



STATE OF WASHINGTON

DEPARTMENT OF LABOR AND INDUSTRIES

Factory Assembled Structures

PO Box 44430 • Olympia, Washington 98504-4430

February 29, 2024

TO: Conversion Vendor Unit (aka food truck) Manufacturers
FROM: Chris Rarig, FAS Program Manager
SUBJECT: 2021 Code Cycle Adoption by the FAS Program

The State Building Code Council voted on September 15, 2023, to delay the effective date of the 2021 Washington State codes. The new code effective date will be March 15, 2024. The previous effective dates were October 29, 2023, and July 1, 2023, respectively.

All L&I approved plans for [vendors units](#) (food trucks, trailers, and similar) approved under the WAC 296-150V and in accordance with the 2018 code cycle are valid one year from date of approval*. You can tell if your plan was approved under this code cycle if the plan approval number begins with the number 18 (such as 18VEN...).

*If you have an approved 2018 code cycle “master plan” it expires with this code cycle (valid through March 14, 2024). Units already in production must be completed – including final inspections – by June 15, 2024.

We will be reviewing to the new code cycle for all “one year” plans submitted after March 14th, 2024.

Any new “master” plans submitted after this notice will need to be compliant with the new code cycle provisions, if/as applicable, including the sections of WAC 51-54A-0904 that take effect on July 1, 2024. There are some significant changes to the requirements for vendor units, especially regarding automatic fire suppression systems. We will highlight some of them below for your convenience. Please note – this is informational only. Please see that applicable sections of the official code texts, and the legislative website locations for the complete text.

Excerpts of important **WAC** changes effective March 15th 2024 with some updating in July (as noted in the sections further below).

- **904.13 Commercial cooking systems.** The automatic fire-extinguishing system for commercial cooking systems shall be of a type recognized for protection of commercial cooking equipment and exhaust systems of the type and arrangement protected. Pre-engineered automatic dry- and wet-chemical extinguishing systems shall be tested in accordance with UL 300 and *listed* and *labeled* for the intended application. Other types of automatic fire-extinguishing systems shall be *listed* and *labeled* for specific use as protection for commercial cooking operations. The system shall be installed in accordance with this code, **NFPA 96**, its listing and the manufacturer's installation

instructions. Additional protection is not required for ductwork beyond 75 feet (22,860 mm) when hood suppression system complies with UL 300. Signage shall be provided on the exhaust hood or system cabinet, indicating the type and arrangement of cooking appliances protected by the automatic fire-extinguishing system. Signage shall indicate appliances from left to right, be durable, and the size, color, and lettering shall be approved. Automatic fire-extinguishing systems of the following types shall be installed in accordance with the referenced standard indicated, as follows:

- 1. Carbon dioxide extinguishing systems, NFPA 12.
- 2. *Automatic sprinkler systems*, NFPA 13.
- 3. Automatic water mist systems, NFPA 750.
- 4. Foam-water sprinkler system or foam-water spray systems, NFPA 16.
- 5. Dry-chemical extinguishing systems, NFPA 17.
- 6. Wet-chemical extinguishing systems, NFPA 17A.

EXCEPTIONS: 1. Factory-built commercial cooking recirculating systems that are tested in accordance with UL 710B and listed, labeled and installed in accordance with Section 304.1 of the *International Mechanical Code*.
2. Protection of duct systems beyond 75 feet (22,860 mm) when the commercial kitchen exhaust hood is protected by a system listed in accordance with UL 300.

Some of the relevant NFPA 96 changes include:

- **11.2.1** A placard shall be conspicuously placed near each Class K extinguisher that states that the fire protection system shall be activated prior to using the fire extinguisher.
- **11.4.1.2** The manual actuation device shall clearly identify the hazard protected and be provided with instructions for its use.
- **11.4.1.3** Manual actuation devices installed in locations where accidental operation could occur shall be provided with a guard where required by the authority having jurisdiction.
- **11.4.1.2** The manual actuation device shall clearly identify the hazard protected and be provided with instructions for its use.
- **11.5.2** At least one listed audible and visual notification appliance shall be installed on the exterior surface of the vehicle readily audible and visible to the public.
- **11.6.1** Where required, complete drawings of the system installation, including the hood(s), exhaust duct(s), and appliances, along with the interface of the fire-extinguishing system detectors, piping, nozzles, fuel and electric power shutoff devices, agent storage container(s), and manual actuation device(s), shall be submitted to the authority having jurisdiction and located within the mobile cooking operation.
- **11.6.1.1** The installer shall provide certification to the authority having jurisdiction that the installation is in agreement with the terms of the listing and the manufacturer's instructions and/or approved design (affidavit).
- **11.7.1** Where internal combustion engine power sources are provided, at least one portable fire extinguisher rated 20-B:C shall be provided.
- **WAC 51-54A 904.1.1 (Effective July 1, 2024) Certification of personnel for alternative fire-extinguishing equipment.** Personnel performing system design, installation, maintenance, programming or testing on automatic fire-extinguishing systems, other

than automatic sprinkler systems, shall possess the appropriate National Institute for Certification in Engineering Technologies (NICET) *Special Hazards Suppression Systems* certification.

EXCEPTION: A current ICC/NAFED certification for pre-engineered kitchen fire extinguishing system technician is allowed in lieu of NICET Level II or higher in *Special Hazards Suppression Systems* for the design, installation, inspection/testing or maintenance on pre-engineered kitchen suppression systems.

*This is a further LNI interpretation (after communication with the SBCC) of the exception to **WAC 51-54A 904.1.1 Pre-engineered systems** can be designed by NAFED certified personnel and **do not** require review from a Washington State licensed engineer or a NICET Level III in special hazard fire suppression systems.*

- **WAC 51-54A 904.1.1.1 (Effective July 1, 2024) Design.** All construction documents shall be reviewed by a NICET Level III in special hazard suppression systems or a licensed professional engineer (PE) in the state of Washington prior to being submitted for permitting. The reviewing professional shall submit a stamped, signed, and dated letter; or a verification method approved by the *fire code official* indicating the system has been reviewed and meets or exceeds the design requirements of the state of Washington and the local jurisdiction.
- **WAC 51-54A 904.1.1.2 (Effective July 1, 2024) Installation.** Installation not defined as "electrical construction trade" by chapter **19.28** RCW or "Fire Protection Sprinkler Fitting" by chapter **18.270** RCW, shall be completed by or directly supervised by a NICET Level II or higher in *special hazards suppression systems*. Supervision shall consist of a person being on the same job site and under the control of a NICET Level II or higher in *special hazards suppression systems*.
- **WAC 51-54A 904.1.1.3 (Effective July 1, 2024) Testing/maintenance.** Inspection, testing, commissioning, maintenance, and programming not defined as "electrical construction trade" by chapter **19.28** RCW or "Fire Protection Sprinkler Fitting" by chapter **18.270** RCW, shall be completed by a NICET Level II or higher in *special hazards suppression systems*.

Additional references regarding automatic fire suppression systems included in WAC 51-54A:

- 2021 NFPA 17A
- UL 300

Thank you for taking the time to review this message to determine the option(s) that are best for you and your business needs. We are all facing challenges in adapting to the continued delays and shifting timelines. We will do our best to assist in facilitating the compliance process within the WA L&I Factory Assembled Structures Program. If you have any questions, please contact us at FAS1@Lni.wa.gov or call 1-800-705-1411, Option 3.

Thank you,

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