
HOUSE BILL 2440

State of Washington

65th Legislature

2018 Regular Session

By Representative Manweller

Read first time 01/09/18. Referred to Committee on Labor & Workplace Standards.

1 AN ACT Relating to the plumbing industry; amending RCW
2 18.106.110, 18.106.270, and 18.106.070; and prescribing penalties.

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

4 **Sec. 1.** RCW 18.106.110 and 2013 c 23 s 24 are each amended to
5 read as follows:

6 (1)(a) There is created a state advisory board of plumbers, to be
7 composed of ~~((seven))~~ eight members ~~((appointed by the director))~~.
8 Two members shall be journey level plumbers, one member shall be a
9 specialty plumber, three members shall be persons conducting a
10 plumbing business, at least one of which shall be primarily engaged
11 in a specialty plumbing business, ~~((and))~~ one member from the general
12 public who is familiar with the business and trade of plumbing, and
13 one member from the department of health.

14 (b) The secretary of the department of health shall appoint the
15 member from the department of health, and the director of the
16 department of labor and industries shall appoint all other members.

17 (2) The term of one journey level plumber expires July 1, 1995;
18 the term of the second journey level plumber expires July 1, 2000;
19 the term of the specialty plumber expires July 1, 2008; the term of
20 one person conducting a plumbing business expires July 1, 1996; the
21 term of the second person conducting a plumbing business expires July

1 1, 2000; the term of the third person conducting a plumbing business
2 expires July 1, 2007; ~~((and))~~ the term of the public member expires
3 July 1, 1997; and the term of the member from the department of
4 health expires July 1, 2020. Thereafter, upon the expiration of said
5 terms, the ~~((director))~~ person named in subsection (1)(b) of this
6 section shall appoint a new member to serve for a period of three
7 years. However, to ensure that the board can continue to act, a
8 member whose term expires shall continue to serve until his or her
9 replacement is appointed. In the case of any vacancy on the board for
10 any reason, the ~~((director))~~ person named in subsection (1)(b) of
11 this section shall appoint a new member to serve out the term of the
12 person whose position has become vacant.

13 (3) The advisory board shall carry out all the functions and
14 duties enumerated in this chapter, as well as generally advise the
15 department on all matters relative to enforcement of this chapter
16 including, but not limited to, plumbing industry promotion, standards
17 of plumbing installations, consumer protection, and standards for
18 protection of the public health.

19 (4) Each member of the advisory board shall receive travel
20 expenses in accordance with the provisions of RCW 43.03.050 and
21 43.03.060 as now existing or hereafter amended for each day in which
22 such member is actually engaged in attendance upon the meetings of
23 the advisory board.

24 **Sec. 2.** RCW 18.106.270 and 1994 c 174 s 8 are each amended to
25 read as follows:

26 (1) A person found to have committed an infraction under RCW
27 18.106.020 ~~((shall))~~ may be assessed a monetary penalty of ~~((two~~
28 ~~hundred fifty))~~ five hundred dollars for the first infraction, and
29 not more than one thousand five hundred dollars for a second or
30 subsequent infraction. The department shall set by rule a schedule of
31 penalties for infractions imposed under this chapter.

32 (2) The administrative law judge may not waive, reduce, or
33 suspend the monetary penalty ~~((imposed for the infraction))~~. However,
34 the director may waive or reduce the collection of the penalty for
35 good cause shown.

36 (3) Monetary penalties collected under this chapter shall be
37 deposited in the plumbing certificate fund.

1 **Sec. 3.** RCW 18.106.070 and 2013 c 23 s 19 are each amended to
2 read as follows:

3 (1) The department shall issue a certificate of competency to all
4 applicants who have passed the examination and have paid the fee for
5 the certificate. The certificate may include a photograph of the
6 holder. The certificate shall bear the date of issuance, and shall
7 expire on the birthdate of the holder immediately following the date
8 of issuance. The certificate shall be renewable every other year,
9 upon application, on or before the birthdate of the holder, except
10 for specialty plumbers defined by RCW 18.106.010(10)(c) who also have
11 an electrical certification issued jointly as provided by RCW
12 18.106.050(3) in which case their certificate shall be renewable
13 every three years on or before the birthdate of the holder. The
14 department shall renew a certificate of competency if the applicant:
15 (a) Pays the renewal fee assessed by the department; and (b) during
16 the past two years has completed sixteen hours of continuing
17 education approved by the department with the advice of the advisory
18 board, including four hours related to electrical safety. For holders
19 of the specialty plumber certificate under RCW 18.106.010(10)(c), the
20 continuing education may comprise both electrical and plumbing
21 education with a minimum of twelve of the required twenty-four hours
22 of continuing education in plumbing. If a person fails to renew the
23 certificate by the renewal date, he or she must pay a doubled fee. If
24 the person does not renew the certificate within ninety days of the
25 renewal date, he or she must retake the examination and pay the
26 examination fee.

