

CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 1841

Chapter 224, Laws of 2006

59th Legislature
2006 Regular Session

ELECTRICAL TRAINEES

EFFECTIVE DATE: 6/7/06

Passed by the House March 7, 2006
Yeas 98 Nays 0

FRANK CHOPP

Speaker of the House of Representatives

Passed by the Senate March 7, 2006
Yeas 47 Nays 1

BRAD OWEN

President of the Senate

Approved March 27, 2006.

CHRISTINE GREGOIRE

Governor of the State of Washington

CERTIFICATE

I, Richard Nafziger, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 1841** as passed by the House of Representatives and the Senate on the dates hereon set forth.

RICHARD NAFZIGER

Chief Clerk

FILED

March 27, 2006 - 10:04 a.m.

**Secretary of State
State of Washington**

SUBSTITUTE HOUSE BILL 1841

AS AMENDED BY THE SENATE

Passed Legislature - 2006 Regular Session

State of Washington 59th Legislature 2006 Regular Session

By House Committee on Commerce & Labor (originally sponsored by Representatives Wood, Kenney, Conway, Strow, Sells, Simpson, Hasegawa and Santos)

READ FIRST TIME 02/28/05.

1 AN ACT Relating to electrical trainees and contractor licenses; and
2 amending RCW 19.28.041 and 19.28.161.

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

4 **Sec. 1.** RCW 19.28.041 and 2002 c 249 s 2 are each amended to read
5 as follows:

6 (1) It is unlawful for any person, firm, partnership, corporation,
7 or other entity to advertise, offer to do work, submit a bid, engage
8 in, conduct, or carry on the business of installing or maintaining
9 wires or equipment to convey electric current, or installing or
10 maintaining equipment to be operated by electric current as it pertains
11 to the electrical industry, without having an unrevoked, unsuspended,
12 and unexpired electrical contractor license, issued by the department
13 in accordance with this chapter. All electrical contractor licenses
14 expire twenty-four calendar months following the day of their issue.
15 The department may issue an electrical contractors license for a period
16 of less than twenty-four months only for the purpose of equalizing the
17 number of electrical contractor licenses that expire each month.
18 Application for an electrical contractor license shall be made in

1 writing to the department, accompanied by the required fee. The
2 application shall state:

3 (a) The name and address of the applicant; in case of firms or
4 partnerships, the names of the individuals composing the firm or
5 partnership; in case of corporations, the names of the managing
6 officials thereof;

7 (b) The location of the place of business of the applicant and the
8 name under which the business is conducted;

9 (c) Employer social security number;

10 (d) Evidence of workers' compensation coverage for the applicant's
11 employees working in Washington, as follows:

12 (i) The applicant's industrial insurance account number issued by
13 the department;

14 (ii) The applicant's self-insurer number issued by the department;
15 or

16 (iii) For applicants domiciled in a state or province of Canada
17 subject to an agreement entered into under RCW 51.12.120(7), as
18 permitted by the agreement, filing a certificate of coverage issued by
19 the agency that administers the workers' compensation law in the
20 applicant's state or province of domicile certifying that the applicant
21 has secured the payment of compensation under the other state's or
22 province's workers' compensation law;

23 (e) Employment security department number;

24 (f) State excise tax registration number;

25 (g) Unified business identifier (UBI) account number may be
26 substituted for the information required by (d) of this subsection if
27 the applicant will not employ employees in Washington, and by (e) and
28 (f) of this subsection; and

29 (h) Whether a general or specialty electrical contractor license is
30 sought and, if the latter, the type of specialty. Electrical
31 contractor specialties include, but are not limited to: Residential,
32 pump and irrigation, limited energy system, signs, nonresidential
33 maintenance, restricted nonresidential maintenance, appliance repair,
34 and a combination specialty. A general electrical contractor license
35 shall grant to the holder the right to engage in, conduct, or carry on
36 the business of installing or maintaining wires or equipment to carry
37 electric current, and installing or maintaining equipment, or
38 installing or maintaining material to fasten or insulate such wires or

1 equipment to be operated by electric current, in the state of
2 Washington. A specialty electrical contractor license shall grant to
3 the holder a limited right to engage in, conduct, or carry on the
4 business of installing or maintaining wires or equipment to carry
5 electrical current, and installing or maintaining equipment; or
6 installing or maintaining material to fasten or insulate such wires or
7 equipment to be operated by electric current in the state of Washington
8 as expressly allowed by the license.

9 (2) The department may verify the workers' compensation coverage
10 information provided by the applicant under subsection (1)(d) of this
11 section, including but not limited to information regarding the
12 coverage of an individual employee of the applicant. If coverage is
13 provided under the laws of another state, the department may notify the
14 other state that the applicant is employing employees in Washington.

