



# 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 09-19-121; 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:** Factory Assembled Structures, Chapters 296-150C, 296-150F, 296-150P, 296-150R, 296-150T, and 296-150V WAC

**Hearing location(s):**  
Department of Labor and Industries  
7273 Linderson Way Southwest, Room S117  
Tumwater, Washington 98501

Date: May 24, 2012                      Time: 1:00 p.m.

**Submit written comments to:**  
Name: Sally Elliott  
Address: Post Office Box 44400  
Olympia, Washington 98504-4400  
e-mail sally.elliott@lni.wa.gov  
fax (360) 902-5292 by 5 p.m. on May 24, 2012

**Assistance for persons with disabilities:** Contact Sally Elliott by May 15, 2012, at sally.elliott@lni.wa.gov or (360) 902-6411.

**Date of intended adoption:** July 17, 2012  
(Note: This is NOT the effective date)

**Purpose of the proposal and its anticipated effects, including any changes in existing rules:** The department reviews the factory assembled structure rules on a regular basis to ensure the rules are consistent with industry practice and to provide clarity. The department needs to proceed with rulemaking in order to eliminate inconsistencies between agency rules and industry standards, which lead to confusion.

The following changes will be made:

- Amend language to reflect current code references. For example, references to the Uniform Building Code will be changed to the International Building Code.
- Amend the process to require manufacturers to maintain a contractor deposit (CD) account for the payment of inspection fees. This will ensure payment is received before the inspection is conducted and insignia is issued.
- Clarify when work on a manufactured structure must be performed by a certified plumber or by a certified electrician.
- Remove language that references CTED, since they are no longer responsible for the manufactured housing account. The program missed a few references to CTED from the last rulemaking.

**Reasons supporting proposal:** See purpose statement.

**Statutory authority for adoption:** Chapter 43.22 RCW

**Statute being implemented:** Chapter 43.22 RCW

**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:

**DATE**  
April 17, 2012

**NAME** (type or print)  
Judy Schurke

**SIGNATURE**

**TITLE**  
Director

### CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

**DATE: April 17, 2012**

**TIME: 8:39 AM**

**WSR 12-09-055**

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

NA

**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.....	Dean Simpson	Tumwater, WA	(360) 902-5571
Implementation....	José Rodriguez	Tumwater, WA	(360) 902-6348
Enforcement.....	José Rodriguez	Tumwater, WA	(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 majority of the changes are proposed either to integrate the new national consensus standards as adopted by the State Building Code or to clarify the rule without changing its effect [see RCW 19.85.025 referencing RCW 34.05.310(4)(c) and RCW 34.05.310(4)(d)]. In addition, none of the other changes under the proposed rule will impose more than minor costs on businesses in the affected industry.

**Is a cost-benefit analysis required under RCW 34.05.328?**

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

Name: Sally Elliott, Legislation and Rules Manager

Address: Post Office Box 44400

Olympia, Washington 98504-4400

Phone: (360) 902-6411

Fax: (360) 902-5292

e-mail: sally.elliott@lni.wa.gov

No: Please explain: