

# Information Packet

## Public Hearing: Factory Assembled Structures Rules

**Date:** April 4, 2023  
**Time:** 9:00 a.m.  
**Location:** Department of Labor & Industries  
7273 Linderson Way SW  
Tumwater, Washington 98501

### **Zoom Meeting**

Please click the link below to join the meeting:

<https://lni-wa-gov.zoom.us/j/86477040744?pwd=aHIWbGt5WFcyMHITbWlnK0VaVElvUT09>

Passcode: FASPH@1!

### **To join by phone:**

1-253-215-8782

Meeting ID: 864 7704 0744

Passcode: 87842912

The [Washington State Department of Labor & Industries](#) (L&I) will hold a public hearing on the proposed amendments to the factory assembled structures rule under [Chapter 296-150C WAC, Commercial Coaches](#); [Chapter 296-150F WAC, Factory-built housing and commercial structures](#); [Chapter 296-150P WAC, Recreational park trailers](#); [Chapter 296-150R WAC, Recreational vehicles](#); and [Chapter 296-150V WAC, Conversion vendor units and medical units](#). The purpose of the hearing is to receive public comment on the proposed amendments.

L&I is proposing amendments to the factory assembled structures rules for review and approval of design plans by licensed professional engineers, architects, and firms for commercial coach trailers, factory-built housing and commercial structures, recreational park trailers (also known as park model recreational vehicles and park trailers), recreational vehicles, and conversion vendor units.

Since 2021, L&I has adopted emergency rules allowing third party reviews by approved licensed professionals to reduce a backlog of design plans for review and approval in the Factory Assembled Structures (FAS) Program. The emergency rule clarifies the procedures for review and approval of design plans for commercial coaches and factory-built and commercial structures by licensed professional engineers, architects, or firms under chapters 296-150C and 296-150F WAC. The emergency rules also allow licensed professionals or firms to review and approve design plans for recreational park trailers, recreational vehicles, and conversion vendor units under chapters 296-150P, 296-150R, and 296-150V WAC. This rulemaking proposes adoption of permanent rules.

The proposed amendments to the rules are in two parts. The first part, proposes amendments to update and clarify existing rules for review and approval of design plans for commercial coaches (chapter 296-150C WAC) and factory-built housing and commercial structures (chapter 296-150F WAC). The proposed amendments:

- Allow L&I to suspend or revoke a licensed professional's approval to review plans for submittal of substandard plans or a conflict of interest. This also includes, but is not limited to:
  - Adds new requirements for suspending and revoking a licensed professional authorization for substandard plans. For example:
    - Requires that plans must first be audited and found to be incomplete or contain multiple violations of the building code and other codes.

- Establishes a minimum threshold that allows suspension or revocation if three or more approved plans are found during audit to be incomplete or contain multiple code violations in a one year period.
  - Adds new language to establish what constitutes as an “incomplete plan”.
    - Establishes administrative processes and timeline for a licensed professional to reapply to regain their authorization to approve plans and a remedy to hear appeals of a suspension or revocation.
    - Establishes the actions the agency will take if a licensed professional’s authorization to approve plans is revoked or suspended.
- Adopt current FAS procedures allowing for electronic submittal of plans and for engineer/architects stamping of plans in accordance with Department of Licensing (DOL) and Engineers Board of Registration requirements.
- Clarify the requirements for accepting plans to reflect the existing practice of the FAS program. This includes, but is not limited to:
  - Allows licensed professionals 90 days to correct design plans and information and resubmit the plan to L&I for acceptance, unless under an audit.
  - Clarifies that audits may be random or audits of plans for noncompliance and subjects licensed professionals or firms to fees for L&I’s review and approval of plans that do not comply with the requirements of the chapter.
  - Clarifies the existing procedures that audits include determining whether a plan complies with the program’s written guidelines, as well as, the provisions of the chapter.
  - Clarifies that L&I will notify the applicant that submitted the design plan approved by the licensed professional for plans that do not comply with requirements, rather than the licensed professional plan reviewer.
- Clarify that a professional includes professional engineers, architects, or firms.
- Clarify that a professional engineer, architect, or firm cannot approve plans submitted for multistate approval under a reciprocal agreement.
- Remove obsolete fees for electronic plan submittal.
- Create new hourly fees for resubmittal of design plans approved by a professional or firm.
- Modify rules for general housekeeping and clean-up, such as punctuation, relocating requirements to other rules, typographical and reference corrections, formatting, section title changes, etc.

