
SENATE BILL 6170

State of Washington

66th Legislature

2020 Regular Session

By Senators Keiser, Conway, Fortunato, Hasegawa, and King

Prefiled 01/08/20. Read first time 01/13/20. Referred to Committee on Labor & Commerce.

1 AN ACT Relating to plumbing; amending RCW 18.106.010, 18.106.020,
2 18.106.030, 18.106.040, 18.106.050, 18.106.070, 18.106.100,
3 18.106.110, 18.106.125, 18.106.150, 18.106.180, 18.106.200,
4 18.106.220, 18.106.250, 18.106.270, 18.106.320, 18.27.060, 18.27.090,
5 19.28.041, 19.28.191, 19.28.191, and 19.28.051; reenacting and
6 amending RCW 19.28.091; adding new sections to chapter 18.106 RCW;
7 prescribing penalties; providing effective dates; and providing an
8 expiration date.

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

10 **Sec. 1.** RCW 18.106.010 and 2013 c 23 s 14 are each amended to
11 read as follows:

12 The definitions in this section apply throughout this chapter
13 unless the context clearly requires otherwise.

14 (1) "Advisory board" means the state advisory board of plumbers.

15 (2) (~~"Contractor" means any person, corporate or otherwise, who~~
16 ~~engages in, or offers or advertises to engage in, any work covered by~~
17 ~~the provisions of this chapter by way of trade or business, or any~~
18 ~~person, corporate or otherwise, who employs anyone, or offers or~~
19 ~~advertises to employ anyone, to engage in any work covered by the~~
20 ~~provisions of this chapter.~~

21 ~~(3))~~ "Department" means the department of labor and industries.

1 ~~((4))~~ (3) "Director" means the director of department of labor
2 and industries.

3 ~~((5))~~ (4) "Journey level plumber" means any person who has been
4 issued a certificate of competency by the department of labor and
5 industries as provided in this chapter.

6 ~~((6))~~ (5) "Like-in-kind" means having similar characteristics
7 such as plumbing size, type, and function, and being in the same
8 location.

9 ~~((7))~~ (6) "Medical gas piping" means oxygen, nitrous oxide,
10 high pressure nitrogen, medical compressed air, and other medical gas
11 or equipment, including but not limited to medical vacuum systems.

12 ~~((8))~~ (7) "Medical gas piping installer" means a journey level
13 plumber who has been issued a medical gas piping installer
14 endorsement.

15 ~~((9))~~ (8) "Plumbing" means that craft involved in installing,
16 altering, repairing and renovating potable water systems, liquid
17 waste systems, and medical gas piping systems within a building as
18 defined by the plumbing code as adopted and amended by the state
19 building code council, and includes all piping, fixtures, pumps, and
20 plumbing appurtenances that are used for rainwater catchment and
21 reclaimed water systems within a building. ~~((Installation in a water~~
22 ~~system of water softening or water treatment equipment is not within~~
23 ~~the meaning of plumbing as used in this chapter.~~

24 ~~((10))~~ (9) "Plumbing contractor" means any person, corporate or
25 otherwise, who engages in, or offers or advertises to engage in, any
26 plumbing work covered by the provisions of this chapter by way of
27 trade or business, or any person, corporate or otherwise, who employs
28 anyone, or offers or advertises to employ anyone, to engage in any
29 plumbing work as defined in this section. The plumbing contractor is
30 responsible for ensuring the plumbing business is operated in
31 accordance with rules adopted under this chapter.

32 (10) "Plumber trainee" or "trainee" means any person who has been
33 issued a plumbing training certificate under this chapter but has not
34 been issued an appropriate certificate of competency for work being
35 performed. A trainee may perform plumbing work if that person is
36 under the appropriate level of supervision.

37 (11) "Residential service plumber" means anyone who has been
38 issued a certificate of competency limited to performing residential
39 service plumbing in an existing residential structure.

1 (a) In single-family dwellings and duplexes only, a residential
2 service plumber may service, repair, or replace previously existing
3 fixtures, piping, and fittings that are outside the interior wall or
4 above the floor, often, but not necessarily in a like-in-kind manner.
5 In any residential structure, a residential service plumber may
6 perform plumbing work as needed to perform drain cleaning and may
7 perform leak repairs on any pipe, fitting, or fixture from the leak
8 to the next serviceable connection.

9 (b) A residential service plumber may directly supervise plumber
10 trainees provided the trainees have been supervised by an appropriate
11 journey level or specialty plumber for the trainees' first two
12 thousand hours of training.

13 (c) A residential service plumber may not perform plumbing for
14 new construction of any kind.

15 (12) "Residential structures" means single-family dwellings,
16 duplexes, and multiunit buildings that do not exceed three stories.

17 (13) "Service plumbing" means plumbing work in which previously
18 existing fixtures, fittings, and piping is repaired or replaced
19 often, but not necessarily, in a like-in-kind manner, or plumbing
20 work being performed as necessary for drain cleaning.

21 (14) "Specialty plumber" means anyone who has been issued a
22 specialty certificate of competency limited to:

23 (a) Installation, maintenance, and repair of the plumbing of
24 single-family dwellings, duplexes, and apartment buildings that do
25 not exceed three stories;

26 (b) Maintenance and repair of backflow prevention assemblies; or

27 (c) A domestic water pumping system consisting of the
28 installation, maintenance, and repair of the pressurization,
29 treatment, and filtration components of a domestic water system
30 consisting of: One or more pumps; pressure, storage, and other tanks;
31 filtration and treatment equipment; if appropriate, a pitless
32 adapter; along with valves, transducers, and other plumbing
33 components that:

34 (i) Are used to acquire, treat, store, or move water suitable for
35 either drinking or other domestic purposes, including irrigation, to:

36 (A) A single-family dwelling, duplex, or other similar place of
37 residence; (B) a public water system, as defined in RCW 70.119.020
38 and as limited under RCW 70.119.040; or (C) a farm owned and operated
39 by a person whose primary residence is located within thirty miles of
40 any part of the farm;

1 (ii) Are located within the interior space, including but not
2 limited to an attic, basement, crawl space, or garage, of a
3 residential structure, which space is separated from the living area
4 of the residence by a lockable entrance and fixed walls, ceiling, or
5 floor;

6 (iii) If located within the interior space of a residential
7 structure, are connected to a plumbing distribution system supplied
8 and installed into the interior space by either: (A) A person who,
9 pursuant to RCW 18.106.070 or 18.106.090, possesses a valid temporary
10 permit or certificate of competency as a journey level plumber,
11 specialty plumber, or trainee, as defined in this chapter; or (B) a
12 person exempt from the requirement to obtain a certified plumber to
13 do such plumbing work under RCW 18.106.150.

14 (15) "Unsatisfied final judgment" means a judgment or final tax
15 warrant that has not been satisfied either through payment, court-
16 approved settlement, discharge in bankruptcy, or assignment under RCW
17 19.72.070.

18 NEW SECTION. **Sec. 2.** A new section is added to chapter 18.106
19 RCW to read as follows:

20 (1) Except as provided in this chapter, as of July 1, 2021, it is
21 unlawful for any person, firm, partnership, corporation, or other
22 entity to advertise, offer to do work, submit a bid, or perform any
23 work under this chapter without being licensed as a plumbing
24 contractor under this chapter. A plumbing contractor license expires
25 twenty-four calendar months following the day of its issuance. An
26 application for a plumbing contractor license must be made in writing
27 to the department, accompanied by the required fee. The application
28 shall state:

29 (a) The name and address of the applicant. In the case of firms
30 or partnerships, the application must state the names of the
31 individuals comprising the firm or partnership. In the case of
32 corporations, the application must state the names of the
33 corporation's managing officials;

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

36 (c) The employer social security number or tax identification
37 number;

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

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

3 (ii) The applicant's self-insurer number issued by the
4 department;

5 (iii) For applicants domiciled in another state or a province of
6 Canada subject to an agreement entered into under RCW 51.12.120(7),
7 filing a certificate of coverage issued by the agency that
8 administers workers' compensation law in the applicant's state or
9 province of domicile certifying that the applicant has secured the
10 payment of compensation under the other state's or province's
11 workers' compensation law.

12 The department may verify the workers' compensation coverage
13 information required by this subsection (1)(d), including information
14 regarding coverage of an individual employee of the applicant. If
15 coverage is provided under the laws of another state, the department
16 may notify the other state that the applicant is employing employees
17 in Washington;

18 (e) The employment security department number; and

19 (f) The state excise tax registration number.

20 (2) The unified business identifier account number may be
21 substituted for the information required by subsection (1)(d), (e),
22 and (f) of this section if the applicant will not employ employees in
23 Washington.

