
ENGROSSED SENATE BILL 5280

State of Washington 53rd Legislature 1993 Regular Session

By Senators Hargrove, Erwin, Owen, Sutherland and Jesernig

Read first time 01/21/93. Referred to Committee on Labor & Commerce.

1 AN ACT Relating to certificates of competency for registered
2 contractors; adding new sections to chapter 18.27 RCW; creating a new
3 section; prescribing penalties; and providing an effective date.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 18.27 RCW
6 to read as follows:

7 (1) By July 1, 1994, the department shall develop and implement a
8 voluntary certificate of competency program for general and specialty
9 contractors registered under this chapter.

10 (2) The department shall prepare appropriate examinations for
11 general and specialty contractors' certificates of competency to be
12 administered to eligible applicants. The examination must be
13 constructed to determine:

14 (a) Whether the applicant possesses varied general knowledge of the
15 technical information and practical procedures identified with the
16 construction trade; and

17 (b) Whether the applicant is familiar with the applicable building
18 codes, statutory requirements, and administrative rules pertaining to
19 the construction trade.

1 (3)(a) An applicant for a contractor certificate of competency
2 shall submit the required fee, except as otherwise provided in
3 subsection (4) of this section, and an application to take the
4 competency examination on the form and in the manner prescribed by the
5 department. The applicant must be a registered contractor, and, except
6 as otherwise provided in (c) of this subsection, must provide written
7 evidence that he or she has completed a course of study in the
8 construction trade for general or specialty contractors, as
9 appropriate, at a school or training program approved by the
10 department. If the director determines that the applicant is eligible
11 to take the examination, the director shall notify the applicant of the
12 time and place of the examination. The director shall establish
13 reasonable rules for the conduct of examinations.

14 (b) The department shall certify the results of the examination and
15 shall notify the applicant in writing whether he or she has passed or
16 failed. An applicant who has failed the examination may retake the
17 examination, on the terms and after a period of time determined by the
18 department by rule. The number of times that an applicant may take the
19 examination may not be limited.

20 (4) The department shall issue a certificate of competency to an
21 applicant who has passed the examination and has paid all appropriate
22 fees, or to a registered contractor engaged in a bona fide contracting
23 business with at least two years of experience, who has paid all
24 appropriate fees. The certificate must bear the date of issuance, and
25 must expire on the birthdate of the holder immediately following the
26 date of issuance. The certificate is renewable every other year, upon
27 application and payment of a fee, on or before the holder's birthdate.
28 A doubled fee shall be charged for failure to renew the certificate by
29 the renewal date. A holder shall retake the examination and pay the
30 examination fee if he or she does not renew the certificate within
31 ninety days of the renewal date in order to renew the certificate.

32 (5) The department shall establish certification fees that cover
33 the full cost of processing applications for certification, developing
34 and administering the examination, and issuing and renewing
35 certification.

36 (6) The holder of a certificate of competency may verbally
37 represent that he or she holds a certificate of competency and may
38 include the information that he or she holds the certificate in
39 documents, including but not limited to advertising, contracts,

1 business cards, and signs. A making of a claim by a contractor that he
2 or she holds a certificate of competency when such a certificate has
3 not been lawfully issued to the contractor or is not in force under
4 this chapter is an infraction and the contractor is subject to having
5 his or her registration suspended for up to two years.

6 NEW SECTION. **Sec. 2.** A new section is added to chapter 18.27 RCW
7 to read as follows:

8 (1) There is created a state advisory committee of construction
9 contractors, comprised of seven members appointed by the director. One
10 member shall be from each of the following construction
11 classifications: (a) Commercial/retail construction; (b) highway/
12 industrial construction; (c) municipal/utility construction; (d) marine
13 construction; (e) residential single-family construction; and (f)
14 residential multifamily construction. The seventh member shall be a
15 representative of the general public who is familiar with the business
16 and trade of construction.

17 (2) The initial terms of the members of the advisory committee
18 shall be as follows: For the members representing commercial/retail
19 and marine construction, one year; for the members representing
20 highway/industrial, residential single-family construction, and the
21 general public, two years; and for the members representing municipal/
22 utility and residential multifamily construction, three years. The
23 regular term of the members of the advisory committee shall be three
24 years. The director shall appoint or reappoint committee members to
25 fill vacancies created by the completion of terms. In the case of a
26 vacancy on the committee for any other reason, the director shall
27 appoint a successor from the same construction classification to serve
28 out the term of the person whose position has become vacant.

29 (3) It shall be the purpose and function of the committee to advise
30 the department on all matters pertaining to the development,
31 implementation, and enforcement of the voluntary certificate of
32 competency program for general and specialty contractors registered
33 under this chapter.

34 (4) Each member of the committee shall be reimbursed for travel
35 expenses and paid special per diem rates in accordance with RCW
36 43.03.050 and 43.03.060 for each day such member is engaged in bona
37 fide business of the advisory committee.

1 NEW SECTION. **Sec. 3.** This act shall take effect January 1, 1994.

2 NEW SECTION. **Sec. 4.** The director of the department of labor and
3 industries may take such steps as are necessary to ensure that this act
4 is implemented on its effective date.

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