The second part, proposes amendments by adding new requirements for review and approval of design plans for recreational park trailers (chapter 296-150P WAC), recreational vehicles (chapter 296-150R WAC), and conversion vending units and medical units (chapter 296-150V WAC), among other changes. The proposed amendments:

- Modify the definition of “recreational park trailer” to further clarify its meaning.
- Allow licensed professionals or firms to review and approve design plans for recreational park trailers and recreational vehicles, excluding design plans for quality control manuals which must be reviewed and approved by L&I.
- Allow licensed professionals or firms to review and approve design plans for conversion vendor units, excluding design plans for medical units which must be reviewed and approved by L&I.
- Establish the licensed professionals or firms authorized to approve design plans and specifies the restrictions on authorization to approve plans.
- Establish requirements for the information that licensed professionals and firms must provide to L&I to become authorized to approve design plans.
- Establish requirements for notices of approval and denial for requests for authorization from licensed professionals and firms.
- Establish the timeframe that licensed professionals or firms are authorized to review and approve plans and the requirements for maintaining authorization. This also includes, but is not limited to:

- Allows L&I to suspend or revoke a licensed professional's approval to review plans for submittal of substandard plans or a conflict of interest.
- Adds new requirements for suspending and revoking a licensed professional authorization for substandard plans. For example:
  - Requires that plans must first be audited and found to be incomplete or contain multiple violations of the building code and other codes.
  - Establishes a minimum threshold that allows suspension or revocation if three or more approved plans are found during audit to be incomplete or contain multiple code violations in a one year period.
  - Adds new language to establish what constitutes as an "incomplete plan".
- Establishes administrative processes and timeline for a licensed professional to reapply to regain their authorization to approve plans and a remedy to hear appeals of a suspension or revocation.
- Establishes the actions the agency will take if a licensed professional's authorization to approve plans is revoked or suspended.
- Establish requirements for information that manufacturers must provide to L&I when submitting design plans approved by licensed professionals or firms.
- Adopt current FAS procedures allowing for electronic submittal of plans and for engineer/architects stamping of plans in accordance with Department of Licensing (DOL) and Engineers Board of Registration requirements.
- Establish requirements for the design plan approval process to reflect the existing practice of the FAS program. This includes, but is not limited to:
  - Allows licensed professionals 90 days to correct design plans and information and resubmit the plan to L&I for acceptance, unless under an audit.
  - Clarifies that audits may be random or audits of plans for noncompliance and subjects licensed professionals or firms to fees for L&I's review and approval of plans that do not comply with the requirements of the chapter.
  - Clarifies the existing procedures that audits include determining whether a plan complies with the program's written guidelines, as well as, the provisions of the chapter.
  - Clarifies that L&I will notify the applicant that submitted the design plan approved by the licensed professional for plans that do not comply with requirements, rather than the licensed professional plan reviewer.
- Establish that L&I maintains a list of authorized licensed professionals and firms that approve design plans.
- Require addendums to a design plan to be approved by the professional or firm that initially approved the plan and if they are no longer on the list of professionals or firms then L&I will approve the addendum.
- Remove obsolete fees for electronic plan submittal.
- Create new fees for plans approved by licensed professionals.
- Create new hourly fees for resubmittal of design plans approved by a professional or firm.
- Modify rules for general housekeeping and clean-up, such as adding new section headers, section title changes, etc.

You can review the proposed rules [here](#) or by clicking on the program's "[Laws & Rules](#)" page.

**If you require communication or accommodation arrangements**, please contact Alicia Curry at 360-902-6244, by March 20, 2023.

**Please send written comments as follows:**

By mail: Alicia Curry  
Department of Labor & Industries  
Field Services & Public Safety Division  
P.O. Box 44400  
Olympia, WA 98504-4400

By E-mail: [Alicia.Curry@Lni.wa.gov](mailto:Alicia.Curry@Lni.wa.gov)

By fax: 360-902-5292

**Submit written comments by 5 p.m. on April 4, 2023.**

Details of specific proposed amendments will be published in Washington State Register 23-06 on March 15, 2023. The tentative adoption date for these rules is April 11, 2023, and the tentative effective date is April 11, 2023.