
HOUSE BILL 1749

State of Washington 64th Legislature 2015 Regular Session

By Representatives MacEwen, Manweller, and Condotta

Read first time 01/28/15. Referred to Committee on Labor.

1 AN ACT Relating to contractor registration requirements for
2 owners of property; and amending RCW 18.27.010.

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

4 **Sec. 1.** RCW 18.27.010 and 2007 c 436 s 1 are each amended to
5 read as follows:

6 The definitions in this section apply throughout this chapter
7 unless the context clearly requires otherwise.

8 (1)(a) "Contractor" includes any person, firm, corporation, or
9 other entity who or which, in the pursuit of an independent business
10 undertakes to, or offers to undertake, or submits a bid to,
11 construct, alter, repair, add to, subtract from, improve, develop,
12 move, wreck, or demolish any building, highway, road, railroad,
13 excavation or other structure, project, development, or improvement
14 attached to real estate or to do any part thereof including the
15 installation of carpeting or other floor covering, the erection of
16 scaffolding or other structures or works in connection therewith, the
17 installation or repair of roofing or siding, performing tree removal
18 services, or cabinet or similar installation(~~(; or, who, to do~~
19 ~~similar work upon his or her own property, employs members of more~~
20 ~~than one trade upon a single job or project or under a single~~
21 ~~building permit except as otherwise provided in this chapter)).~~

1 **(b)** "Contractor" also includes a consultant acting as a general
2 contractor.

3 **(c)** "Contractor" also includes any person, firm, corporation, or
4 other entity covered by this subsection **(1)**, whether or not
5 registered as required under this chapter or who are otherwise
6 required to be registered or licensed by law, who offer to sell their
7 property without occupying or using the structures, projects,
8 developments, or improvements for more than one year from the date
9 the structure, project, development, or improvement was substantially
10 completed or abandoned. A person, firm, corporation, or other entity
11 is not a contractor under this subsection (1)(c) if the person, firm,
12 corporation, or other entity: (i) Contracts with a registered general
13 contractor and does not superintend the work; or (ii) undertakes only
14 the installation of carpeting or other floor covering, or painting,
15 or both.

16 (2) "Department" means the department of labor and industries.

17 (3) "Director" means the director of the department of labor and
18 industries or designated representative employed by the department.

19 (4) "Filing" means delivery of a document that is required to be
20 filed with an agency to a place designated by the agency.

21 (5) "General contractor" means a contractor whose business
22 operations require the use of more than one building trade or craft
23 upon a single job or project or under a single building permit. A
24 general contractor also includes one who superintends, or consults
25 on, in whole or in part, work falling within the definition of a
26 contractor.

27 (6) "Notice of infraction" means a form used by the department to
28 notify contractors that an infraction under this chapter has been
29 filed against them.

30 (7) "Partnership" means a business formed under Title 25 RCW.

31 (8) "Registration cancellation" means a written notice from the
32 department that a contractor's action is in violation of this chapter
33 and that the contractor's registration has been revoked.

34 (9) "Registration suspension" means either an automatic
35 suspension as provided in this chapter, or a written notice from the
36 department that a contractor's action is a violation of this chapter
37 and that the contractor's registration has been suspended for a
38 specified time, or until the contractor shows evidence of compliance
39 with this chapter.

1 (10) "Residential homeowner" means an individual person or
2 persons owning or leasing real property:

3 (a) Upon which one single-family residence is to be built and in
4 which the owner or lessee intends to reside upon completion of any
5 construction; or

6 (b) Upon which there is a single-family residence to which
7 improvements are to be made and in which the owner or lessee intends
8 to reside upon completion of any construction.

9 (11) "Service," except as otherwise provided in RCW 18.27.225 and
10 18.27.370, means posting in the United States mail, properly
11 addressed, postage prepaid, return receipt requested, or personal
12 service. Service by mail is complete upon deposit in the United
13 States mail to the last known address provided to the department.

14 (12) "Specialty contractor" means a contractor whose operations
15 do not fall within the definition of "general contractor". A
16 specialty contractor may only subcontract work that is incidental to
17 the specialty contractor's work.

18 (13) "Substantial completion" means the same as "substantial
19 completion of construction" in RCW 4.16.310.

20 (14) "Unregistered contractor" means a person, firm, corporation,
21 or other entity doing work as a contractor without being registered
22 in compliance with this chapter. "Unregistered contractor" includes
23 contractors whose registration is expired, revoked, or suspended.
24 "Unregistered contractor" does not include a contractor who has
25 maintained a valid bond and the insurance or assigned account
26 required by RCW 18.27.050, and whose registration has lapsed for
27 thirty or fewer days.

28 (15) "Unsatisfied final judgment" means a judgment or final tax
29 warrant that has not been satisfied either through payment, court
30 approved settlement, discharge in bankruptcy, or assignment under RCW
31 19.72.070.

32 (16) "Verification" means the receipt and duplication by the
33 city, town, or county of a contractor registration card that is
34 current on its face, checking the department's contractor
35 registration database, or calling the department to confirm that the
36 contractor is registered.

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