27 The journey level plumber and specialty plumber certificates of
28 competency, the medical gas piping installer endorsement, and the
29 temporary permit provided for in this chapter grant the holder the
30 right to engage in the work of plumbing as a journey level plumber,
31 specialty plumber, or medical gas piping installer, in accordance
32 with their provisions throughout the state and within any of its
33 political subdivisions on any job or any employment without
34 additional proof of competency or any other license or permit or fee
35 to engage in the work. This section does not preclude employees from
36 adhering to a union security clause in any employment where such a
37 requirement exists.

38 (2) A person who is indentured in an apprenticeship program
39 approved under chapter 49.04 RCW for the plumbing construction trade
40 or who is learning the plumbing construction trade may work in the

1 plumbing construction trade if supervised by a certified journey
2 level plumber or a certified specialty plumber in that plumber's
3 specialty. All apprentices and individuals learning the plumbing
4 construction trade shall obtain a plumbing training certificate from
5 the department. The certificate shall authorize the holder to learn
6 the plumbing construction trade while under the direct supervision of
7 a journey level plumber or a specialty plumber working in his or her
8 specialty. The certificate may include a photograph of the holder.
9 The holder of the plumbing training certificate shall renew the
10 certificate annually. At the time of renewal, the holder shall
11 provide the department with an accurate list of the holder's
12 employers in the plumbing construction industry for the previous year
13 and the number of hours worked for each employer. An annual fee shall
14 be charged for the issuance or renewal of the certificate. The
15 department shall set the fee by rule. The fee shall cover but not
16 exceed the cost of administering and enforcing the trainee
17 certification and supervision requirements of this chapter.

18 (3) Any person who has been issued a plumbing training
19 certificate under this chapter may work if that person is under
20 supervision. Supervision shall consist of a person being on the same
21 job site and under the control of either a journey level plumber or
22 an appropriate specialty plumber who has an applicable certificate of
23 competency issued under this chapter. Either a journey level plumber
24 or an appropriate specialty plumber shall be on the same job site as
25 the noncertified individual for a minimum of seventy-five percent of
26 each working day unless otherwise provided in this chapter. The ratio
27 of noncertified individuals to certified journey level or specialty
28 plumbers working on a job site shall be ~~((+-(a)))~~ not more than two
29 noncertified plumbers working on any one job site for every certified
30 specialty plumber or journey level plumber ~~((working as a specialty
31 plumber; and (b) not more than one noncertified plumber working on
32 any one job site for every certified journey level plumber working as
33 a journey level plumber))~~.

34 An individual who has a current training certificate and who has
35 successfully completed or is currently enrolled in an approved
36 apprenticeship program or in a technical school program in the
37 plumbing construction trade in a school approved by the workforce
38 training and education coordinating board, may work without direct
39 on-site supervision during the last six months of meeting the
40 practical experience requirements of this chapter.

1 (4) An individual who has a current training certificate and who
2 has successfully completed or is currently enrolled in a medical gas
3 piping installer training course approved by the department may work
4 on medical gas piping systems if the individual is under the direct
5 supervision on the same job site of a certified medical gas piping
6 installer who holds a medical gas piping installer endorsement one
7 hundred percent of a working day on a ((~~one~~)) two-to-one ratio.

8 (5) The training to become a certified plumber must include not
9 less than sixteen hours of classroom training established by the
10 director with the advice of the advisory board. The classroom
11 training must include, but not be limited to, electrical wiring
12 safety, grounding, bonding, and other related items plumbers need to
13 know to work under RCW 19.28.091.

14 (6) All persons who are certified plumbers before January 1,
15 2003, are deemed to have received the classroom training required in
16 subsection (5) of this section.

17 (7) For purposes of this section, "on the same job site" means
18 physically located on the same job site or actively engaged with the
19 noncertified individual through videoconferencing.

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