



PROPOSED RULE MAKING

CR-102 (December 2017) (Implements RCW 34.05.320)

Do NOT use for expedited rule making

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STATE OF WASHINGTON
FILED

DATE: June 21, 2022

TIME: 8:47 AM

WSR 22-13-147

Agency: Department of Labor & Industries

Original Notice

Supplemental Notice to WSR _____

Continuance of WSR _____

Preproposal Statement of Inquiry was filed as WSR 22-09-086 ; or

Expedited Rule Making--Proposed notice was filed as WSR _____; or

Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1); or

Proposal is exempt under RCW _____.

Title of rule and other identifying information: (describe subject) Proposed fee increase for the following Factory Assembled Structures (FAS) rules: WAC 296-150C-3000, Commercial coach fees; WAC 296-150F-3000, Factory-built housing and commercial structure fees; WAC 296-150I-3000, Penalties, fees, and refunds; WAC 296-150M-3000, Manufactured/mobile home fees; WAC 296-150P-3000, Recreational park trailer fees; WAC 296-150T-3000, Factory-built temporary worker housing fees; and WAC 296-150V-3000, Conversion vendor units and medical units – Fees.

Hearing location(s):

Date:	Time:	Location: (be specific)	Comment:
July 27, 2022	9:00 a.m.	Virtual and telephonic hearing only. Please join on your computer or mobile app (Microsoft Teams) by Clicking here to join the meeting Or visiting https://teams.microsoft.com/l/meetup-join/19%3ameeting_YWQ5ZjkxNmMtMzRhOC00MWNiLTlIZGMtYWFiNTY3Mjk1ODE3%40thread.v2/0?context=%7b%22id%22%3a%2211d0e217-264e-400a-8ba0-57dcc127d72d%22%2c%22oid%22%3a%22acb1df6f-3588-43aa-b503-63aebce21ddc%22%7d Or calling (audio only) 1-253-372-2181 Phone Conference ID: 572 550 411# (pound sign must be entered)	The virtual/telephonic hearing starts at 9:00 a.m. and will continue until all oral comments are received.

Date of intended adoption: September 20, 2022 (Note: This is **NOT** the effective date)

Submit written comments to:

Name: Alicia Curry

Address: Department of Labor & Industries
Field Services & Public Safety Division
PO Box 44400
Olympia, WA 98504-4400

Email: Alicia.Curry@Lni.wa.gov

Fax: 360-902-5292

Other:

By (date) 5 p.m. on July 27, 2022

Assistance for persons with disabilities:

Contact Alicia Curry

Phone: 360-902-6244

Fax: 360-902-5292

TTY:

Email: Alicia.Curry@Lni.wa.gov

Other:

By (date) July 11, 2022

Purpose of the proposal and its anticipated effects, including any changes in existing rules: The purpose of this rulemaking is to propose changes to the Factory Assembled Structures (FAS) rules to increase fees by 5.86 percent and housekeeping changes. The fee increase is the maximum allowed by the state Office of Financial Management for fiscal year 2023.

Reasons supporting proposal: A fee increase is needed to cover the operating expenses of the FAS Program. The current fee levels are insufficient to cover current Program expenses. The increase will ensure that revenues match expenditures, otherwise service levels may need to be reduced. Additionally, a housekeeping change is needed to correct a typo for rule clarity.

Statutory authority for adoption: Chapter 43.22 RCW, Department of Labor & Industries, and chapter 43.22A WAC, Mobile and Manufactured Home Installation

Statute being implemented: Chapter 43.22 RCW, Department of Labor & Industries, and chapter 43.22A WAC, Mobile and Manufactured Home Installation

Is rule necessary because of a:

- Federal Law? Yes No
- Federal Court Decision? Yes No
- State Court Decision? Yes No

If yes, CITATION:

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 & Industries Private Public Governmental

Name of agency personnel responsible for:

	Name	Office Location	Phone
Drafting:	Dale Partin, Acting Prog. Mgr.	Tumwater, Washington	360-575-6933
Implementation:	Steve Reinmuth, Asst. Dir.	Tumwater, Washington	360-902-6348
Enforcement:	Steve Reinmuth, Asst. Dir.	Tumwater, Washington	360-902-6348

Is a school district fiscal impact statement required under RCW 28A.305.135? Yes No

If yes, insert statement here:

The public may obtain a copy of the school district fiscal impact statement by contacting:

- Name:
- Address:
- Phone:

Fax:
TTY:
Email:
Other:

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:
TTY:
Email:
Other:

No: Please explain: The rule is exempt from the cost benefit analysis requirement under the Administrative Procedure Act RCW 34.05.328(5)(b)(vi) rules that set or adjust fees under the authority of RCW 19.02.075 or that set or adjust fees or rates pursuant to legislative standards, including fees set or adjusted under the authority of RCW 19.80.045.

Regulatory Fairness Act Cost Considerations for a Small Business Economic Impact Statement:

This rule proposal, or portions of the proposal, **may be exempt** from requirements of the Regulatory Fairness Act (see chapter 19.85 RCW). Please check the box for any applicable exemption(s):

This rule proposal, or portions of the proposal, is exempt under RCW 19.85.061 because this rule making is being adopted solely to conform and/or comply with federal statute or regulations. Please cite the specific federal statute or regulation this rule is being adopted to conform or comply with, and describe the consequences to the state if the rule is not adopted.

Citation and description:

This rule proposal, or portions of the proposal, is exempt because the agency has completed the pilot rule process defined by RCW 34.05.313 before filing the notice of this proposed rule.

This rule proposal, or portions of the proposal, is exempt under the provisions of RCW 15.65.570(2) because it was adopted by a referendum.

This rule proposal, or portions of the proposal, is exempt under RCW 19.85.025(3). Check all that apply:

- | | |
|---|--|
| <input type="checkbox"/> RCW 34.05.310 (4)(b)
(Internal government operations) | <input type="checkbox"/> RCW 34.05.310 (4)(e)
(Dictated by statute) |
| <input type="checkbox"/> RCW 34.05.310 (4)(c)
(Incorporation by reference) | <input checked="" type="checkbox"/> RCW 34.05.310 (4)(f)
(Set or adjust fees) |
| <input checked="" type="checkbox"/> RCW 34.05.310 (4)(d)
(Correct or clarify language) | <input type="checkbox"/> RCW 34.05.310 (4)(g)
((i) Relating to agency hearings; or (ii) process requirements for applying to an agency for a license or permit) |

This rule proposal, or portions of the proposal, is exempt under RCW _____.

Explanation of exemptions, if necessary:

COMPLETE THIS SECTION ONLY IF NO EXEMPTION APPLIES

If the proposed rule is **not exempt**, does it impose more-than-minor costs (as defined by RCW 19.85.020(2)) on businesses?

No Briefly summarize the agency's analysis showing how costs were calculated. _____

Yes Calculations show the rule proposal likely imposes more-than-minor cost to businesses, and a small business economic impact statement is required. Insert statement here:

The public may obtain a copy of the small business economic impact statement or the detailed cost calculations by contacting:

Name:
Address:
Phone:
Fax:

TTY:
Email:
Other:

Date: June 21, 2022

Name: Joel Sacks

Title: Director

Signature:

A handwritten signature in cursive script that reads "Joel Sacks".