

## WAC 296-46B-915 Civil penalty schedule.

### Notes:

Each day that a violation occurs on a job site may be a separate offense. Once a violation of chapter 19.28 RCW or chapter 296-46B WAC becomes a final judgment, any additional violation within three years becomes a "second" or "additional" offense subject to an increased penalty as set forth in the following tables. In case of serious noncompliance or a serious violation of the provisions of chapter 19.28 RCW or as described in WAC 296-46B-990, the department may double the penalty amount, up to ten thousand dollars shown in subsections (1) through (13) of this section. A person, firm, partnership, corporation or other entity who violates a provision of chapter 19.28 RCW or chapter 296-46B WAC is liable for a civil penalty based upon the following schedule.

#### **(1) Offering to perform, submitting a bid for, advertising, installing or maintaining cables, conductors or equipment:**

(a) That convey or utilize electrical current without having a valid electrical contractor's license; or

(b) Used for information generation, processing, or transporting of signals optically or electronically in telecommunications systems without having a valid telecommunications contractor's license.

First offense:	\$1,000
Second offense:	\$2,000
Third offense:	\$3,000
Each offense thereafter:	\$10,000

#### **(2) Employing an individual for the purposes of chapter 19.28 RCW who does not possess a valid certificate of competency or training certificate to do electrical work.**

First offense:	\$250
Each offense thereafter:	\$500

#### **(3) Performing electrical work without having a valid certificate of competency or electrical training certificate.**

(a) Failing to visibly display a certificate (must possess a valid, active certificate).

First offense:	\$50
Each offense thereafter:	\$100

(b) Performing electrical work while not possessing a valid certificate or working outside the scope of a certificate.

First offense:	\$250
Each offense thereafter:	\$500

#### **(4) Employing electricians and electrical trainees for the purposes of chapter 19.28 RCW in an improper ratio. Contractors found to have violated this section three times in a three-year period must be the subject of an electrical audit in accordance with WAC 296-46B-975.**

First offense:	\$250
Each offense thereafter:	\$500

#### **(5) Failing to provide proper supervision to an electrical trainee as required by chapter 19.28 RCW. Contractors found to have violated this section three times in a three-year period must be the subject of an electrical audit in accordance with WAC 296-46B-975.**

First offense:	\$250
Each offense thereafter:	\$500

#### **(6) Working as an electrical trainee without proper supervision as required by chapter 19.28 RCW.**

First offense:	\$50
Second offense:	\$250
Each offense thereafter:	\$500

#### **(7) Offering, bidding, advertising, or performing electrical or telecommunications installations, alterations or maintenance outside the scope of the firm's specialty electrical or telecommunications contractors license.**

First offense:	\$500
Second offense:	\$1,500
Third offense:	\$3,000
Each offense thereafter:	\$6,000

#### **(8) Selling or exchanging electrical equipment associated with spas, hot tubs, swimming pools or hydromassage bathtubs which are not listed by an approved laboratory.**

First offense:	\$500
Second offense:	\$1,000
Each offense thereafter:	\$2,000

**Definition:**

The sale or exchange of electrical equipment associated with hot tubs, spas, swimming pools or hydromassage bathtubs includes to: "Sell, offer for sale, advertise, display for sale, dispose of by way of gift, loan, rental, lease, premium, barter or exchange."

**(9) Covering or concealing installations prior to inspection.**

First offense: \$250  
Second offense: \$1,000  
Each offense thereafter: \$2,000

**(10) Failing to make corrections within fifteen days of notification by the department.**

**Exception:**

Where an extension has been requested and granted, this penalty applies to corrections not completed within the extended time period.

First offense: \$250  
Second offense: \$1,000  
Each offense thereafter: \$2,000

**(11) Failing to get an inspection or obtain an electrical/telecommunications work permit or post a provisional electrical work permit label prior to beginning the electrical/telecommunications installation or alteration.**

**Exception:**

In cases of emergency repairs, for owners, to existing electrical/telecommunications systems, this penalty will not be charged if the permit is obtained and posted no later than the business day following beginning work on the emergency repair.

**(a) Standard/provisional permit offenses:**

First offense: \$250  
Second offense: \$1,000  
Each offense thereafter: \$2,000

**(b) Class B offenses:**

Failure to post a Class B label or number for Class B eligible work:

First offense: \$100  
Second offense: \$250  
Each offense thereafter: \$1,000

**(c) For other Class B offenses:**

First offense: \$100  
Second offense: \$250  
Each offense thereafter: \$1,000

**(12) Violating chapter 19.28 RCW duties of the electrical/telecommunications administrator or master electrician.**

**(a) Failing to be a member of the firm or a supervisory employee and must be available during working hours to carry out the duties of an administrator or master electrician.**

First offense: \$1,000  
Second offense: \$1,500  
Each offense thereafter: \$3,000

**(b) Failing to ensure that all electrical work complies with the electrical installation laws and rules of the state.**

