obtained by contacting:

Name:

Address:

phone () _____

fax () _____

e-mail _____

No: Please explain:

The department determined the proposed changes do not require a cost-benefit analysis because the costs associated with the proposed changes are exempted by law since the proposed changes are updating the rule based upon Washington State statutes and clarifying the rule for ease of use and understanding [see RCW 19.85.025 referencing RCW 34.05.328(5)(b)(iii) and (iv)].