24 (3) Contractors licensed under this chapter are not required to
25 be registered under chapter 18.27 RCW.

26 (4) To obtain a plumbing contractor license, the applicant must
27 employ a full-time individual who currently possesses a valid journey
28 level plumber's certificate of competency, or specialty plumber's
29 certificate of competency in the specialty for the scope of work
30 performed. No individual may serve as the certified plumber for any
31 work exceeding the scope of his or her certificate, license, or
32 endorsement.

33 (5) A plumbing contractor shall:

34 (a) Ensure that all plumbing work complies with the certification
35 laws and rules of the state; and

36 (b) Ensure that all plumbing work is performed by properly
37 licensed and certified plumbing individuals.

38 (6) As of January 1, 2021, for a contractor who employs specialty
39 plumbers as described in RCW 18.106.010(14)(c), and is also required
40 to be licensed as an electrical contractor as required in RCW

1 19.28.041, while doing pump and irrigation or domestic pump work
2 described in rule as authorized by RCW 19.28.251, the department
3 shall establish a single licensing document for those who qualify for
4 both plumbing contractor license as defined by this chapter and an
5 electrical contractor license as defined by chapter 19.28 RCW.

6 (7) This section does not apply to: A person who is contracting
7 for plumbing work on his or her own residence, unless the plumbing
8 work is on a building that is for rent, sale, or lease.

9 NEW SECTION. **Sec. 3.** A new section is added to chapter 18.106
10 RCW to read as follows:

11 (1) Each applicant for a plumbing contractor license shall file
12 with the department a surety bond issued by a surety insurer who
13 meets the requirements of chapter 48.28 RCW in the sum of six
14 thousand dollars. If no valid bond is already on file with the
15 department at the time the application is filed, a bond must
16 accompany the license application. The bond must have the state of
17 Washington named as obligee with good and sufficient surety in a form
18 to be approved by the department. The bond must be continuous and may
19 be canceled by the surety upon the surety giving written notice to
20 the director. A cancellation or revocation of the bond or withdrawal
21 of the surety from the bond automatically suspends the license issued
22 to the contractor until a new bond or reinstatement notice has been
23 filed and approved as provided in this section. The bond must be
24 conditioned that the applicant will pay all persons performing labor,
25 including employee benefits, for the contractor, will pay all taxes
26 and contributions due to the state of Washington, and will pay all
27 persons furnishing material or renting or supplying equipment to the
28 contractor and will pay all amounts that may be adjudged against the
29 contractor by reason of breach of contract including improper work in
30 the conduct of the contracting business. A change in the name of a
31 business or a change in the type of business entity does not impair a
32 bond for the purposes of this section so long as one of the original
33 applicants for such bond maintains partial ownership in the business
34 covered by the bond.

35 (2) At the time of initial license or renewal, the contractor
36 shall provide a bond or other security deposit as required by this
37 chapter and comply with all of the other provisions of this chapter
38 before the department may issue or renew the contractor's license.

1 (3) Any person, firm, or corporation having a claim against the
2 contractor for any of the items referred to in this section may bring
3 suit against the contractor and the bond or deposit in the superior
4 court of the county in which the work was done or of any county in
5 which jurisdiction of the contractor may be had. The surety issuing
6 the bond must be named as a party to any suit upon the bond. Action
7 upon the bond or deposit brought by a residential homeowner for
8 breach of contract by a party to the construction contract must be
9 commenced by filing the summons and complaint with the clerk of the
10 appropriate superior court within two years from the date the claimed
11 contract work was substantially completed or abandoned, whichever
12 occurred first. Action upon the bond or deposit brought by any other
13 authorized party must be commenced by filing the summons and
14 complaint with the clerk of the appropriate superior court within one
15 year from the date the claimed labor was performed and benefits
16 accrued, taxes and contributions owing the state of Washington became
17 due, materials and equipment were furnished, or the claimed contract
18 work was substantially completed or abandoned, whichever occurred
19 first. Service of process in an action filed under this chapter
20 against the contractor and the contractor's bond or the deposit must
21 be exclusively by service upon the department. Three copies of the
22 summons and complaint and a fee adopted by rule of not less than
23 fifty dollars to cover the costs must be served by registered or
24 certified mail, or other delivery service requiring notice of
25 receipt, upon the department at the time suit is started and the
26 department shall maintain a record, available for public inspection,
27 of all suits so commenced. Service is not complete until the
28 department receives the fee and three copies of the summons and
29 complaint. This service constitutes service and confers personal
30 jurisdiction on the contractor and the surety for suit on claimant's
31 claim against the contractor and the bond or deposit and the
32 department shall transmit the summons and complaint or a copy thereof
33 to the contractor at the address listed in the contractor's
34 application and to the surety within two days after it has been
35 received.

36 (4) The surety upon the bond is not liable in an aggregate amount
37 in excess of the amount named in the bond nor for any monetary
38 penalty assessed pursuant to this chapter for an infraction. The
39 liability of the surety does not cumulate where the bond has been
40 renewed, continued, reinstated, reissued, or otherwise extended. The

1 surety upon the bond may, upon notice to the department and the
2 parties, tender to the clerk of the court having jurisdiction of the
3 action an amount equal to the claims thereunder or the amount of the
4 bond less the amount of judgments, if any, previously satisfied
5 therefrom and to the extent of such tender the surety upon the bond
6 is exonerated but if the actions commenced and pending and provided
7 to the department as required in subsection (3) of this section, at
8 any one time exceed the amount of the bond then unimpaired, claims
9 must be satisfied from the bond in the following order:

10 (a) Employee labor and claims of laborers, including employee
11 benefits;

12 (b) Claims for breach of contract by a party to the construction
13 contract;

14 (c) Registered or licensed subcontractors, material, and
15 equipment;

16 (d) Taxes and contributions due the state of Washington;

17 (e) Any court costs, interest, and attorneys' fees plaintiff may
18 be entitled to recover.

19 The surety is not liable for any amount in excess of the penal
20 limit of its bond. A payment made by the surety in good faith
21 exonerates the bond to the extent of any payment made by the surety.

22 (5) The total amount paid from a bond or deposit required of a
23 plumbing contractor by this section to claimants other than
24 residential homeowners must not exceed one-half of the bond amount.

25 (6) The prevailing party in an action filed under this section
26 against the contractor and contractor's bond or deposit, for breach
27 of contract by a party to the construction contract involving a
28 residential homeowner, is entitled to costs, interest, and reasonable
29 attorneys' fees. The surety upon the bond or deposit is not liable in
30 an aggregate amount in excess of the amount named in the bond or
31 deposit nor for any monetary penalty assessed pursuant to this
32 chapter for an infraction.

33 (7) If a final judgment impairs the liability of the surety upon
34 the bond or deposit so furnished that there is not in effect a bond
35 or deposit in the full amount prescribed in this section, the
36 contractor license is automatically suspended until the bond or
37 deposit liability in the required amount unimpaired by unsatisfied
38 judgment claims is furnished.

1 (8) In lieu of the surety bond required by this section the
2 contractor may file with the department an assigned savings account,
3 upon forms provided by the department.

4 (9) Any person having filed and served a summons and complaint as
5 required by this section having an unsatisfied final judgment against
6 the registrant for any items referred to in this section may execute
7 upon the security held by the department by serving a certified copy
8 of the unsatisfied final judgment by registered or certified mail
9 upon the department within one year of the date of entry of such
10 judgment. Upon the receipt of service of such certified copy the
11 department shall pay or order paid from the deposit, through the
12 registry of the superior court which rendered judgment, towards the
13 amount of the unsatisfied judgment. The priority of payment by the
14 department must be the order of receipt by the department, but the
15 department has no liability for payment in excess of the amount of
16 the deposit.

17 (10) Within ten days after resolution of the case, a certified
18 copy of the final judgment and order, or any settlement documents
19 where a case is not disposed of by a court trial, a certified copy of
20 the dispositive settlement documents must be provided to the
21 department by the prevailing party. Failure to provide a copy of the
22 final judgment and order or the dispositive settlement documents to
23 the department within ten days of entry of such an order constitutes
24 a violation of this chapter and a penalty adopted by rule of not less
25 than two hundred fifty dollars may be assessed against the prevailing
26 party.

27 (11) If the director determines that an applicant, or a previous
28 license of a corporate officer, owner, or partner of a current
29 applicant, has had in the past five years a final judgment in actions
30 under this chapter involving a residential structure, the director
31 may require an applicant applying to renew or reinstate a plumbing
32 contractor's license or applying for a new plumbing contractor's
33 license to file a bond of up to three times the normally required
34 amount.