First offense: \$100  
Second offense: \$250  
Third offense: \$1,000  
Each offense thereafter: \$3,000

**(c) Failing to ensure that the proper electrical safety procedures are used.**

First offense: \$500  
Second offense: \$1,500  
Each offense thereafter: \$3,000

**(d) Failing to ensure that inspections are obtained and that all electrical labels, permits, and certificates required to perform electrical work are used.**

**Standard/provisional permit offenses:**

First offense: \$250  
Each offense thereafter: \$500

Class B offenses:  
 First offense: \$100  
 Second offense: \$250  
 Each offense thereafter: \$1,000

(e) Failing to ensure that all electrical licenses, required to perform electrical work are used (i.e., work performed must be in the allowed scope of work for the contractor).

First offense: \$500  
 Second offense: \$1,500  
 Third offense: \$3,000  
 Each offense thereafter: \$6,000

(f) Failing to see that corrective notices issued by an inspecting authority are complied with within fifteen days.

Exception: Where an extension has been requested and granted, this penalty applies to corrections not completed within the extended time period.

First offense: \$250  
 Second offense: \$1,000  
 Each offense thereafter: \$2,000

(g) Failing to notify the department in writing within ten days if the master electrician or administrator terminates the relationship with the electrical contractor.

First offense: \$500  
 Second offense: \$1,000  
 Each offense thereafter: \$3,000

**(13) Causing or failing to correct a serious violation.**

A serious violation is a violation of chapter 19.28 RCW or 296-46B WAC that creates a hazard of fire or a danger to life safety.

First offense: \$1,000  
 Second offense: \$3,000  
 Each offense thereafter: \$5,000

**(14) Violating any of the provisions of chapter 19.28 RCW or chapter 296-46B WAC which are not identified in subsections (1) through (12) of this section.**

(a) RCW 19.28.161 through 19.28.271 and the rules developed pursuant to them.

First offense: \$250  
 Each offense thereafter: \$500

(b) All other chapter 19.28 RCW provisions and the rules developed pursuant to them.

First offense: \$250  
 Second offense: \$750  
 Each offense thereafter: \$2,000

[Statutory Authority: Chapter 19.28 RCW, RCW 19.28.031 and 19.28.251. WSR 19-15-117, § 296-46B-915, filed 7/23/19, effective 8/23/19. Statutory Authority: Chapter 19.28 RCW, RCW 19.28.010 and 19.28.031. WSR 17-12-021, § 296-46B-915, filed 5/30/17, effective 7/1/17. Statutory Authority: Chapter 19.28 RCW. WSR 14-11-075, § 296-46B-915, filed 5/20/14, effective 7/1/14; WSR 13-03-128, § 296-46B-915, filed 1/22/13, effective 3/1/13. Statutory Authority: RCW 19.28.006, 19.28.010, 19.28.031, 19.28.041, 19.28.061, 19.28.101, 19.28.131, 19.28.161, 19.28.171, 19.28.191, 19.28.201, 19.28.211, 19.28.241, 19.28.251, 19.28.281, 19.28.311, 19.28.321, 19.28.400, 19.28.420, 19.28.490, 19.28.551. WSR 09-20-032, § 296-46B-915, filed 9/29/09, effective 10/31/09; WSR 08-24-048, § 296-46B-915, filed 11/25/08, effective 12/31/08; WSR 06-05-028, § 296-46B-915, filed 2/7/06, effective 5/1/06; WSR 05-22-025, § 296-46B-915, filed 10/25/05, effective 11/25/05; WSR 05-10-024, § 296-46B-915, filed 4/26/05, effective 6/30/05. Statutory Authority: Chapter 19.28 RCW. WSR 04-21-086, §

296-46B-915, filed 10/20/04, effective 11/22/04. Statutory Authority: RCW 19.28.006, 19.28.010, 19.28.031, 19.28.041, 19.28.061, 19.28.101, 19.28.131, 19.28.161, 19.28.171, 19.28.191, 19.28.201, 19.28.211, 19.28.241, 19.28.251, 19.28.271, 19.28.311, 19.28.321, 19.28.400, 19.28.420, 19.28.490, 19.28.551, 2003 c 399, 2003 c 211, 2003 c 78, and 2003 c 242. WSR 04-12-049, § 296-46B-915, filed 5/28/04, effective 6/30/04. Statutory Authority: RCW 19.28.006, 19.28.010, 19.28.031, 19.28.041, 19.28.061, 19.28.101, 19.28.131, 19.28.161, 19.28.171, 19.28.191, 19.28.201, 19.28.211, 19.28.241, 19.28.251, 19.28.271, 19.28.311, 19.28.321, 19.28.400, 19.28.420, 19.28.490, 19.28.551, 2002 c 249, chapters 34.05 and 19.28 RCW. WSR 03-09-111, § 296-46B-915, filed 4/22/03, effective 4/22/03.]