15 (3) The application for an electrical contractor license shall be
16 accompanied by a bond in the sum of four thousand dollars with the
17 state of Washington named as obligee in the bond, with good and
18 sufficient surety, to be approved by the department. The bond shall at
19 all times be kept in full force and effect, and any cancellation or
20 revocation thereof, or withdrawal of the surety therefrom, suspends the
21 license issued to the principal until a new bond has been filed and
22 approved as provided in this section. Upon approval of a bond, the
23 department shall on the next business day deposit the fee accompanying
24 the application in the electrical license fund and shall file the bond
25 in the office. The department shall upon request furnish to any
26 person, firm, partnership, corporation, or other entity a certified
27 copy of the bond upon the payment of a fee that the department shall
28 set by rule. The fee shall cover but not exceed the cost of furnishing
29 the certified copy. The bond shall be conditioned that in any
30 installation or maintenance of wires or equipment to convey electrical
31 current, and equipment to be operated by electrical current, the
32 principal will comply with the provisions of this chapter and with any
33 electrical ordinance, building code, or regulation of a city or town
34 adopted pursuant to RCW 19.28.010(3) that is in effect at the time of
35 entering into a contract. The bond shall be conditioned further that
36 the principal will pay for all labor, including employee benefits, and
37 material furnished or used upon the work, taxes and contributions to
38 the state of Washington, and all damages that may be sustained by any

1 person, firm, partnership, corporation, or other entity due to a
2 failure of the principal to make the installation or maintenance in
3 accordance with this chapter or any applicable ordinance, building
4 code, or regulation of a city or town adopted pursuant to RCW
5 19.28.010(3). In lieu of the surety bond required by this section the
6 license applicant may file with the department a cash deposit or other
7 negotiable security acceptable to the department. If the license
8 applicant has filed a cash deposit, the department shall deposit the
9 funds in a special trust savings account in a commercial bank, mutual
10 savings bank, or savings and loan association and shall pay annually to
11 the depositor the interest derived from the account.

12 (4) The department shall issue general or specialty electrical
13 contractor licenses to applicants meeting all of the requirements of
14 this chapter. The provisions of this chapter relating to the licensing
15 of any person, firm, partnership, corporation, or other entity
16 including the requirement of a bond with the state of Washington named
17 as obligee therein and the collection of a fee therefor, are exclusive,
18 and no political subdivision of the state of Washington may require or
19 issue any licenses or bonds or charge any fee for the same or a similar
20 purpose. No person, firm, partnership, corporation, or other entity
21 holding more than one specialty contractor license under this chapter
22 may be required to pay an annual fee for more than one such license or
23 to post more than one four thousand dollar bond, equivalent cash
24 deposit, or other negotiable security.

25 (5) To obtain a general or specialty electrical contractor license
26 the applicant must designate an individual who currently possesses a
27 valid master journeyman electrician's certificate of competency, master
28 specialty electrician's certificate of competency in the specialty for
29 which application has been made, or administrator's certificate as a
30 general electrical contractor administrator or as a specialty
31 electrical contractor administrator in the specialty for which
32 application has been made.

33 (6) Administrator certificate specialties include but are not
34 limited to: Residential, pump and irrigation, limited energy system,
35 signs, nonresidential maintenance, restricted nonresidential
36 maintenance, appliance repair, and combination specialty. To obtain an
37 administrator's certificate an individual must pass an examination as
38 set forth in RCW 19.28.051 unless the applicant was a licensed

1 electrical contractor at any time during 1974. Applicants who were
2 electrical contractors licensed by the state of Washington at any time
3 during 1974 are entitled to receive a general electrical contractor
4 administrator's certificate without examination if the applicants apply
5 prior to January 1, 1984. The board of electrical examiners shall
6 certify to the department the names of all persons who are entitled to
7 either a general or specialty electrical contractor administrator's
8 certificate.

9 **Sec. 2.** RCW 19.28.161 and 2002 c 249 s 4 are each amended to read
10 as follows:

11 (1) No person may engage in the electrical construction trade
12 without having a valid master journeyman electrician certificate of
13 competency, journeyman electrician certificate of competency, master
14 specialty electrician certificate of competency, or specialty
15 electrician certificate of competency issued by the department in
16 accordance with this chapter. Electrician certificate of competency
17 specialties include, but are not limited to: Residential, pump and
18 irrigation, limited energy system, signs, nonresidential maintenance,
19 restricted nonresidential maintenance, and appliance repair.

20 (2) A person who is indentured in an apprenticeship program
21 approved under chapter 49.04 RCW for the electrical construction trade
22 or who is learning the electrical construction trade may work in the
23 electrical construction trade if supervised by a certified master
24 journeyman electrician, journeyman electrician, master specialty
25 electrician in that electrician's specialty, or specialty electrician
26 in that electrician's specialty. All apprentices and individuals
27 learning the electrical construction trade shall obtain an electrical
28 training certificate from the department. The certificate shall
29 authorize the holder to learn the electrical construction trade while
30 under the direct supervision of a master journeyman electrician,
31 journeyman electrician, master specialty electrician working in that
32 electrician's specialty, or specialty electrician working in that
33 electrician's specialty. The holder of the electrical training
34 certificate shall renew the certificate biennially. At the time of
35 renewal, the holder shall provide the department with an accurate list
36 of the holder's employers in the electrical construction industry for
37 the previous biennial period and the number of hours worked for each

1 employer, and proof of sixteen hours of approved classroom electrical
2 continuing education courses covering this chapter, the national
3 electrical code, or electrical theory, or the equivalent electrical
4 training courses taken as part of an approved apprenticeship program
5 under chapter 49.04 RCW or an approved electrical training program
6 under RCW 19.28.191(1)(h). This education requirement is effective
7 July 1, 2007. A biennial fee shall be charged for the issuance or
8 renewal of the certificate. The department shall set the fee by rule.
9 The fee shall cover but not exceed the cost of administering and
10 enforcing the trainee certification and supervision requirements of
11 this chapter. Apprentices and individuals learning the electrical
12 construction trade shall have their electrical training certificates in
13 their possession at all times that they are performing electrical work.
14 They shall show their certificates to an authorized representative of
15 the department at the representative's request.