35 NEW SECTION. **Sec. 4.** A new section is added to chapter 18.106
36 RCW to read as follows:

37 (1) At the time of plumbing contractor licensing and subsequent
38 license renewal, the applicant shall furnish insurance or financial
39 responsibility in the form of an assigned account in the amount of

1 fifty thousand dollars for injury or damages to property, and one
2 hundred thousand dollars for injury or damage including death to any
3 one person, and two hundred thousand dollars for injury or damage
4 including death to more than one person.

5 (2) An expiration, cancellation, or revocation of the insurance
6 policy or withdrawal of the insurer from the insurance policy
7 automatically suspends the license issued to the registrant until a
8 new insurance policy or reinstatement notice has been filed and
9 approved as provided in this section.

10 (3)(a) Proof of financial responsibility authorized in this
11 section may be given by providing, in the amount required by
12 subsection (1) of this section, an assigned account acceptable to the
13 department. The assigned account shall be held by the department to
14 satisfy any execution on a judgment issued against the contractor for
15 damage to property or injury or death to any person occurring in the
16 contractor's contracting operations, according to the provisions of
17 the assigned account agreement. The department has no liability for
18 payment in excess of the amount of the assigned account.

19 (b) The assigned account filed with the director as proof of
20 financial responsibility must be canceled at the expiration of three
21 years after:

22 (i) The contractor's license has expired or been revoked; or

23 (ii) The contractor has furnished proof of insurance as required
24 by subsection (1) of this section;

25 If, in either case, no legal action has been instituted against
26 the contractor or on the account at the expiration of the three-year
27 period.

28 (c) If a contractor chooses to file an assigned account as
29 authorized in this section, the contractor shall, on any contracting
30 project, notify each person with whom the contractor enters into a
31 contract or to whom the contractor submits a bid that the contractor
32 has filed an assigned account in lieu of insurance and that recovery
33 from the account for any claim against the contractor for property
34 damage or personal injury or death occurring in the project requires
35 the claimant to obtain a court judgment.

36 NEW SECTION. **Sec. 5.** A new section is added to chapter 18.106
37 RCW to read as follows:

38 (1) A certificate, license, or endorsement issued under this
39 chapter may be suspended, revoked, or subject to civil penalty by the

1 department upon determination that any one or more of the following
2 exist:

3 (a) A false statement as to a material matter in the application
4 for a certificate, license, or endorsement;

5 (b) Fraud, misrepresentation, or bribery in securing a
6 certificate, license, or endorsement;

7 (c) A violation of any provision of this chapter; or

8 (d) If the plumbing contractor does not employ a full-time
9 individual who currently possesses a valid journey level plumber's
10 certificate of competency or specialty plumber's certificate of
11 competency in the specialty for the scope of work performed.

12 (2) If the department has suspended or revoked a certificate,
13 license, or endorsement, because of fraud or error and a hearing is
14 requested, the suspension or revocation must be stayed until the
15 hearing is concluded and a decision is issued.

16 (3) The department must remove a suspension or reinstate a
17 revoked certificate, license, or endorsement, if the licensee pays
18 all assessed civil penalties and is able to demonstrate to the
19 department that the licensee has met all the qualifications
20 established by this chapter.

21 **Sec. 6.** RCW 18.106.020 and 2013 c 23 s 15 are each amended to
22 read as follows:

23 (1) No person may engage in or offer to engage in the trade of
24 plumbing without having a journey level certificate, specialty
25 certificate, residential service certificate, temporary permit, or
26 trainee certificate and photo identification in his or her
27 possession. The department (~~may~~) must establish by rule a
28 requirement that the person also wear and visibly display his or her
29 certificate or permit. A trainee must be supervised by a person who
30 has a journey level certificate, specialty certificate, residential
31 service certificate, or temporary permit, as specified in RCW
32 18.106.070. Until January 1, 2021, no contractor may employ a person
33 to engage in or offer to engage in the trade of plumbing unless the
34 ((person employed has a)) contractor is a registered plumbing
35 contractor under chapter 18.27 RCW and the person performing the
36 plumbing work has a journey level certificate, specialty certificate,
37 temporary permit, or trainee certificate. ((This section does not
38 apply to a contractor who is contracting for work on his or her own
39 residence. Until July 1, 2007, the department shall issue a written

1 ~~warning to any specialty plumber defined by RCW 18.106.010(10)(c) not~~
2 ~~having a valid plumber certification. The warning will state that the~~
3 ~~individual must apply for a plumber training certificate or be~~
4 ~~qualified for and apply for plumber certification under the~~
5 ~~requirements in RCW 18.106.040 within thirty calendar days of the~~
6 ~~warning. Only one warning will be issued to any individual. If the~~
7 ~~individual fails to comply with this section, the department shall~~
8 ~~issue a penalty or penalties as authorized by this chapter.)) After~~
9 ~~January 1, 2021, no contractor may employ a person to engage in or~~
10 ~~offer to engage in the trade of plumbing unless the contractor is a~~
11 ~~licensed plumbing contractor under this chapter and the person~~
12 ~~performing the plumbing work has a journey level certificate,~~
13 ~~specialty certificate, residential service certificate, temporary~~
14 ~~permit, or training certificate.~~

15 (2) Without exception, no person may engage in or offer to engage
16 in medical gas piping installation without having a certificate of
17 competency as a journey level plumber and a medical gas piping
18 installer endorsement and photo identification in his or her
19 possession. The department ((may)) must establish by rule a
20 requirement that the person also wear and visibly display his or her
21 endorsement. A trainee may engage in medical gas piping installation
22 if he or she has a training certificate and is supervised by a person
23 with a medical gas piping installer endorsement. No plumbing
24 contractor may employ a person to engage in or offer to engage in
25 medical gas piping installation unless the person employed has a
26 certificate of competency as a journey level plumber and a medical
27 gas piping installer endorsement.

28 (3) ~~((No contractor may advertise, offer to do work, submit a~~
29 ~~bid, or perform any work under this chapter without being registered~~
30 ~~as a contractor under chapter 18.27 RCW.~~

31 ~~(4))~~ Violation of this ~~((section))~~ chapter is an infraction.
32 Each day in which a person ~~((engages)),~~ firm, or corporation
33 advertises, offers to do work, submits a bid, or performs any work in
34 the trade of plumbing in violation of this ~~((section))~~ chapter or
35 employs a person in violation of this ~~((section))~~ chapter is a
36 separate infraction. Each worksite at which a person engages in the
37 trade of plumbing in violation of this ~~((section))~~ chapter or at
38 which a person is employed in violation of this ~~((section))~~ chapter
39 is a separate infraction.

1 (~~(5)~~) (4) Notices of infractions for violations of this
2 (~~section~~) chapter may be issued to:

3 (a) The person engaging in or offering to engage in the trade of
4 plumbing in violation of this (~~section~~) chapter;

5 (b) The contractor in violation of this (~~section~~) chapter; and

6 (c) The contractor's employee who authorized the work assignment
7 of the person employed in violation of this (~~section~~) chapter.

8 (5) It is unlawful for anyone required to be licensed under this
9 chapter or registered under chapter 18.27 RCW to subcontract to or
10 use anyone not licensed under this chapter for work covered by the
11 provisions of this chapter.

12 **Sec. 7.** RCW 18.106.030 and 2013 c 23 s 16 are each amended to
13 read as follows:

14 (1) Any person desiring to be issued a certificate of competency
15 as provided in this chapter shall deliver evidence in a form
16 prescribed by the department affirming that said person has had
17 sufficient experience in as well as demonstrated general competency
18 in the trade of plumbing or specialty plumbing so as to qualify him
19 or her to make an application for a certificate of competency as a
20 journey level plumber (~~or~~), specialty plumber, or residential
21 service plumber. Completion of a course of study in the plumbing
22 trade in the armed services of the United States or at a school
23 accredited by the workforce training and education coordinating board
24 shall constitute sufficient evidence of experience and competency to
25 enable such person to make application for a certificate of
26 competency for a journey level plumber, specialty plumber, or
27 residential service plumber.

28 (2) Any person desiring to be issued a medical gas piping
29 installer endorsement shall deliver evidence in a form prescribed by
30 the department affirming that the person has met the requirements
31 established by the department for a medical gas piping installer
32 endorsement.

33 (3) In addition to supplying the evidence as prescribed in this
34 section, each applicant for a certificate of competency shall submit
35 an application for such certificate on such form and in such manner
36 as shall be prescribed by the director of the department.

