



# RULE-MAKING ORDER PERMANENT RULE ONLY

## CR-103P (December 2017) (Implements RCW 34.05.360)

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STATE OF WASHINGTON  
FILED

DATE: June 18, 2024

TIME: 8:25 AM

WSR 24-13-089

**Agency:** Department of Labor & Industries (L&I)

**Effective date of rule:**

**Permanent Rules**

- 31 days after filing.
- Other (specify) July 22, 2024 (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

**Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?**

- Yes
  - No
- If Yes, explain:

**Purpose:** The purpose of this rulemaking is to adopt amendments to the factory assembled structures (FAS) rules. The adopted amendments affect L&I's FAS Advisory Board, and distributing inspection insignia to manufacturers of recreational vehicles. The amendments are necessary after passage of two bills in 2023 that took effect July 23, 2023: House Bill 1514 (HB 1514), chapter 78, Laws of 2023; and Senate Bill 5089 (SB 5089), chapter 36, Laws of 2023.

HB 1514 allows recreational vehicles (RV's) and recreational park trailer manufacturers with an agency approved Quality Control Program to request and purchase insignia while their plans are under review by the FAS Program.

SB 5089 was an L&I request bill that amends membership for the FAS Advisory Board. Amendments include:

- Increasing the number of board members from nine to at least 11;
- Adding a representative for allied trades such as electricians, plumbers and contractors;
- Adding diversity considerations for Board appointments; and
- Requiring members to apply for reappointment if serving consecutive terms.

The new statutory amendments also make technical and clean-up changes under Chapters 43.22 and 43.22A RCW.

Adopted amendments to this chapter are as follows:

**Amended Sections**

**WAC 296-49A-010, What definitions apply to this chapter?**

- Adopts language for general housekeeping, such as updating the title and terminology.

**WAC 296-49A-020, What is the purpose of these rules?**

- Clarifies the primary purpose of the rules.

**WAC 296-49A-030, What is the purpose of the board?**

- Amends the purpose of the board to include matters pertaining to conversion vendor units and medical units.
- Clarifies that recreational park trailers are also known as park model recreational vehicles.

**WAC 296-49A-040, Who are the members and officers of the board?**

- Adopts rules for updates and consistency with the statutory amendments under SB 5089. This includes:
  - Amending the number of FAS Advisory Board members from nine to eleven.
  - Requiring board members to apply for reappointment if serving consecutive terms.
  - Adding members of the allied trades and conversion vendor units to the list of representatives on the board.
  - Allowing for the appointment of additional members by the director.
  - Adding diversity considerations for appointing board members.
  - Allowing members to be removed from the board for cause.

**WAC 296-49A-050, When does the board meet?**

- Allows regular meetings to be rescheduled by the FAS Program Manager.
- Allows the FAS Program Manager or Chair of the Board to call special meetings with approval of the FAS Program Manager on behalf of the director.
- Amends the title of the rule from a question to statement format.

**WAC 296-49A-060, How are board meetings conducted?**

- Clarifies the board must adopt bylaws to govern its internal management and post them on the website.
- Amends the title from a question to statement format.

**WAC 296-49A-070, What are the duties of the board?**

- Adopts requirements for the board to review the rules and regulations for factory assembled structures.
- Clarifies the information that board members should share with their stakeholder groups and the department.
- Adopts language for housekeeping, such as updating the title from a question to statement format and clarification changes.

**WAC 296-49A-080, Who can speak at board meetings?**

- Adopts language for general housekeeping, such as updating the title from a question to statement format, for grammatical corrections, and clarification changes.

**WAC 296-49A-090, Can a person appearing before the board solicit business?**

- Adopts language for housekeeping, such as updating the title from a question to statement format and clarification changes.

**WAC 296-49A-100, What standards of ethical conduct are expected of the board members and persons appearing before the board?**

- Adopts language to align with the applicable state ethics laws.
- Allows the removal of board members for not following State ethics laws and standards in the Boards and Commissions Membership Handbook.

**WAC 296-150P-0020, What definitions apply to this chapter?**

- Adds a new definition to define the meaning of “submitted design plan” to align with the statutory amendments in HB 1514.

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

- Clarifies the application process for obtaining insignia to align with the statutory amendments in HB 1514.
- Removes the requirement that manufacturers include a list of their approved plans with each insignia application.
- Creates a new subsection that adds restrictions for park model recreational vehicles labels.

**WAC 296-150P-0300, What is required to obtain insignia based on state-plan approval?**

- Adopts language for general housekeeping, such as updating the title from a question to statement format and clarification changes.

**WAC 296-150R-0020, What definitions apply to this chapter?**

- Adds a new definition to define the meaning of “submitted design plan” to align with the statutory amendments in HB 1514.

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

- Clarifies the application process for obtaining insignia to align with the statutory amendments in HB 1514.
- Removes the requirement that manufacturers include a list of their approved plans with each insignia application.
- Creates a new subsection that adds restrictions for recreational vehicle labels.

**WAC 296-150R-0300, What is required to obtain insignia based on state-plan approval?**

- Clarifies the application process for obtaining insignia to align with the statutory amendments in HB 1514.
- Removes the requirement that manufacturers include a list of their approved plans with each insignia application.
- Adopts language for housekeeping, such as updating the title from a question to statement format and grammatical and clarification changes.

**Repealed Section**

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

- Repeals the provisions pertaining to the adoption of FAS rules and procedures according to chapter 24.05 RCW, the Administrative Procedures Act.

**Citation of rules affected by this order:**

New:

Repealed: WAC 296-49A-110

Amended: WAC 296-49A-010, 296-49A-020, 296-49A-030, 296-49A-040, 296-49A-050, 296-49A-060, 296-49A-070, 296-49A-080, 296-49A-090, 296-49A-100, 296-150P-0020, 296-150P-0220, 296-150P-0300, 296-150R-0020, 296-150R-0220, and 296-150R-0300

Suspended:

**Statutory authority for adoption:** HB 1514 (Chapter 78, Laws of 2023), SB 5089 (Chapter 36, Laws of 2023), including chapters 43.22 and 43.22A RCW.

**Other authority:** None.

**PERMANENT RULE (Including Expedited Rule Making)**

Adopted under notice filed as WSR 24-07-086 on March 19, 2024 (date).

Describe any changes other than editing from proposed to adopted version: None

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:

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Other:

**Note: If any category is left blank, it will be calculated as zero.  
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.  
A section may be counted in more than one category.**

**The number of sections adopted in order to comply with:**

Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	<u>10</u>	Repealed	___

**The number of sections adopted at the request of a nongovernmental entity:**

New	___	Amended	___	Repealed	___
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**The number of sections adopted on the agency's own initiative:**

New	___	Amended	<u>16</u>	Repealed	<u>1</u>
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**The number of sections adopted in order to clarify, streamline, or reform agency procedures:**

New	___	Amended	___	Repealed	___
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**The number of sections adopted using:**

Negotiated rule making:	New	___	Amended	___	Repealed	___
Pilot rule making:	New	___	Amended	___	Repealed	___
Other alternative rule making:	New	___	Amended	<u>16</u>	Repealed	<u>1</u>

**Date Adopted:** June 18, 2024

**Name:** Joel Sacks

**Title:** Director

**Signature:**

