

**RCW 70.87.125 Suspension or revocation of license or permit—
Grounds—Notice—Stay of suspension or revocation—Removal of
suspension or reinstatement of license or permit.** (1) A license
issued under this chapter may be suspended, revoked, or subject to
civil penalty by the department upon verification that any one or more
of the following reasons exist:

(a) Any false statement as to a material matter in the
application;

(b) Fraud, misrepresentation, or bribery in securing a license;

(c) Failure to notify the department and the owner or lessee of a
conveyance or related mechanisms of any condition not in compliance
with this chapter;

(d) A violation of any provisions of this chapter; and

(e) If the elevator contractor does not employ an individual
designated as the primary point of contact with the department and who
has successfully completed the elevator contractor examination. In the
case of a separation of employment, termination of this relationship
or designation, or death of the designated individual, the elevator
contractor must, within ninety days, designate a new individual who
has successfully completed the elevator contractor examination.

(2) The department may suspend or revoke a permit if:

(a) The permit was obtained through fraud or by error if, in the
absence of error, the department would not have issued the permit;

(b) The conveyance for which the permit was issued has not been
worked on in accordance with this chapter; or

(c) The conveyance has become unsafe.

(3) The department shall suspend any license issued under this
chapter promptly after receiving notice from the department of social
and health services that the holder of the license has been certified
pursuant to RCW 74.20A.320 as a person who is not in compliance with a
support order. If the person has continued to meet all other license
requirements during the suspension, reissuance of the license shall be
automatic upon the department's receipt of a release issued by the
department of social and health services stating that the person is in
compliance with the order.

(4) The department shall notify in writing the owner, licensee,
or person performing conveyance work, of its action and the reason for
the action. The department shall send the notice using a method by
which the mailing can be tracked or the delivery can be confirmed to
the last known address of the owner or person. The notice shall inform
the owner or person that a hearing may be requested pursuant to RCW
70.87.170.

(5) (a) If the department has suspended or revoked a permit or
license because of fraud or error, and a hearing is requested, the
suspension or revocation shall be stayed until the hearing is
concluded and a decision is issued.

(b) If the department has revoked or suspended a license because
the licensee performing the work covered by this chapter is working in
a manner that does not effectively prevent injuries or deaths or
protect employees and the public from unsafe conditions as is required
by this chapter, the suspension or revocation is effective immediately
and shall not be stayed by a request for a hearing.

(c) If the department has revoked or suspended a permit because
the conveyance is unsafe or the conveyance work is not permitted and
performed in accordance with this chapter, the suspension or

revocation is effective immediately and shall not be stayed by a request for a hearing.

(6) The department must remove a suspension or reinstate a revoked license if the licensee pays all the assessed civil penalties and is able to demonstrate to the department that the licensee has met all the qualifications established by this chapter.

(7) The department shall remove a suspension or reinstate a revoked permit if a conveyance is repaired or modified to bring it into compliance with this chapter. [2011 c 301 s 22; 2003 c 143 s 16; 2002 c 98 s 6; 1983 c 123 s 10.]

Part headings and captions not law—Effective date—2003 c 143:

See notes following RCW 70.87.020.