

Chapter 296-49A WAC
((DIRECTOR'S)) THE FACTORY ASSEMBLED STRUCTURES ADVISORY BOARD

AMENDATORY SECTION (Amending WSR 97-16-043, filed 7/31/97, effective 12/1/97)

WAC 296-49A-010 ((What)) Definitions that apply to this chapter((?)). "Board" is the ((director's)) factory assembled structures advisory board.

"Department" is the Washington state department of labor and industries.

"Director" is the director of the department of labor and industries.

"((Section)) Program" is the factory assembled structures (FAS) ((section)) program of the department.

AMENDATORY SECTION (Amending WSR 97-16-043, filed 7/31/97, effective 12/1/97)

WAC 296-49A-020 ((What is)) The purpose of these rules((?)). The primary purpose of these rules is to ((establish)) provide a ((uniform)) formal means of communication between the ((department)) factory assembled structures program and ((persons, firms or corporations engaged in the manufacture of factory assembled structures)) stakeholders. Generally, the topics of this communication will involve either ((proposed)) WAC rule revisions or the operation of the ((section)) program.

AMENDATORY SECTION (Amending WSR 97-16-043, filed 7/31/97, effective 12/1/97)

WAC 296-49A-030 ((What is)) The purpose of the board((?)). The purpose of the board, as authorized by RCW 43.22.420, is to advise the director on all matters pertaining to the enforcement of chapter 43.22 RCW including but not limited to standards of body and frame design, construction and plumbing, heating and electrical installations, minimum inspection procedures and the adoption of rules and regulations pertaining to the manufacture of factory assembled structures, manufactured (mobile) homes, commercial coaches, conversion vendor units, medical units, recreational vehicles, and recreational park trailers (park model recreational vehicles).

AMENDATORY SECTION (Amending WSR 97-16-043, filed 7/31/97, effective 12/1/97)

WAC 296-49A-040 ((Who are)) The members and officers of the board(?). (1) The board has ((nine)) at least 11 members. Each is appointed by the director to a four-year term and board members must apply for reappointment if terms would be consecutive. The members must represent consumer interests, regulated industries, allied trades, and allied professionals. Consequently, the composition of the board will be:

- Two members representing consumers;
- Two members representing manufactured housing;
- Two members representing factory-built structures;
- One member representing recreational vehicles and recreational park trailers (park model recreational vehicles);
- One member representing building officials; ((and))
- One member who will either be an architect or an engineer((-));
- One member representing conversion vendor units; and
- One member representing the allied trades.

Additional board members may be appointed at the discretion of the director.

(2) When appointing board members, consideration will be given to the gender, racial, ethnic and geographic diversity of the state, including the interests of persons with disabilities.

(3) Board members serve at the discretion of the director and may be removed from the board for cause.

(4) The board will elect a chairperson and vice chairperson. The department's ((chief prefab building specialist)) FAS program manager shall serve as secretary of the board.

((According to)) (5) In accordance with RCW 43.03.050 and 43.03.060, each board member shall be paid travel expenses. Those expenses will be paid out of department appropriations upon the presentation of a voucher approved by the director or the director's designee.

AMENDATORY SECTION (Amending WSR 97-16-043, filed 7/31/97, effective 12/1/97)

WAC 296-49A-050 ((When does the board meet?)) Board meeting dates. The board holds regular quarterly meetings on the third Thursday of February, May, August, and November. Regular meetings may be rescheduled by the FAS program manager with advance notice. If needed, the ((director)) FAS program manager may call special meetings or the board chair may call special meetings with the approval of the FAS program manager on behalf of the director. Regular and special meetings are open to the public.

AMENDATORY SECTION (Amending WSR 97-16-043, filed 7/31/97, effective 12/1/97)

WAC 296-49A-060 ~~((How are))~~ Conduct of board meetings ~~((conducted?))~~. The board must adopt written ~~((rules of procedure))~~ bylaws governing its internal management. These ~~((rules))~~ bylaws must include *Roberts' Rules of Order, Revised*. ~~((Upon written request, copies of these rules of procedure must be provided to all interested persons.))~~ The bylaws must be posted on the department's website.

AMENDATORY SECTION (Amending WSR 97-16-043, filed 7/31/97, effective 12/1/97)

WAC 296-49A-070 ~~((What are the))~~ Duties of the board ~~((?))~~. (1) ~~((Every three years))~~ The board must review ~~((existing FAS rules and recommend revisions if needed))~~ any new rules and regulations proposed by the program and make recommendations regarding their adoption. Also, the board ~~((must review any new rules and regulations proposed by the director and make recommendations regarding their adoption))~~ may review existing FAS rules and recommend revisions.