37 **Sec. 8.** RCW 18.106.040 and 2013 c 23 s 17 are each amended to
38 read as follows:

1 (1) Upon receipt of the application and evidence set forth in RCW
2 18.106.030, the director shall review the same and make a
3 determination as to whether the applicant is eligible to take an
4 examination for the certificate of competency. To be eligible to take
5 the examination:

6 (a) Each applicant for a journey level plumber's certificate of
7 competency shall furnish written evidence that he or she has
8 completed a course of study in the plumbing trade in the armed
9 services of the United States or at a school (~~(licensed)~~) accredited
10 by the workforce training and education coordinating board, or has
11 had four or more years of experience under the direct supervision of
12 a (~~(licensed)~~) certified journey level plumber.

13 (b) Each applicant for a specialty plumber's certificate of
14 competency under RCW 18.106.010(~~((10))~~) (14)(a) shall furnish written
15 evidence that he or she has completed a course of study in the
16 plumbing trade in the armed services of the United States or at a
17 school licensed by the workforce training and education coordinating
18 board under chapter 28C.10 RCW, or that he or she has had at least
19 three years (~~(practical)~~) of experience in the specialty under the
20 supervision of a certified journey level plumber or a certified
21 plumber.

22 (c) Each applicant for a residential service plumber's
23 certificate of competency under RCW 18.106.010(11) shall furnish
24 written evidence that he or she has completed a course of study in
25 the plumbing trade in the armed services of the United States or at a
26 school accredited by the workforce training and education
27 coordinating board, or has had two or more years of experience under
28 the supervision of a certified journey level plumber, certified
29 specialty plumber, or certified residential service plumber.

30 (d) Each applicant for a specialty plumber's certificate of
31 competency under RCW 18.106.010(~~((10))~~) (14) (b) or (c) shall furnish
32 written evidence that he or she is eligible to take the examination.
33 These eligibility requirements for the specialty plumbers defined by
34 RCW 18.106.010(~~((10))~~) (14)(c) shall be one year of practical
35 experience working on pumping systems not exceeding one hundred
36 gallons per minute, and two years of practical experience working on
37 pumping systems exceeding one hundred gallons per minute, or
38 equivalent as determined by rule by the department in consultation
39 with the advisory board, and that experience may be obtained at the
40 same time the individual is meeting the experience required by RCW

1 19.28.191. The eligibility requirements for other specialty plumbers
2 shall be established by rule by the director pursuant to subsection
3 (2)(b) of this section.

4 (2)(a) The director shall establish reasonable rules for the
5 examinations to be given applicants for certificates of competency.
6 In establishing the rules, the director shall consult with the state
7 advisory board of plumbers as established in RCW 18.106.110.

8 (b) The director shall establish reasonable criteria by rule for
9 determining an applicant's eligibility to take an examination for the
10 certificate of competency for specialty plumbers under subsection (1)
11 (~~(c)~~) (d) of this section. In establishing the criteria, the
12 director shall consult with the state advisory board of plumbers as
13 established in RCW 18.106.110. These rules must take effect by
14 December 31, 2006.

15 (3) Upon determination that the applicant is eligible to take the
16 examination, the director shall so notify the applicant, indicating
17 the time and place for taking the same.

18 (4) No other requirement for eligibility may be imposed.

19 **Sec. 9.** RCW 18.106.050 and 2013 c 23 s 18 are each amended to
20 read as follows:

21 (1) The department, with the advice of the advisory board, shall
22 prepare a written examination to be administered to applicants for
23 certificates of competency for journey level plumber (~~and~~),
24 specialty plumber, and residential service plumber. The examination
25 shall be constructed to determine:

26 (a) Whether the applicant possesses varied general knowledge of
27 the technical information and practical procedures that are
28 identified with the trade of journey level plumber (~~or~~),
29 specialty plumber, or residential service plumber; and

30 (b) Whether the applicant is familiar with the applicable
31 plumbing codes and the administrative rules of the department
32 pertaining to plumbing and plumbers.

33 (2) The department, with the consent of the advisory board, may
34 enter into a contract with a nationally recognized testing agency to
35 develop, administer, and score any examinations required by this
36 chapter. All applicants shall, before taking an examination, pay the
37 required examination fee. The department shall set the examination
38 fee by contract with a nationally recognized testing agency. The fee
39 shall cover but not exceed the costs of preparing and administering

1 the examination and the materials necessary to conduct the practical
2 elements of the examination. The department shall approve training
3 courses and set the fees for training courses for examinations
4 provided by this chapter.

5 (3) An examination to determine the competency of an applicant
6 for a domestic water pumping system specialty plumbing certificate as
7 defined by RCW 18.106.010(~~((10))~~) (14)(c) must be established by the
8 department in consultation with the advisory board by December 31,
9 2006. The department may include an examination for appropriate
10 electrical safety and technical requirements as required by RCW
11 19.28.191 with the examination required by this section. The
12 department, in consultation with the advisory board, may accept the
13 certification by a professional or trade association or other
14 acceptable entity as meeting the examination requirement of this
15 section. (~~(Individuals who can provide evidence to the department
16 prior to January 1, 2007, that they have been employed in the pump
17 and irrigation business as defined by RCW 18.106.010(10)(c) for not
18 less than four thousand hours in the most recent four calendar years
19 shall be issued the appropriate certificate by the department upon
20 receiving such documentation and applicable fees.)~~) The department
21 shall establish a single document for those who have received both
22 the plumbing specialty certification defined by this subsection and
23 have also met the certification requirements for a pump and
24 irrigation or domestic pump specialty electrician, showing that the
25 individual has received both certifications.

26 (4) The department shall certify the results of the examinations
27 provided by this chapter, and shall notify the applicant in writing
28 whether he or she has passed or failed. Any applicant who has failed
29 the examination may retake the examination, upon the terms and after
30 a period of time that the director shall set by rule. The director
31 may not limit the number of times that a person may take the
32 examination.

33 **Sec. 10.** RCW 18.106.070 and 2013 c 23 s 19 are each amended to
34 read as follows:

35 (1) The department shall issue a certificate of competency to all
36 applicants who have passed the examination and have paid the fee for
37 the certificate. The certificate may include a photograph of the
38 holder. The certificate shall bear the date of issuance, and (~~shall
39 expire on the birthdate of the holder immediately following the date~~

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

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

33 (2) A person who is indentured ((~~in~~)) to an apprenticeship
34 program approved under chapter 49.04 RCW for the plumbing
35 construction trade or who is learning the plumbing construction trade
36 may work in the plumbing construction trade if supervised by a
37 certified journey level plumber or a certified specialty plumber in
38 that plumber's specialty. All apprentices and individuals learning
39 the plumbing construction trade shall obtain a plumbing training
40 certificate from the department. The certificate shall authorize the

1 holder to learn the plumbing construction trade while under the
2 direct supervision of a journey level plumber or a specialty plumber
3 working in his or her specialty. The certificate may include a
4 photograph of the holder. The holder of the plumbing training
5 certificate shall renew the certificate annually. At the time of
6 renewal, the holder shall provide the department with an accurate
7 list of the holder's employers in the plumbing construction industry
8 for the previous year and the number of hours worked for each
9 employer. ~~((An annual))~~ Failure to provide plumbing hours worked for
10 each employer is a violation of this chapter, subject to an
11 infraction under RCW 18.106.320, and must result in nonrenewal of the
12 trainee certificate. A fee shall be charged for the issuance or
13 renewal of the certificate. The department shall set the fee by rule.
14 The fee shall cover but not exceed the cost of administering and
15 enforcing the trainee certification and supervision requirements of
16 this chapter.

17 (3) ~~((Any person who has been issued a plumbing training~~
18 ~~certificate under this chapter may work if that person is under~~
19 ~~supervision.))~~ (a) Trainee supervision shall consist of a ((person))
20 trainee being on the same job site and under the control of either a
21 journey level plumber, residential service plumber, or an appropriate
22 specialty plumber who has an applicable certificate of competency
23 issued under this chapter. Either a journey level plumber,
24 residential service plumber, or an appropriate specialty plumber
25 shall be:

26 (i) On the same job site as the ((noncertified individual))
27 trainee for a minimum of seventy-five percent of each working day
28 unless otherwise provided in this chapter. ((The ratio of
29 ~~noncertified individuals to certified journey level or specialty~~
30 ~~plumbers working on a job site shall be: (a) Not more than two~~
31 ~~noncertified plumbers working on any one job site for every certified~~
32 ~~specialty plumber or journey level plumber working as a specialty~~
33 ~~plumber; and (b) not more than one noncertified plumber working on~~
34 ~~any one job site for every certified journey level plumber working as~~
35 ~~a journey level plumber.))~~

36 (ii) Available via mobile phone or similar device in a manner
37 that allows both audio and visual direction to the trainee from the
38 supervising plumber. Remote trainee supervision using these types of
39 technology is only permitted in cases that meet the following
40 criteria:

1 (A) The trainee has more than two thousand hours of training;

2 (B) The supervising plumber is no more than forty miles from the
3 job site; and

4 (C) The scope of work on the trainee's job site is service
5 plumbing in a residential structure.

