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**SUBSTITUTE HOUSE BILL 2145**

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**State of Washington**                      **63rd Legislature**                      **2014 Regular Session**

**By** House Labor & Workforce Development (originally sponsored by Representative Condotta)

READ FIRST TIME 02/05/14.

1            AN ACT Relating to dumbwaiters; and amending RCW 70.87.120.

2            BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

3            **Sec. 1.** RCW 70.87.120 and 2008 c 181 s 207 are each amended to  
4 read as follows:

5            (1) The department shall appoint and employ inspectors, as may be  
6 necessary to carry out the provisions of this chapter, under the  
7 provisions of the rules adopted by the Washington personnel resources  
8 board in accordance with chapter 41.06 RCW.

9            (2)(a) Except as provided in (b) of this subsection, the department  
10 shall cause all conveyances to be inspected and tested at least once  
11 each year. Inspectors have the right during reasonable hours to enter  
12 into and upon any building or premises in the discharge of their  
13 official duties, for the purpose of making any inspection or testing  
14 any conveyance contained thereon or therein. Inspections and tests  
15 shall conform with the rules adopted by the department. The department  
16 shall inspect all installations before it issues any initial permit for  
17 operation. Permits shall not be issued until the fees required by this  
18 chapter have been paid.

1 (b)(i) Private residence conveyances operated exclusively for  
2 single-family use shall be inspected and tested only when required  
3 under RCW 70.87.100 or as necessary for the purposes of subsection (4)  
4 of this section and shall be exempt from RCW 70.87.090 unless an annual  
5 inspection and operating permit are requested by the owner.

6 (ii) The department may perform additional inspections of a private  
7 residence conveyance at the request of the owner of the conveyance.  
8 Fees for these inspections shall be in accordance with the schedule of  
9 fees adopted for operating permits pursuant to RCW 70.87.030. An  
10 inspection requested under this subsection (2)(b)(ii) shall not be  
11 performed until the required fees have been paid.

12 (iii) Dumbwaiters shall be tested and inspected as provided in this  
13 subsection (2)(b)(iii). Inspectors shall give owners at least ten  
14 days' notice of an inspection. The department shall inspect  
15 dumbwaiters no more often than every two years unless an inspection  
16 shows a dumbwaiter to be in an unsafe condition, in which case the  
17 department shall conduct an annual inspection until the dumbwaiter has  
18 passed inspection for two successive inspections.

19 (3) If inspection shows a conveyance to be in an unsafe condition,  
20 the department shall issue an inspection report in writing requiring  
21 the repairs or alterations to be made to the conveyance that are  
22 necessary to render it safe and may also suspend or revoke a permit  
23 pursuant to RCW 70.87.125 or order the operation of a conveyance  
24 discontinued pursuant to RCW 70.87.145.

25 (a) A penalty may be assessed under RCW 70.87.185 for failure to  
26 correct a violation within ninety days after the owner is notified in  
27 writing of inspection results.

28 (b) The owner may be assessed a penalty under RCW 70.87.185 for  
29 failure to submit official notification in writing to the department  
30 that all corrections have been completed.

31 (4) The department may investigate accidents and alleged or  
32 apparent violations of this chapter.

33 (5) During a state of emergency declared under RCW 43.06.010(12),  
34 the governor may waive or suspend the collection of fees under this  
35 section or any portion of this section or under any administrative  
36 rule, and issue any orders to facilitate the operation of state or

1 local government or to promote and secure the safety and protection of  
2 the civilian population.

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