(2) The board may ~~((periodically develop))~~ advise the program on administrative procedures, organizational plans, and rules for improving the operation of the ~~((section and submit them to the director for consideration))~~ program.

(3) ~~((Upon the request of the director, the board will assist in the administrative interpretation of national codes and Washington state rules and regulations regarding all matters pertaining to the enforcement of chapter 43.22 RCW and the manufacture of factory assembled structures, manufactured (mobile) homes, commercial coaches, recreational vehicles, and recreational park trailers. This interpretative assistance will include but will not be limited to standards of body and frame design, construction and plumbing, heating and electrical installations, and minimum inspection procedures.~~

~~However,~~) Board members should provide their respective stakeholder groups with information about program proposals, issues, and changes. Members should also provide the program with feedback from stakeholders and provide insight as to their opinions, attitudes, and needs.

(4) The board will neither function as a board of appeals nor will it render decisions regarding the application or interpretation of any adopted rule or regulation ~~((to any person, firm or corporation engaged in the business of manufacturing factory assembled structures)).~~

~~((4))~~ (5) At any board meeting, the board must consider any written proposals made by any person ~~((, firm or corporation))~~ regarding new rules and regulations or changes in administrative procedures related to the ~~((section))~~ program.

~~((However,~~) These written proposals must be submitted to the board's secretary at least ~~((fifteen))~~ 15 days prior to the meeting so that they can be included on the meeting agenda and in the meeting packet distributed to board members. If the parties submitting these proposals wish to address them at that meeting, their proposals must be accompanied by a written request to address the board.

AMENDATORY SECTION (Amending WSR 97-16-043, filed 7/31/97, effective 12/1/97)

WAC 296-49A-080 (~~((Who can speak))~~) Speaking at board meetings ~~((?))~~. Any person ~~((, firm or corporation))~~ can speak at board meetings. ~~((However,))~~ Those persons ~~((, firms and corporations))~~ wishing to formally address the board regarding specific proposals relating to ~~((any))~~ FAS rule adoptions, amendments or repeals or changes in the ~~((section's))~~ program's administrative procedures, must ~~((be in good ethical standing with the board. (See WAC 296-49A-100.))~~) do so in accordance with WAC 296-49A-070 and with the board's bylaws.

AMENDATORY SECTION (Amending WSR 97-16-043, filed 7/31/97, effective 12/1/97)

WAC 296-49A-090 (~~((Can a person appearing before the board solicit))~~) Soliciting business ~~((?))~~. The board considers it unethical for anyone appearing before the board to ~~((use any kind of solicitor to))~~ solicit business ~~((or to solicit business))~~ directly or indirectly, through circulars, advertisements or by personal communications or interviews unwarranted by personal relations. It is permissible to publish or circulate business cards.

AMENDATORY SECTION (Amending WSR 97-16-043, filed 7/31/97, effective 12/1/97)

WAC 296-49A-100 (~~((What))~~) Standards of ethical conduct ~~((are expected))~~ required of board members ~~((and persons appearing before the board?))~~. Anyone serving on the board ~~((or appearing before it))~~ must adhere to chapter 42.52 RCW (Ethics in Public Service Act) and the standards described in ((*"Ethics and the Appearance of Fairness," State of Washington Boards and Commissions Membership Handbook*) *"Boards and Commissions Membership Handbook"* (issued by the office of the governor)). Failure to conform to these standards may result in ~~((forfeiting the opportunity to either appear before the board or serve))~~ removal as a board member.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 296-49A-110 What statute governs the adoption of FAS rules and regulations?

WAC 296-150P-0020 What definitions apply to this chapter? "**Alteration**" is the replacement, addition, modification, or removal of any equipment or material that affects the fire and life safety provisions, structural system, plumbing systems, fuel systems and equipment or electrical systems of a recreational park trailer.

The following changes are not considered alterations for purposes of this chapter:

- Repairs with approved parts;
- Modification of a fuel-burning appliance according to the terms of its listing; and
- Adjustment and maintenance of equipment.

"**Alteration insignia**" is an insignia which indicates a recreational park trailer alteration was approved by the department.

"**ANSI**" is the American National Standards Institute, Inc., and the institute's rules applicable to recreational park trailers. For the purposes of this chapter, references to ANSI mean ANSI A119.5 Recreational Park Trailers, current edition.

"**Approved**" is approved by the department of labor and industries.

"**Audit**" by the department is the department inspection of a manufacturer's quality control procedures, comprehensive plans, and recreational park trailers.