6 (b) An individual who has a current training certificate and who
7 has successfully completed or is currently enrolled in an approved
8 apprenticeship program or in a technical school program in the
9 plumbing construction trade in a school approved by the workforce
10 training and education coordinating board, may work without direct
11 on-site supervision during the last six months of meeting the
12 practical experience requirements of this chapter.

13 (4)(a) Until December 31, 2025, the ratio of trainees to
14 certified journey level, residential service, or specialty plumbers
15 working on a job site must be:

16 (i) Not more than three trainees working on any one residential
17 structure job site for every certified specialty plumber or journey
18 level plumber working as a specialty plumber;

19 (ii) Not more than one trainee working on any one job site for
20 every certified journey level plumber working as a journey level
21 plumber; and

22 (iii) Not more than one trainee working on any one job site for
23 every certified residential service plumber.

24 (b) After December 31, 2025, not more than two trainees may work
25 on any residential structure job site for every certified specialty
26 plumber or journey level plumber working as a specialty plumber.

27 (5) An individual who has a current training certificate and who
28 has successfully completed or is currently enrolled in a medical gas
29 piping installer training course approved by the department may work
30 on medical gas piping systems if the individual is under the direct
31 supervision of a certified medical gas piping installer who holds a
32 medical gas piping installer endorsement one hundred percent of a
33 working day on a one-to-one ratio.

34 ~~((+5))~~ (6) The training to become a certified plumber must
35 include not less than sixteen hours of classroom training established
36 by the director with the advice of the advisory board. The classroom
37 training must include, but not be limited to, electrical wiring
38 safety, grounding, bonding, and other related items plumbers need to
39 know to work under ((RCW 19.28.091)) this chapter.

1 ~~((6))~~ (7) All persons who are certified plumbers before January
2 1, 2003, are deemed to have received the classroom training required
3 in subsection ~~((5))~~ (6) of this section.

4 (8)(a) The department shall instruct the advisory board of
5 plumbers to convene a subgroup that includes the statewide
6 association representing plumbing, heating, and cooling contractors;
7 the union representing plumbers and pipefitters; the association
8 representing plumbing contractors who employ union plumbers and
9 pipefitters; and other directly affected stakeholders after the
10 completion of the 2023 legislative session, the 2024 legislative
11 session, and every three years thereafter.

12 (b) The work group shall evaluate the effects that the trainee
13 ratio changes have had on the industry, including public safety and
14 industry response to public demand for plumbing services. The work
15 group shall determine a sustainable plan for maintaining sufficient
16 numbers of plumbers and trainees within the plumbing workforce to
17 safely meet the needs of the public. The report is due to the
18 standing labor committees of the legislature before December 1st of
19 each year that the work group convenes. The work group shall conclude
20 on receipt of the report by the legislature. Within current funding
21 appropriated to the department, the department must reimburse each
22 member of the work group in accordance with the provisions of RCW
23 43.03.050 and 43.03.060 for each day in which the member is actually
24 engaged in attendance of meetings of the advisory board.

25 **Sec. 11.** RCW 18.106.100 and 2013 c 23 s 23 are each amended to
26 read as follows:

27 (1) The department may revoke or suspend a certificate of
28 competency, license, or endorsement for any of the following reasons:

29 (a) The certificate, license, or endorsement was obtained through
30 error or fraud;

31 (b) The certificate, license, or endorsement holder is judged to
32 be incompetent to carry on the trade of plumbing as a journey level
33 plumber ~~((~~≠~~))~~, specialty plumber, or residential service plumber;

34 (c) The certificate, license, or endorsement holder has violated
35 any provision of this chapter or any rule adopted under this chapter.

36 (2) Before a certificate of competency, license, or endorsement
37 is revoked or suspended, the department shall send written notice
38 using a method by which the mailing can be tracked or the delivery
39 can be confirmed to the certificate holder's last known address. The

1 notice must list the allegations against the certificate holder and
2 give him or her the opportunity to request a hearing before the
3 advisory board. At the hearing, the department and the certificate
4 holder have opportunity to produce witnesses and give testimony. The
5 hearing must be conducted in accordance with chapter 34.05 RCW. The
6 board shall render its decision based upon the testimony and evidence
7 presented and shall notify the parties immediately upon reaching its
8 decision. A majority of the board is necessary to render a decision.

9 (3) The department may deny renewal of a certificate of
10 competency, license, or endorsement issued under this chapter if the
11 applicant owes outstanding penalties for a final judgment under this
12 chapter. The department shall notify the applicant of the denial
13 using a method by which the mailing can be tracked or the delivery
14 can be confirmed to the address on the application. The applicant may
15 appeal the denial within twenty days by filing a notice of appeal
16 with the department accompanied by a certified check for two hundred
17 dollars which shall be returned to the applicant if the decision of
18 the department is not upheld by the hearings officer. The office of
19 administrative hearings shall conduct the hearing under chapter 34.05
20 RCW. If the hearings officer sustains the decision of the department,
21 the two hundred dollars must be applied to the cost of the hearing.

22 **Sec. 12.** RCW 18.106.110 and 2013 c 23 s 24 are each amended to
23 read as follows:

24 (1) There is created a state advisory board of plumbers, to be
25 composed of (~~seven~~) nine members appointed by the director. Two
26 members shall be journey level plumbers, one member shall be a
27 specialty plumber, three members shall be persons conducting a
28 plumbing business, at least one of which shall be primarily engaged
29 in a specialty plumbing business, one member representing the state-
30 approved plumbing code body, one member from the department of
31 health, and one member from the general public who is familiar with
32 the business and trade of plumbing.

33 (2) The term of one journey level plumber expires July 1, 1995;
34 the term of the second journey level plumber expires July 1, 2000;
35 the term of the specialty plumber expires July 1, 2008; the term of
36 one person conducting a plumbing business expires July 1, 1996; the
37 term of the second person conducting a plumbing business expires July
38 1, 2000; the term of the third person conducting a plumbing business
39 expires July 1, 2007; the terms of the member representing the state-

1 approved plumbing code body and the member from the department of
2 health expire July 1, 2022; and the term of the public member expires
3 July 1, 1997. Thereafter, upon the expiration of said terms, the
4 director shall appoint a new member to serve for a period of three
5 years. However, to ensure that the board can continue to act, a
6 member whose term expires shall continue to serve until his or her
7 replacement is appointed. In the case of any vacancy on the board for
8 any reason, the director shall appoint a new member to serve out the
9 term of the person whose position has become vacant.

10 (3) The advisory board shall carry out all the functions and
11 duties enumerated in this chapter, as well as generally advise the
12 department on all matters relative to (~~this chapter~~) the
13 enforcement of this chapter including plumbing industry promotion,
14 standards of plumbing installations, consumer protection, and
15 standards for the protection of public health.

16 (4) Each member of the advisory board shall receive travel
17 expenses in accordance with the provisions of RCW 43.03.050 and
18 43.03.060 as now existing or hereafter amended for each day in which
19 such member is actually engaged in attendance upon the meetings of
20 the advisory board.

21 **Sec. 13.** RCW 18.106.125 and 1983 c 124 s 17 are each amended to
22 read as follows:

23 The department shall charge fees for issuance, renewal, and
24 reinstatement of all certificates, endorsements, licenses, and
25 permits and for examinations required by this chapter. The department
26 shall set the fees by rule.

27 The fees shall cover the full cost of issuing the certificates
28 and permits, devising and administering the examinations, and
29 administering and enforcing this chapter. The costs shall include
30 travel, per diem, and administrative support costs.

31 **Sec. 14.** RCW 18.106.150 and 2013 c 23 s 25 are each amended to
32 read as follows:

33 (1) Nothing in this chapter shall be construed to require that a
34 person obtain a license (~~or a certified plumber~~) in order to do
35 plumbing work at his or her residence or farm or place of business or
36 on other property owned by him or her.

37 (2) A current certificate of competency or apprentice permit is
38 not required for:

1 (a) Persons performing plumbing work on a farm; or
2 (b) Certified journey level electricians, certified residential
3 specialty electricians, or electrical trainees working for an
4 electrical contractor and performing exempt work under:

5 (i) RCW 18.27.090(18) until January 1, 2021;

6 (ii) After January 1, 2021, under subsection (8) of this section.

