

the application of the provision to other persons or circumstances is not affected.

Passed the House March 9, 1988.

Passed the Senate March 6, 1988.

Approved by the Governor March 24, 1988.

Filed in Office of Secretary of State March 24, 1988.

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## CHAPTER 239

[Substitute House Bill No. 1690]

### MANUFACTURED HOMES—SITING ON INDIVIDUAL LOTS—TRANSPORTING— INSTALLATION

AN ACT Relating to manufactured homes; amending RCW 46.44.093 and 43.22.440; adding a new section to chapter 35.63 RCW; adding a new section to chapter 35A.63 RCW; and adding a new section to chapter 46.76 RCW.

Be it enacted by the Legislature of the State of Washington:

**NEW SECTION.** Sec. 1. A new section is added to chapter 35.63 RCW to read as follows:

(1) Each comprehensive plan which does not allow for the siting of manufactured homes on individual lots shall be subject to a review by the city of the need and demand for such homes. The review shall be completed by December 31, 1990.

(2) For the purpose of providing an optional reference for cities which choose to allow manufactured homes on individual lots, a "designated manufactured home" is a manufactured home constructed after June 15, 1976, in accordance with state and federal requirements for manufactured homes, which:

(a) Is comprised of at least two fully enclosed parallel sections each of not less than twelve feet wide by thirty-six feet long;

(b) Was originally constructed with and now has a composition or wood shake or shingle, coated metal, or similar roof of not less than 3:12 pitch; and

(c) Has exterior siding similar in appearance to siding materials commonly used on conventional site-built uniform building code single-family residences.

(3) Nothing in this section precludes cities from allowing any manufactured home from being sited on individual lots through local standards which differ from the designated manufactured home as described in this section, except that the term "designated manufactured home" shall not be used except as defined in subsection (2) of this section.

**NEW SECTION.** Sec. 2. A new section is added to chapter 35A.63 RCW to read as follows:

(1) Each comprehensive plan which does not allow for the siting of manufactured homes on individual lots shall be subject to a review by the

city of the need and demand for such homes. The review shall be completed by December 31, 1990.

(2) For the purpose of providing an optional reference for cities which choose to allow manufactured homes on individual lots, a "designated manufactured home" is a manufactured home constructed after June 15, 1976, in accordance with state and federal requirements for manufactured homes, which:

(a) Is comprised of at least two fully enclosed parallel sections each of not less than twelve feet wide by thirty-six feet long;

(b) Was originally constructed with and now has a composition or wood shake or shingle, coated metal, or similar roof of not less than 3:12 pitch; and

(c) Has exterior siding similar in appearance to siding materials commonly used on conventional site-built uniform building code single-family residences.

(3) Nothing in this section precludes cities from allowing any manufactured home from being sited on individual lots through local standards which differ from the designated manufactured home as described in this section, except that the term "designated manufactured home" shall not be used except as defined in subsection (2) of this section.

Sec. 3. Section 46.44.093, chapter 12, Laws of 1961 as amended by section 55, chapter 7, Laws of 1984 and RCW 46.44.093 are each amended to read as follows:

The department of transportation or the local authority is authorized to issue or withhold such special permit at its discretion(~~(;or,)~~), although where a mobile home is being moved, the verification of a valid license under chapter 46.70 RCW as a mobile home dealer or manufacturer, or under chapter 46.76 RCW as a transporter, shall be done by the department or local government. If the permit is issued, (~~(to)~~) the department or local authority may limit the number of trips, (~~(or to)~~) establish seasonal or other time limitations within which the vehicle described may be operated on the public highways indicated, or otherwise (~~(to)~~) limit or prescribe conditions of operation of the vehicle or vehicles when necessary to assure against undue damage to the road foundation, surfaces, or structures or safety of traffic and may require such undertaking or other security as may be deemed necessary to compensate for injury to any roadway or road structure.

NEW SECTION. Sec. 4. A new section is added to chapter 46.76 RCW to read as follows:

(1) Any person or organization that transports any mobile home or other vehicle for hire shall comply with this chapter and chapter 81.80 RCW. Persons or organizations that do not have a valid permit or meet

other requirements under chapter 81.80 RCW shall not be issued a transporter license or transporter plates to transport mobile homes or other vehicles. RCW 46.76.065(5) applies to persons or organizations that have transporter licenses or plates and do not meet the requirements of chapter 81.80 RCW.

(2) This section does not apply to mobile home manufacturers or dealers that are licensed and delivering the mobile home under chapter 46.70 RCW.

Sec. 5. Section 1, chapter 153, Laws of 1980 and RCW 43.22.440 are each amended to read as follows:

(1) The legislature finds that inspections of mobile home installation are not done on a consistent basis. Mobile homes provide housing for many people in the state, and improperly installed mobile homes are a serious health and safety risk. Where possible and practical, mobile homes should be treated the same as any housing inhabited or to be inhabited by persons in this state, including housing built according to the state building code.

(2) In consultation with the ((governor's)) factory assembled structures advisory board for mobile homes, the director of labor and industries shall by rule establish ((minimum)) uniform standards for the performance and workmanship of installation service and warranty service by persons or entities engaged in performing the services within this state for all mobile homes, as defined in RCW 46.04.302. The standards shall conform, where applicable, with statutes, rules, and recommendations established under the federal national mobile home construction and safety standards act of 1974 (42 U.S.C. Sec. 5401 et seq.). These rules regarding the installation of mobile homes shall be enforced and fees charged by the counties and cities in the same manner the state building code is enforced under RCW 19.27.050. ((The rules may, to the extent deemed necessary by the director, provide for inspection and enforcement of the standards so established, and may permit the director to appoint an agent, or agents, as necessary to provide for the inspections and enforcement.

~~(2))~~ (3) In addition to and in conjunction with the remedies provided in this chapter, failure to remedy any breach of the standards and rules so established, upon adequate notice and within a reasonable time, is a violation of the consumer protection act, chapter 19.86 RCW and subject to the remedies provided in that chapter.

Passed the House March 5, 1988.

Passed the Senate March 1, 1988.

Approved by the Governor March 24, 1988.

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