"**Comprehensive design plan**" consists of the design plans and copies of drawings such as:

- Floor plans relating to fire and life safety, structural, electrical, plumbing, liquefied petroleum (LP) and/or natural gas systems and appliances and air conditioning systems, if applicable to the plan of each recreational park trailer.
- Plumbing line drawings which describe the size, length and location of gas piping lines, liquid and body waste lines, liquid and body waste tanks, and potable water tanks.
- Electrical drawings. (See WAC 296-150P-0330.)

"**Consumer**" is a person or organization who buys or leases recreational park trailers.

"**Dealer**" is a person or organization whose business is offering recreational park trailers for sale or lease.

"**Department**" is the department of labor and industries. The department may be referred to as "we" or "us" in this chapter. Note: You may contact us at: Department of Labor and Industries, Specialty Compliance, P.O. Box 44430, Olympia, WA 98504-4430.

"**Equipment**" is all material, appliances, fixtures, and accessories used in the manufacture or alteration of recreational park trailers.

"**Manual**" is a reference containing instructions, procedures, responsibilities and other information used to implement and maintain the quality control program of a recreational park trailer manufacturer.

"**National Electrical Code**" see Appendix 'C' of ANSI A119.5 for reference to the appropriate edition to use for compliance.

"**Recreational park trailer**" also known as a "park model recreational vehicle" is a trailer-type unit that is primarily designed to provide temporary living quarters for recreational, camping or seasonal use, that meets the following criteria:

- Built on a single chassis, mounted on wheels;

- Having a gross trailer area not exceeding 400 square feet (37.15 square meters) in the set-up mode; and
- Certified by the manufacturer as complying with ANSI A119.5.

"**Quality control**" is the plan and method for ensuring that the manufacture, fabrication, assembly, installation, storing, handling, and use of materials complies with this chapter and ANSI.

"**State-plan insignia**" is an insignia which is obtained under the state design-plan approval process.

"Submitted design plan" is a plan that:

- Has been received by the department for review; and
- The plan approval fee is paid; and
- Is awaiting an initial design plan review.

"**System**" is a part of a recreational park trailer that is designed to serve a particular function such as plumbing, electrical, heating, mechanical or structural system.

AMENDATORY SECTION (Amending WSR 97-16-043, filed 7/31/97, effective 12/1/97)

WAC 296-150P-0220 How do I obtain insignia based on state-plan approval? (1) If you are approved to purchase insignia based on state-plan approval, you may purchase the insignia by submitting the insignia application with the required fees. (See WAC 296-150P-3000.)

(2) The application must be on the department's approved "application for insignia" form F622-021-000 and include((~~+~~

~~(a))~~ a signed statement from you certifying that you are manufacturing your units according to your approved and/or "submitted design plans" and your quality control program((~~+~~and

~~(b) A list of the approved design plans against which you will apply the insignia).~~

(3) Insignia may not be purchased for or applied to units for which:

(a) The plans are being approved by a licensed professional in accordance with WAC 296-150P-0315 and have not been assigned a plan approval number by the department; or

(b) The submitted design plans have been at the department less than 10 working days; or

(c) The submitted design plans have been reviewed by the department, and are not approved.

AMENDATORY SECTION (Amending WSR 97-16-043, filed 7/31/97, effective 12/1/97)

WAC 296-150P-0300 ((What is required to obtain insignia based on)) Obtaining approval as a state-plan ((approval?)) manufacturer. ((If you want to)) Before you can obtain insignia based on state-plan approval, you must:

(1) Have your ((design plan and)) quality control manual approved by us; and

(2) Have your design plan(s) approved in accordance with WAC 296-150P-0315 (see WAC 296-150P-0220); and

(3) Pass a quality control program audit which includes a random inspection of your recreational park trailers.

WAC 296-150R-0020 What definitions apply to this chapter? "**Alteration**" is the replacement, addition, modification, or removal of any equipment or material that affects the fire and life safety provisions, plumbing systems, fuel systems and equipment or electrical systems of a recreational vehicle.

The following changes are not considered alterations for purposes of this chapter:

- Repairs with approved parts;
- Modification of a fuel burning appliance according to the terms of its listing; and
- Adjustment and maintenance of equipment.

"**Alteration insignia**" is an insignia which indicates a vehicle alteration was approved by the department.

"**ANSI**" is the American National Standards Institute, Inc., and the institute's rules applicable to *Low Voltage Systems in Conversion and Recreational Vehicles and Uniform Plan Approval for Recreational Vehicles*. For the purposes of this chapter, references to ANSI mean ANSI/RVIA 12V *Low Voltage Systems*, current edition, and ANSI/RVIA UPA-1 *Standard on Uniform Plan Approval for Recreational Vehicles*, current edition.