16 (3) Any person who has been issued an electrical training
17 certificate under this chapter may work if that person is under
18 supervision. Supervision shall consist of a person being on the same
19 job site and under the control of either a certified master journeyman
20 electrician, journeyman electrician, master specialty electrician
21 working in that electrician's specialty, or specialty electrician
22 working in that electrician's specialty. Either a certified master
23 journeyman electrician, journeyman electrician, master specialty
24 electrician working in that electrician's specialty, or specialty
25 electrician working in that electrician's specialty shall be on the
26 same job site as the noncertified individual for a minimum of seventy-
27 five percent of each working day unless otherwise provided in this
28 chapter.

29 (4) The ratio of noncertified individuals to certified master
30 journeymen electricians, journeymen electricians, master specialty
31 electricians, or specialty electricians on any one job site is as
32 follows:

33 (a) When working as a specialty electrician, not more than two
34 noncertified individuals for every certified master specialty
35 electrician working in that electrician's specialty, specialty
36 electrician working in that electrician's specialty, master journeyman
37 electrician, or journeyman electrician, except that the ratio
38 requirements are one certified master specialty electrician working in

1 that electrician's specialty, specialty electrician working in that
2 electrician's specialty, master journeyman electrician, or journeyman
3 electrician working as a specialty electrician to no more than four
4 students enrolled in and working as part of an electrical construction
5 program at public community or technical colleges, or not-for-profit
6 nationally accredited trade or technical schools licensed by the work
7 force training and education coordinating board under chapter 28C.10
8 RCW. In meeting the ratio requirements for students enrolled in an
9 electrical construction program at a trade school, a trade school may
10 receive input and advice from the electrical board; and

11 (b) When working as a journeyman electrician, not more than one
12 noncertified individual for every certified master journeyman
13 electrician or journeyman electrician, except that the ratio
14 requirements shall be one certified master journeyman electrician or
15 journeyman electrician to no more than four students enrolled in and
16 working as part of an electrical construction program at public
17 community or technical colleges, or not-for-profit nationally
18 accredited trade or technical schools licensed by the work force
19 training and education coordinating board under chapter 28C.10 RCW. In
20 meeting the ratio requirements for students enrolled in an electrical
21 construction program at a trade school, a trade school may receive
22 input and advice from the electrical board.

23 An individual who has a current training certificate and who has
24 successfully completed or is currently enrolled in an approved
25 apprenticeship program or in an electrical construction program at
26 public community or technical colleges, or not-for-profit nationally
27 accredited technical or trade schools licensed by the work force
28 training and education coordinating board under chapter 28C.10 RCW, may
29 work without direct on-site supervision during the last six months of
30 meeting the practical experience requirements of this chapter.

31 (5) For the residential (as specified in WAC 296-46A-930(2)(a)),
32 pump and irrigation (as specified in WAC 296-46A-930(2)(b)(i)), sign
33 (as specified in WAC 296-46A-930(2)(c)), limited energy (as specified
34 in WAC 296-46A-930(2)(e)(i)), nonresidential maintenance (as specified
35 in WAC 296-46A-930(2)(f)(i)), restricted nonresidential maintenance as
36 determined by the department in rule, or other new nonresidential
37 specialties, not including appliance repair, as determined by the
38 department in rule, either a master journeyman electrician, journeyman

1 electrician, master specialty electrician working in that electrician's
2 specialty, or specialty electrician working in that electrician's
3 specialty must be on the same job site as the noncertified individual
4 for a minimum of seventy-five percent of each working day. Other
5 specialties must meet the requirements specified in RCW
6 19.28.191(1)((~~f~~)(~~ii~~)) (g)(ii). When the ratio of certified
7 electricians to noncertified individuals on a job site is one certified
8 electrician to three or four noncertified individuals, the certified
9 electrician must:

10 (a) Directly supervise and instruct the noncertified individuals
11 and the certified electrician may not directly make or engage in an
12 electrical installation; and

13 (b) Be on the same job site as the noncertified individual for a
14 minimum of one hundred percent of each working day.

15 (6) The electrical contractor shall accurately verify and attest to
16 the electrical trainee hours worked by electrical trainees on behalf of
17 the electrical contractor.

Passed by the House March 7, 2006.

Passed by the Senate March 7, 2006.

Approved by the Governor March 27, 2006.

Filed in Office of Secretary of State March 27, 2006.