
HOUSE BILL 1870

State of Washington

54th Legislature

1995 Regular Session

By Representatives Mulliken, Scott, L. Thomas, Wolfe, Van Luven, Goldsmith, D. Schmidt, Reams, Thompson and Mason

Read first time 02/13/95. Referred to Committee on Commerce & Labor.

1 AN ACT Relating to electrical inspections; and amending RCW
2 19.28.070, 19.28.350, and 19.28.620.

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

4 **Sec. 1.** RCW 19.28.070 and 1986 c 156 s 4 are each amended to read
5 as follows:

6 The director of labor and industries of the state of Washington and
7 the officials of all incorporated cities and towns where electrical
8 inspections are required by local ordinances shall have power and it
9 shall be their duty to enforce the provisions of this chapter in their
10 respective jurisdictions, including proof of licensure and
11 certification. The director of labor and industries shall have power
12 to appoint an electrical inspector, and such assistant inspectors as he
13 or she shall deem necessary to assist him or her in the performance of
14 his or her duties. All electrical inspectors appointed by the director
15 of labor and industries shall have not less than four years experience
16 as journeyman electricians in installing and maintaining electrical
17 equipment, or two years electrical training in a college of electrical
18 engineering of recognized standing and four years continuous practical
19 electrical experience in installation work, or four years of electrical

1 training in a college of electrical engineering of recognized standing
2 and two years continuous practical electrical experience in electrical
3 installation work. Such state inspectors shall be paid such salary as
4 the director of labor and industries shall determine, together with
5 their travel expenses in accordance with RCW 43.03.050 and 43.03.060 as
6 now existing or hereafter amended. The expenses of the director of
7 labor and industries and the salaries and expenses of state inspectors
8 incurred in carrying out the provisions of this chapter shall be paid
9 entirely out of the electrical license fund, upon vouchers approved by
10 the director of labor and industries.

11 **Sec. 2.** RCW 19.28.350 and 1988 c 81 s 12 are each amended to read
12 as follows:

13 (1) Any person, firm, partnership, corporation, or other entity
14 violating any of the provisions of RCW 19.28.010 through 19.28.360
15 shall be assessed a penalty of not less than fifty dollars or more than
16 ten thousand dollars. The department shall set by rule a schedule of
17 penalties for violating RCW 19.28.010 through 19.28.360. The
18 department shall notify the person, firm, partnership, corporation, or
19 other entity violating any of the provisions of RCW 19.28.010 through
20 19.28.360 of the amount of the penalty and of the specific violation by
21 certified mail, return receipt requested, sent to the last known
22 address of the assessed party. Any penalty is subject to review by an
23 appeal to the board. The filing of an appeal stays the effect of the
24 penalty until the board makes its decision. The appeal shall be filed
25 within fifteen days after notice of the penalty is given to the
26 assessed party by certified mail, return receipt requested, sent to the
27 last known address of the assessed party and shall be made by filing a
28 written notice of appeal with the department. The notice shall be
29 accompanied by a certified check for two hundred dollars, which shall
30 be returned to the assessed party if the decision of the department is
31 not sustained by the board. If the board sustains the decision of the
32 department, the two hundred dollars shall be applied by the department
33 to the payment of the per diem and expenses of the members of the board
34 incurred in the matter, and any balance remaining after payment of per
35 diem and expenses shall be paid into the electrical license fund. The
36 hearing and review procedures shall be conducted in accordance with
37 chapter 34.05 RCW. The board shall assign its hearings to an
38 administrative law judge to conduct the hearing and issue a proposed

1 decision and order. The board shall be allowed a minimum of twenty
2 days to review a proposed decision and shall issue its decision no
3 later than the next regularly scheduled board meeting.

4 (2) Nothing in this section shall prohibit incorporated cities or
5 towns, empowered to enforce this chapter by RCW 19.28.070, from
6 assessing penalties for a violation of the provisions of RCW 19.28.010
7 through 19.28.360.

8 **Sec. 3.** RCW 19.28.620 and 1988 c 81 s 16 are each amended to read
9 as follows:

10 (1) It is unlawful for any person, firm, partnership, corporation,
11 or other entity to employ an individual for purposes of RCW 19.28.510
12 through 19.28.620 who has not been issued a certificate of competency
13 or a training certificate. It is unlawful for any individual to engage
14 in the electrical construction trade or to maintain or install any
15 electrical equipment or conductors without having in his or her
16 possession a certificate of competency or a training certificate under
17 RCW 19.28.510 through 19.28.620. Any person, firm, partnership,
18 corporation, or other entity found in violation of RCW 19.28.510
19 through 19.28.620 shall be assessed a penalty of not less than fifty
20 dollars or more than five hundred dollars. The department shall set by
21 rule a schedule of penalties for violating RCW 19.28.510 through
22 19.28.620. An appeal may be made to the board as is provided in RCW
23 19.28.350. The appeal shall be filed within fifteen days after the
24 notice of the penalty is given to the assessed party by certified mail,
25 return receipt requested, sent to the last known address of the
26 assessed party and shall be made by filing a written notice of appeal
27 with the department. Any equipment maintained or installed by any
28 person who does not possess a certificate of competency under RCW
29 19.28.510 through 19.28.620 shall not receive an electrical work permit
30 and electrical service shall not be connected or maintained to operate
31 the equipment. Each day that a person, firm, partnership, corporation,
32 or other entity violates the provisions of RCW 19.28.510 through
33 19.28.620 is a separate violation.

34 (2) A civil penalty shall be collected in a civil action brought by
35 the attorney general in the county wherein the alleged violation arose
36 at the request of the department if any of the provisions of RCW
37 19.28.510 through 19.28.620 or any rules (~~promulgated~~) adopted under
38 RCW 19.28.510 through 19.28.620 are violated.

1 (3) Nothing in this section shall prohibit incorporated cities or
2 towns, empowered to enforce this chapter by RCW 19.28.070, from
3 assessing penalties for a violation of the provisions of RCW 19.28.510
4 through 19.28.620.

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