7 (3) Nothing in this chapter shall be intended to derogate from or
8 dispense with the requirements of any valid plumbing code enacted by
9 a political subdivision of the state, except that no code shall
10 require the holder of a certificate of competency to demonstrate any
11 additional proof of competency or obtain any other license or pay any
12 fee in order to engage in the trade of plumbing.

13 (4) This chapter shall not apply to common carriers subject to
14 Part I of the Interstate Commerce Act, nor to their officers and
15 employees.

16 (5) Nothing in this chapter shall be construed to apply to any
17 farm, business, industrial plant, or corporation doing plumbing work
18 on premises it owns or operates.

19 (6) Nothing in this chapter shall be construed to restrict the
20 right of any householder to assist or receive assistance from a
21 friend, neighbor, relative, or other person when none of the
22 individuals doing such plumbing hold themselves out as engaged in the
23 trade or business of plumbing.

24 (7) This section does not apply to anyone installing, altering,
25 repairing, or renovating medical gas systems.

26 (8) As of January 1, 2021, nothing in this chapter shall be
27 construed to apply to an entity who holds a valid electrical
28 contractor's license under chapter 19.28 RCW that employs a certified
29 journey level electrician, a certified residential specialty
30 electrician, or an electrical trainee meeting the requirements of
31 chapter 19.28 RCW to perform plumbing work that is incidentally,
32 directly, and immediately appropriate to the like-in-kind replacement
33 of a household appliance or other small household utilization
34 equipment that requires limited electrical power and limited waste,
35 water connections, or both. An electrical trainee must be supervised
36 by a certified electrician while performing plumbing work.

37 **Sec. 15.** RCW 18.106.180 and 2011 c 301 s 5 are each amended to
38 read as follows:

1 (1) An authorized representative of the department may issue a
2 notice of infraction as specified in RCW 18.106.020 if:

3 (a) A person who is doing plumbing work or who is offering to do
4 plumbing work fails to produce evidence of:

5 (i) Having a certificate or permit issued by the department in
6 accordance with this chapter, or being supervised by a person who has
7 such a certificate or permit; and

8 (ii) Until January 1, 2021, being registered as a contractor as
9 required under chapter 18.27 RCW (~~or this chapter~~), or being
10 employed by a person who is registered as a contractor as required
11 under chapter 18.27 RCW;

12 (b) Until January 1, 2021, a person who employs anyone, or offers
13 or advertises to employ anyone, to do plumbing work fails to produce
14 evidence of being registered as a contractor as required under
15 chapter 18.27 RCW (~~or this chapter~~); (~~or~~)

16 (c) After January 1, 2021, a person who employs anyone, or offers
17 or advertises to employ anyone, to do plumbing work fails to produce
18 evidence of being licensed as a plumbing contractor as required under
19 this chapter; or

20 (d) A contractor violates RCW 18.106.320.

21 (2) A notice of infraction issued under this section shall be
22 personally served on the person or contractor named in the notice by
23 an authorized representative of the department or sent using a method
24 by which the mailing can be tracked or the delivery can be confirmed
25 to the last known address provided to the department of the person
26 named in the notice.

27 **Sec. 16.** RCW 18.106.200 and 1996 c 147 s 5 are each amended to
28 read as follows:

29 A violation designated as an infraction under this chapter shall
30 be heard and determined by an administrative law judge of the office
31 of administrative hearings. If a party desires to contest the notice
32 of infraction, the party shall file a notice of appeal with the
33 department (~~within twenty days of issuance of the infraction~~)
34 specifying the grounds of the appeal within twenty days of service of
35 the infraction in a manner provided by this chapter. The appeal must
36 be accompanied by a certified check for two hundred dollars, which
37 must be returned to the assessed party if the decision of the
38 department is not sustained following the final decision in the
39 appeal. If the final decision sustains the decision of the

1 department, the department must apply the two hundred dollars to the
2 payment of the expenses of the appeal, including costs charged by the
3 office of administrative hearings. The administrative law judge shall
4 conduct hearings in these cases at locations in the county where the
5 infraction is alleged to have occurred.

6 **Sec. 17.** RCW 18.106.220 and 1994 c 174 s 6 are each amended to
7 read as follows:

8 (1) ~~((A person who receives a notice of infraction shall respond~~
9 ~~to the notice as provided in this section within fourteen days of the~~
10 ~~date the notice was served.~~

11 ~~(2))~~ If the person or contractor named in the notice of
12 infraction does not wish to contest the notice of infraction, the
13 person or contractor shall pay to the department, by check or money
14 order, the amount of the penalty prescribed for the infraction. When
15 a response which does not contest the determination is received by
16 the department with the appropriate payment, the department shall
17 make the appropriate entry in its records.

18 ~~((3))~~ (2) If the person or contractor named in the notice of
19 infraction wishes to contest the notice of infraction, the person or
20 contractor shall respond by filing an answer of protest with the
21 department specifying the grounds of protest.

22 ~~((4))~~ (3) If any person or contractor issued a notice of
23 infraction:

24 (a) Fails to respond to the notice of infraction as provided in
25 subsection ~~((2))~~ (1) of this section; or

26 (b) Fails to appear at a hearing requested pursuant to subsection
27 ~~((3))~~ (2) of this section;

28 the administrative law judge shall enter an appropriate order
29 assessing the monetary penalty prescribed for the infraction and
30 shall notify the department of the failure to respond to the notice
31 of infraction or to appear at a requested hearing.

32 **Sec. 18.** RCW 18.106.250 and 2002 c 82 s 4 are each amended to
33 read as follows:

34 (1) The administrative law judge shall conduct notice of
35 infraction cases under this chapter pursuant to chapter 34.05 RCW.

36 (2) The burden of proof is on the department to establish the
37 commission of the infraction by a preponderance of the evidence. The

1 notice of infraction shall be dismissed if the defendant establishes
2 that, at the time the notice was issued:

3 ~~((a) The defendant who was issued a notice of infraction~~
4 ~~authorized by RCW 18.106.020(5)(a) had a certificate or permit issued~~
5 ~~by the department in accordance with this chapter, was supervised by~~
6 ~~a person who has such a certificate or permit, or was exempt from~~
7 ~~this chapter under RCW 18.106.150; or~~

8 ~~(b))~~ For the defendant who was issued a notice of infraction
9 authorized by RCW 18.106.020(~~(5)~~~~(b)~~~~or~~) (4)(a) through (c), the
10 person employed or supervised by the defendant has a certificate,
11 license, endorsement, ((or permit)) temporary permit, or registration
12 issued by the department in accordance with this chapter, was
13 supervised by a person who had such a certificate, license, ((or
14 permit)) temporary permit, or endorsement, was exempt from this
15 chapter under RCW 18.106.150, or was registered as a plumbing
16 contractor under this chapter and registered as a contractor under
17 chapter 18.27 RCW.

18 (3) After consideration of the evidence and argument, the
19 administrative law judge shall determine whether the infraction was
20 committed. If it has not been established that the infraction was
21 committed, an order dismissing the notice shall be entered in the
22 record of the proceedings. If it has been established that the
23 infraction was committed, the administrative law judge shall issue
24 findings of fact and conclusions of law in its decision and order
25 determining whether the infraction was committed.

26 (4) An appeal from the administrative law judge's determination
27 or order shall be to the superior court. The decision of the superior
28 court is subject only to discretionary review pursuant to Rule 2.3 of
29 the Rules of Appellate Procedure.

30 **Sec. 19.** RCW 18.106.270 and 1994 c 174 s 8 are each amended to
31 read as follows:

32 (1) A person found to have committed an infraction under RCW
33 18.106.020 shall be assessed a minimum monetary penalty of ~~((two))~~
34 one hundred ~~((fifty))~~ dollars for the first infraction~~((, and not~~
35 ~~more than one thousand dollars for a second or subsequent~~
36 ~~infraction))~~. A contractor found to have committed an infraction
37 under RCW 18.106.020 must be assessed a minimum monetary penalty of
38 five hundred dollars for the first infraction. The maximum penalty
39 for an infraction under RCW 18.106.020 must not exceed five thousand

1 dollars for a second or subsequent infraction. The department shall
2 set by rule a schedule of penalties for infractions imposed under
3 this chapter.

4 (2) The administrative law judge may not waive, reduce, or
5 suspend the monetary penalty imposed for the infraction (~~for good~~
6 ~~cause shown~~).

7 (3) The director may waive or reduce collection of payment for
8 good cause.

