CERTIFICATION OF ENROLLMENT

HOUSE BILL 2290

Chapter 116, Laws of 1992
52nd Legislature
1992 Regular Session

FIRE PROTECTION SPRINKLER SYSTEM CONTRACTORS

EFFECTIVE DATE: 3/31/92

Passed by the House March 9, 1992
Yeas 96  Nays 0

JOE KING
Speaker of the
House of Representatives

Passed by the Senate March 6, 1992
Yeas 43  Nays 4

JOEL PRITCHARD
President of the Senate

ALAN THOMPSON
Chief Clerk

Approved March 31, 1992

FILED
March 31, 1992 - 12:09 p.m.

BOOTH GARDNER
Governor of the State of Washington

SECRETARY OF STATE
State of Washington
AN ACT Relating to fire protection sprinkler systems; amending RCW 18.160.030; adding a new section to chapter 9.45 RCW; adding new sections to chapter 18.160 RCW; prescribing penalties; and declaring an emergency.

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

NEW SECTION. Sec. 1. A new section is added to chapter 9.45 RCW to read as follows:

Any fire protection sprinkler system contractor, defined under RCW 18.160.010, who willfully and maliciously constructs, installs, or maintains a fire protection sprinkler system in any structure so as to threaten the safety of any occupant or user of the structure in the event of a fire, is guilty of a class C felony. This section may not be construed to create any criminal liability for a prime contractor or an owner of a structure unless it is proved that the prime contractor
or owner had actual knowledge of an illegal construction, installation, or maintenance of a fire protection sprinkler system by a fire protection sprinkler system contractor.

Sec. 2. RCW 18.160.030 and 1990 c 177 s 4 are each amended to read as follows:

(1) This chapter shall be administered by the state director of fire protection.

(2) The state director of fire protection shall have the authority, and it shall be his or her duty to:

(a) Issue such administrative regulations as necessary for the administration of this chapter;

(b)(i) Set reasonable fees for licenses, certificates, testing, and other aspects of the administration of this chapter. However, the license fee for fire protection sprinkler system contractors engaged solely in the installation, inspection, maintenance, or servicing of NFPA 13-D fire protection sprinkler systems shall not exceed one hundred dollars, and the license fee for fire protection sprinkler system contractors engaged solely in the installation, inspection, maintenance, or servicing of NFPA 13-R fire protection sprinkler systems shall not exceed three hundred dollars;

(ii) Adopt rules establishing a special category restricted to contractors registered under chapter 18.27 RCW who install underground systems that service fire protection sprinkler systems. The rules shall be adopted within ninety days of the effective date of this act;

(c) Enforce the provisions of this chapter;

(d) Conduct investigations of complaints to determine if any infractions of this chapter or the regulations developed under this chapter have occurred;
(e) Work with the fire sprinkler advisory committee consisting of fire protection sprinkler system contractors and other related officials;

(f) Assign a certificate number to each certificate of competency holder; and

(g) Adopt rules necessary to implement and administer a program which requires the affixation of a seal any time a fire protection sprinkler system is installed, which seal shall include the certificate number of any certificate of competency holder who installs, in whole or in part, the fire protection sprinkler system.

NEW SECTION. Sec. 3. A new section is added to chapter 18.160 RCW to read as follows:

Any fire protection sprinkler system contractor who constructs, installs, or maintains a fire protection sprinkler system in any occupancy, except an owner-occupied single-family dwelling, without first obtaining a fire sprinkler contractor’s license from the state of Washington, is guilty of a gross misdemeanor. This section may not be construed to create any criminal liability for a prime contractor or an owner of an occupancy unless it is proved that the prime contractor or owner had actual knowledge of an illegal construction, installation, or maintenance of a fire protection sprinkler system by a fire protection sprinkler system contractor.

NEW SECTION. Sec. 4. A new section is added to chapter 18.160 RCW to read as follows:

Civil proceedings to enforce this chapter may be brought by the attorney general or the prosecuting attorney of any county where a violation occurs on his or her own motion or at the request of the state director of fire protection.
NEW SECTION. Sec. 5. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and shall take effect immediately.

Passed the House March 9, 1992.
Passed the Senate March 6, 1992.
Approved by the Governor March 31, 1992.
Filed in Office of Secretary of State March 31, 1992.