

RCW 17.21.150 Violation of chapter—Unlawful acts. A person who has committed any of the following acts is declared to be in violation of this chapter:

- (1) Made false or fraudulent claims through any media, misrepresenting the effect of materials or methods to be utilized;
- (2) Applied worthless or improper pesticides;
- (3) Operated a faulty or unsafe apparatus;
- (4) Operated in a faulty, careless, or negligent manner;
- (5) Refused or neglected to comply with the provisions of this chapter, the rules adopted hereunder, or of any lawful order of the director including a final order of the director directing payment of a civil penalty. In an adjudicative proceeding arising from the department's denial of a license for failure to pay a civil penalty the subject shall be limited to whether the payment was made and the proceeding may not be used to collaterally attack the final order;
- (6) Refused or neglected to keep and maintain the pesticide application records required by rule, or to make reports when and as required;
- (7) Made false or fraudulent records, invoices, or reports;
- (8) Acted as a certified applicator without having provided direct supervision to an unlicensed person;
- (9) Operated an unlicensed apparatus or an apparatus without a license plate issued for that particular apparatus;
- (10) Used fraud or misrepresentation in making an application for a license or renewal of a license;
- (11) Is not qualified to perform the type of pest control under the conditions and in the locality in which he or she operates or has operated, regardless of whether or not he or she has previously passed a pesticide license examination;
- (12) Aided or abetted a licensed or an unlicensed person to evade the provisions of this chapter, combined or conspired with such a licensed or an unlicensed person to evade the provisions of this chapter, or allowed one's license to be used by an unlicensed person;
- (13) Knowingly made false, misleading, or erroneous statements or reports during or after an inspection concerning any infestation or infection of pests found on land or in connection with any pesticide complaint or investigation;
- (14) Impersonated any state, county or city inspector or official;
- (15) Applied a restricted use pesticide without having a certified applicator in direct supervision;
- (16) Operated a commercial pesticide application business: (a) Without an individual licensed as a commercial pesticide applicator or (b) with a licensed commercial pesticide applicator not licensed in the classification or classifications in which the business operates; or
- (17) Operated as a commercial pesticide applicator without meeting the financial responsibility requirements including not having a properly executed financial responsibility insurance certificate or surety bond form on file with the department. [2011 c 103 § 12; 1994 c 283 § 18; 1989 c 380 § 48; 1971 ex.s. c 191 § 4; 1967 c 177 § 8; 1961 c 249 § 15.]

Purpose—2011 c 103: See note following RCW 15.26.120.