"**Approved**" is approved by the department of labor and industries.

"**Audit**" by the department can be either a comprehensive audit or a performance audit. A comprehensive audit is the department inspection of a manufacturer's quality control procedures, comprehensive plans, and vehicles. A performance audit is the department's review of the manufacturer's audit performed by the industry association or other independent auditor.

"**Comprehensive design plan**" consists of the design plans and copies of drawings such as:

- Floor plans relating to fire and life safety, electrical, plumbing, liquefied petroleum (LP) and/or natural gas systems and appliances and air conditioning systems, if applicable to the plan of each vehicle.
- Plumbing line drawings which describe the size, length and location of gas piping lines, liquid and body waste lines, liquid and body waste tanks, and potable water tanks.
- Electrical drawings. (See WAC 296-150R-0330 and 296-150R-0820.)

"**Consumer**" is a person or organization who buys or leases recreational vehicles.

"**Dealer**" is a person or organization whose business is offering recreational vehicles for sale or lease.

"**Department**" is the department of labor and industries. The department may be referred to as "we" or "us" in this chapter. Note: You may contact us at: Department of Labor and Industries, Specialty Compliance, P.O. Box 44430, Olympia, WA 98504-4430.

"**Equipment**" is all material, appliances, fixtures, and accessories used in the manufacture or alteration of recreational vehicles or park trailers.

"**Manual**" is a reference containing instructions, procedures, responsibilities and other information used to implement and maintain the quality control program of a recreational vehicle manufacturer.

"**National Electrical Code**" see Chapter 2 of NFPA 1192 *Standard on Recreational Vehicles*, current edition, for reference to the appropriate edition to use for compliance.

"**NFPA**" is National Fire Protection Association, and the institute's rules applicable to recreation vehicles. For the purpose of this chapter, references to NFPA means NFPA 1192 *Standard on Recreational Vehicles*, current edition.

"**Quality control**" is the plan and method for ensuring that the manufacture, fabrication, assembly, installation, storing, handling, and use of materials complies with this chapter, ANSI, and NFPA.

"**Recreational vehicle**" is a vehicular type unit primarily designed as temporary living quarters for recreational camping, travel, or seasonal use that either has its own motive power or is mounted on, or towed by, another vehicle or as defined by NFPA 1192 *Standard on Recreational Vehicles*, current edition. Recreational vehicles include: Camping trailers, fifth-wheel trailers, motor homes, travel trailers, and truck campers.

"**Self-certification insignia**" is an insignia which is obtained under the self-certification approval process.

"**State-plan insignia**" is an insignia which is obtained under the state design-plan approval process.

"**Submitted design plan**" is a plan that:

- Has been received by the department for review; and
- The plan approval fee is paid; and
- Is awaiting an initial design plan review.

"**System**" is a part of a recreational vehicle that is designed to serve a particular function such as plumbing, electrical, heating, or mechanical system.

"**Vehicle**" for the purposes of this chapter, is a recreational vehicle.

AMENDATORY SECTION (Amending WSR 96-21-146, filed 10/23/96, effective 11/25/96)

WAC 296-150R-0220 How do I obtain insignia based on state-plan approval?

(1) If you are approved to purchase insignia based on state-plan approval, you may purchase the insignia by submitting the insignia application with the required fees. (See WAC 296-150R-3000.)

(2) The application must be on the department's approved "application for insignia" form F622-021-000 and include(

(a)) a signed statement from you certifying that you are manufacturing your units according to your approved and/or "submitted design plans" and your quality control program(

(b) A list of the approved design plans against which you will apply the insignia).

(3) Insignia may not be purchased for or applied to units for which:

(a) The plans are being approved by a licensed professional in accordance with WAC 296-150R-0315 and have not been assigned a plan approval number by the department; or

(b) The submitted design plans have been at the department less than 10 working days; or

(c) The submitted design plans have been reviewed by the department, and are not approved.

AMENDATORY SECTION (Amending WSR 96-21-146, filed 10/23/96, effective 11/25/96)

WAC 296-150R-0300 (~~(What is required to obtain insignia based on)~~) Obtaining approval as a state-plan ((approval?)) manufacturer. (~~(If you want to)~~) Before you can obtain insignia based on state-plan approval, you must:

(1) Have your (~~(design plan and)~~) quality control manual approved by us; and

(2) Have your design plan(s) approved in accordance with WAC 296-150R-0315 (see WAC 296-150R-0220); and

(3) Pass a quality control program comprehensive audit which includes a random inspection of your vehicles.