9 (4) Any individual or plumbing contractor who acquires three
10 infractions within a thirty-six month period may have his or her
11 certificate, license, endorsement, or registration suspended for a
12 period of up to two years upon recommendation of the advisory board
13 of plumbers. For purposes of this subsection, multiple violations
14 created by a single inspection or audit are counted as one violation.

15 (5) Monetary penalties collected under this chapter shall be
16 deposited in the plumbing certificate fund.

17 **Sec. 20.** RCW 18.106.320 and 2005 c 274 s 229 are each amended to
18 read as follows:

19 (~~Contractors shall accurately verify and attest to the~~
20 ~~trainee hours worked by plumbing trainees on behalf of the contractor~~
21 ~~and that all training hours were under the supervision of a certified~~
22 ~~plumber and within the proper ratio, and shall provide the~~
23 ~~supervising plumbers' names and certificate numbers. However,~~
24 ~~contractors are not required to identify which hours a trainee works~~
25 ~~with a specific certified plumber.)) (a) The plumbing contractor
26 shall:~~

27 (i) Accurately report all plumbing hours worked by plumbing
28 trainees and, effective June 30, 2021, report all plumbing trainee
29 hours worked on a quarterly basis on a form prescribed by the
30 department;

31 (ii) Attest that trainee hours were under the supervision of a
32 certified plumber and within the proper ratio;

33 (iii) Provide the names and certification numbers of the
34 supervising plumbers; and

35 (iv) Upon request, provide the department with trainee hours
36 worked by all trainees within their employment for the past two-year
37 period.

38 (b) Plumbing contractors are not required to identify which hours
39 a trainee works with a specific certified plumber. Plumbing hours

1 reported on all payroll reports for audit purposes will be considered
2 work performed by a certified plumber or trainee working within
3 ratio. Plumbing work reported for noncertified plumbers or
4 supervision and ratio requirements is a violation of this chapter and
5 subject to issuance of an infraction.

6 (2) The department may audit the records of a plumbing contractor
7 that has verified the hours of experience submitted by a plumbing
8 trainee to the department under RCW 18.106.030 in the following
9 circumstances: Excessive hours were reported; hours were reported
10 outside the normal course of the plumbing contractor's business; or
11 for other similar circumstances in which the department demonstrates
12 a likelihood of excessive or improper hours being reported. The
13 department shall limit the audit to records necessary to verify
14 hours. Failure to have or maintain payroll and other records for each
15 employee performing plumbing work for the company is a violation of
16 this chapter and subject to issuance of an infraction. The department
17 may assess a penalty of up to five thousand dollars for failure to
18 maintain adequate records. Records used to document plumbing work
19 must be maintained for a minimum of three years. The department shall
20 adopt rules implementing audit procedures. Information obtained from
21 a plumbing contractor under the provisions of this section is
22 confidential and is not open to public inspection under chapter 42.56
23 RCW.

24 (3) Violation of this section by a contractor is an infraction.

25 **Sec. 21.** RCW 18.27.060 and 2011 c 301 s 1 are each amended to
26 read as follows:

27 (1) A certificate of registration shall be valid for two years
28 and shall be renewed on or before the expiration date. The department
29 shall issue to the applicant a certificate of registration upon
30 compliance with the registration requirements of this chapter.

31 (2) If the department approves an application, it shall issue a
32 certificate of registration to the applicant.

33 (3) If a contractor's surety bond or other security has an
34 unsatisfied judgment against it or is canceled, or if the
35 contractor's insurance policy is canceled, the contractor's
36 registration shall be automatically suspended on the effective date
37 of the impairment or cancellation. The department shall mail notice
38 of the suspension to the contractor's address on the certificate of

1 registration within two days after suspension using a method by which
2 the mailing can be tracked or the delivery can be confirmed.

3 (4) Renewal of registration is valid on the date the department
4 receives the required fee and proof of bond and liability insurance,
5 if sent by certified mail or other means requiring proof of delivery.
6 The receipt or proof of delivery shall serve as the contractor's
7 proof of renewed registration until he or she receives verification
8 from the department.

9 (5) The department shall immediately suspend the certificate of
10 registration of a contractor who has been certified by the department
11 of social and health services as a person who is not in compliance
12 with a support order or a visitation order as provided in RCW
13 74.20A.320. The certificate of registration shall not be reissued or
14 renewed unless the person provides to the department a release from
15 the department of social and health services stating that he or she
16 is in compliance with the order and the person has continued to meet
17 all other requirements for certification during the suspension.

18 ~~((6) For a contractor who employs plumbers, as described in RCW
19 18.106.010(10)(c), and is also required to be licensed as an
20 electrical contractor as required in RCW 19.28.041, while doing pump
21 and irrigation or domestic pump work described in rule as authorized
22 by RCW 19.28.251, the department shall establish a single
23 registration/licensing document for those who qualify for both
24 general contractor registration as defined by this chapter and an
25 electrical contractor license as defined by chapter 19.28 RCW.))~~

26 **Sec. 22.** RCW 18.27.090 and 2013 c 23 s 13 are each amended to
27 read as follows:

28 The registration provisions of this chapter do not apply to:

29 (1) An authorized representative of the United States government,
30 the state of Washington, or any incorporated city, town, county,
31 township, irrigation district, reclamation district, or other
32 municipal or political corporation or subdivision of this state;

33 (2) Officers of a court when they are acting within the scope of
34 their office;

35 (3) Public utilities operating under the regulations of the
36 utilities and transportation commission in construction, maintenance,
37 or development work incidental to their own business;

38 (4) Any construction, repair, or operation incidental to the
39 discovering or producing of petroleum or gas, or the drilling,

1 testing, abandoning, or other operation of any petroleum or gas well
2 or any surface or underground mine or mineral deposit when performed
3 by an owner or lessee;

4 (5) The sale of any finished products, materials, or articles of
5 merchandise that are not fabricated into and do not become a part of
6 a structure under the common law of fixtures;

7 (6) Any construction, alteration, improvement, or repair of
8 personal property performed by the registered or legal owner, or by a
9 mobile/manufactured home retail dealer or manufacturer licensed under
10 chapter 46.70 RCW who shall warranty service and repairs under
11 chapter 46.70 RCW;

12 (7) Any construction, alteration, improvement, or repair carried
13 on within the limits and boundaries of any site or reservation under
14 the legal jurisdiction of the federal government;

15 (8) Any person who only furnished materials, supplies, or
16 equipment without fabricating them into, or consuming them in the
17 performance of, the work of the contractor;

18 (9) Any work or operation on one undertaking or project by one or
19 more contracts, the aggregate contract price of which for labor and
20 materials and all other items is less than five hundred dollars, such
21 work or operations being considered as of a casual, minor, or
22 inconsequential nature. The exemption prescribed in this subsection
23 does not apply in any instance wherein the work or construction is
24 only a part of a larger or major operation, whether undertaken by the
25 same or a different contractor, or in which a division of the
26 operation is made into contracts of amounts less than five hundred
27 dollars for the purpose of evasion of this chapter or otherwise. The
28 exemption prescribed in this subsection does not apply to a person
29 who advertises or puts out any sign or card or other device which
30 might indicate to the public that he or she is a contractor, or that
31 he or she is qualified to engage in the business of contractor;

32 (10) Any construction or operation incidental to the construction
33 and repair of irrigation and drainage ditches of regularly
34 constituted irrigation districts or reclamation districts; or to
35 farming, dairying, agriculture, viticulture, horticulture, or stock
36 or poultry raising; or to clearing or other work upon land in rural
37 districts for fire prevention purposes; except when any of the above
38 work is performed by a registered contractor;

39 (11) An owner who contracts for a project with a registered
40 contractor, except that this exemption shall not deprive the owner of

1 the protections of this chapter against registered and unregistered
2 contractors. The exemption prescribed in this subsection does not
3 apply to a person who performs the activities of a contractor for the
4 purpose of leasing or selling improved property he or she has owned
5 for less than twelve months;

6 (12) Any person working on his or her own property, whether
7 occupied by him or her or not, and any person working on his or her
8 personal residence, whether owned by him or her or not but this
9 exemption shall not apply to any person who performs the activities
10 of a contractor on his or her own property for the purpose of
11 selling, demolishing, or leasing the property;

12 (13) An owner who performs maintenance, repair, and alteration
13 work in or upon his or her own properties, or who uses his or her own
14 employees to do such work;

15 (14) A licensed architect or civil or professional engineer
16 acting solely in his or her professional capacity, an electrician
17 certified under the laws of the state of Washington, or a plumber
18 certified under the laws of the state of Washington or licensed by a
19 political subdivision of the state of Washington while operating
20 within the boundaries of such political subdivision. The exemption
21 provided in this subsection is applicable only when the person
22 certified is operating within the scope of his or her certification;

