



RULE-MAKING ORDER PERMANENT RULE ONLY

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

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: November 13, 2018

TIME: 10:54 AM

WSR 18-23-021

Agency: State Board of Health

Effective date of rule:

Permanent Rules

31 days after filing.

Other (specify) 01/01/2019 (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: WAC 246-215-09150 Employee restrooms- toilet facilities. The State Board of Health adopted a change that increases the maximum distance to a readily accessible employee restroom from within 200 feet to within 500 feet for mobile food units.

Citation of rules affected by this order:

New: None

Repealed: None

Amended: WAC 246-215-09150

Suspended: None

Statutory authority for adoption: RCW 43.20.050, RCW 43.20.145

Other authority:

PERMANENT RULE (Including Expedited Rule Making)

Adopted under notice filed as WSR 18-16-078 on 07/30/2018 (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:

Name: Peter Beaton

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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	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
Federal rules or standards:	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
Recently enacted state statutes:	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>

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

New	<u>0</u>	Amended	<u>1</u>	Repealed	<u>0</u>
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The number of sections adopted in the agency's own initiative:

New	<u>0</u>	Amended	<u>1</u>	Repealed	<u>0</u>
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
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The number of sections adopted using:

Negotiated rule making:	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
Pilot rule making:	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
Other alternative rule making:	New	<u>0</u>	Amended	<u>1</u>	Repealed	<u>0</u>

Date Adopted: 11/09/2018

Name: Michelle A. Davis

Title: Executive Director

Signature:



AMENDATORY SECTION (Amending WSR 13-03-109, filed 1/17/13, effective 5/1/13)

WAC 246-215-09150 Employee restrooms—Toilet facilities. The PERMIT HOLDER shall ensure APPROVED toilet facilities are available for employees:

(1) Readily accessible and within (~~200~~) 500 feet of the MOBILE FOOD UNIT during times of operation, if at any one location for more than one hour; and

(2) Provided with handwashing facilities that meet the requirements specified under WAC 246-215-05210.