23 (15) Any person who engages in the activities herein regulated as
24 an employee of a registered contractor with wages as his or her sole
25 compensation or as an employee with wages as his or her sole
26 compensation;

27 (16) Contractors on highway projects who have been prequalified
28 as required by RCW 47.28.070, with the department of transportation
29 to perform highway construction, reconstruction, or maintenance work;

30 (17) A mobile/manufactured home dealer or manufacturer who
31 subcontracts the installation, set-up, or repair work to actively
32 registered contractors. This exemption only applies to the
33 installation, set-up, or repair of the mobile/manufactured homes that
34 were manufactured or sold by the mobile/manufactured home dealer or
35 manufacturer((÷

36 ~~(18) An entity who holds a valid electrical contractor's license~~
37 ~~under chapter 19.28 RCW that employs a certified journey level~~
38 ~~electrician, a certified residential specialty electrician, or an~~
39 ~~electrical trainee meeting the requirements of chapter 19.28 RCW to~~
40 ~~perform plumbing work that is incidentally, directly, and immediately~~

1 ~~appropriate to the like-in-kind replacement of a household appliance~~
2 ~~or other small household utilization equipment that requires limited~~
3 ~~electric power and limited waste and/or water connections. An~~
4 ~~electrical trainee must be supervised by a certified electrician~~
5 ~~while performing plumbing work)).~~

6 **Sec. 23.** RCW 19.28.091 and 2003 c 399 s 301 and 2003 c 242 s 1
7 are each reenacted and amended to read as follows:

8 (1) No license under the provision of this chapter shall be
9 required from any utility or any person, firm, partnership,
10 corporation, or other entity employed by a utility because of work in
11 connection with the installation, repair, or maintenance of lines,
12 wires, apparatus, or equipment owned by or under the control of a
13 utility and used for transmission or distribution of electricity from
14 the source of supply to the point of contact at the premises and/or
15 property to be supplied and service connections and meters and other
16 apparatus or appliances used in the measurement of the consumption of
17 electricity by the customer.

18 (2) No license under the provisions of this chapter shall be
19 required from any utility because of work in connection with the
20 installation, repair, or maintenance of the following:

21 (a) Lines, wires, apparatus, or equipment used in the lighting of
22 streets, alleys, ways, or public areas or squares;

23 (b) Lines, wires, apparatus, or equipment owned by a commercial,
24 industrial, or public institution customer that are an integral part
25 of a transmission or distribution system, either overhead or
26 underground, providing service to such customer and located outside
27 the building or structure: PROVIDED, That a utility does not initiate
28 the sale of services to perform such work;

29 (c) Lines and wires, together with ancillary apparatus, and
30 equipment, owned by a customer that is an independent power producer
31 who has entered into an agreement for the sale of electricity to a
32 utility and that are used in transmitting electricity from an
33 electrical generating unit located on premises used by such customer
34 to the point of interconnection with the utility's system.

35 (3) Any person, firm, partnership, corporation, or other entity
36 licensed under RCW 19.28.041 may enter into a contract with a utility
37 for the performance of work under subsection (2) of this section.

38 (4) No license under the provisions of this chapter shall be
39 required from any person, firm, partnership, corporation, or other

1 entity because of the work of installing and repairing ignition or
2 lighting systems for motor vehicles.

3 (5) No license under the provisions of this chapter shall be
4 required from any person, firm, partnership, corporation, or other
5 entity because of work in connection with the installation, repair,
6 or maintenance of wires and equipment, and installations thereof,
7 exempted in RCW 19.28.010.

8 (6) The department may by rule exempt from licensing requirements
9 under this chapter work performed on premanufactured electric power
10 generation equipment assemblies and control gear involving the
11 testing, repair, modification, maintenance, or installation of
12 components internal to the power generation equipment, the control
13 gear, or the transfer switch.

14 (7) This chapter does not require an electrical contractor
15 license if: (a) An appropriately certified electrician or a properly
16 supervised certified electrical trainee is performing the
17 installation, repair, or maintenance of wires and equipment for a
18 nonprofit corporation that holds a current tax exempt status as
19 provided under 26 U.S.C. Sec. 501(c)(3) or a nonprofit religious
20 organization; (b) the certified electrician or certified electrical
21 trainee is not compensated for the electrical work; and (c) the value
22 of the electrical work does not exceed thirty thousand dollars.

23 (8) An entity that currently holds a valid plumbing contractor's
24 license under chapter 18.106 RCW, or, until January 1, 2021, an
25 entity that currently holds a valid specialty or general plumbing
26 contractor's registration under chapter 18.27 RCW may employ a
27 certified plumber, a certified residential plumber, or a plumber
28 trainee meeting the requirements of chapter 18.106 RCW to perform
29 electrical work that is incidentally, directly, and immediately
30 appropriate to the like-in-kind replacement of a household appliance
31 or other small household utilization equipment that requires limited
32 electric power and limited waste and/or water connections. A plumber
33 trainee must be supervised by a certified plumber or a certified
34 residential plumber while performing electrical work. The electrical
35 work is subject to the permitting and inspection requirements of this
36 chapter.

37 **Sec. 24.** RCW 19.28.041 and 2013 c 23 s 28 are each amended to
38 read as follows:

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

17 (a) The name and address of the applicant; in case of firms or
18 partnerships, the names of the individuals composing the firm or
19 partnership; in case of corporations, the names of the managing
20 officials thereof;

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

23 (c) Employer social security number;

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

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

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

30 (iii) For applicants domiciled in a state or province of Canada
31 subject to an agreement entered into under RCW 51.12.120(7), as
32 permitted by the agreement, filing a certificate of coverage issued
33 by the agency that administers the workers' compensation law in the
34 applicant's state or province of domicile certifying that the
35 applicant has secured the payment of compensation under the other
36 state's or province's workers' compensation law;

37 (e) Employment security department number;

38 (f) State excise tax registration number;

39 (g) Unified business identifier (UBI) account number may be
40 substituted for the information required by (d) of this subsection if

1 the applicant will not employ employees in Washington, and by (e) and
2 (f) of this subsection; and

3 (h) Whether a general or specialty electrical contractor license
4 is sought and, if the latter, the type of specialty. Electrical
5 contractor specialties include, but are not limited to: Residential,
6 pump and irrigation, limited energy system, signs, nonresidential
7 maintenance, restricted nonresidential maintenance, appliance repair,
8 and a combination specialty. A general electrical contractor license
9 shall grant to the holder the right to engage in, conduct, or carry
10 on the business of installing or maintaining wires or equipment to
11 carry electric current, and installing or maintaining equipment, or
12 installing or maintaining material to fasten or insulate such wires
13 or equipment to be operated by electric current, in the state of
14 Washington. A specialty electrical contractor license shall grant to
15 the holder a limited right to engage in, conduct, or carry on the
16 business of installing or maintaining wires or equipment to carry
17 electrical current, and installing or maintaining equipment; or
18 installing or maintaining material to fasten or insulate such wires
19 or equipment to be operated by electric current in the state of
20 Washington as expressly allowed by the license.

21 (2) The department may verify the workers' compensation coverage
22 information provided by the applicant under subsection (1)(d) of this
23 section, including but not limited to information regarding the
24 coverage of an individual employee of the applicant. If coverage is
25 provided under the laws of another state, the department may notify
26 the other state that the applicant is employing employees in
27 Washington.

28 (3) The application for an electrical contractor license shall be
29 accompanied by a bond in the sum of four thousand dollars with the
30 state of Washington named as obligee in the bond, with good and
31 sufficient surety, to be approved by the department. The bond shall
32 at all times be kept in full force and effect, and any cancellation
33 or revocation thereof, or withdrawal of the surety therefrom,
34 suspends the license issued to the principal until a new bond has
35 been filed and approved as provided in this section. Upon approval of
36 a bond, the department shall on the next business day deposit the fee
37 accompanying the application in the electrical license fund and shall
38 file the bond in the office. The department shall upon request
39 furnish to any person, firm, partnership, corporation, or other
40 entity a certified copy of the bond upon the payment of a fee that

1 the department shall set by rule. The fee shall cover but not exceed
2 the cost of furnishing the certified copy. The bond shall be
3 conditioned that in any installation or maintenance of wires or
4 equipment to convey electrical current, and equipment to be operated
5 by electrical current, the principal will comply with the provisions
6 of this chapter and with any electrical ordinance, building code, or
7 regulation of a city or town adopted pursuant to RCW 19.28.010(3)
8 that is in effect at the time of entering into a contract. The bond
9 shall be conditioned further that the principal will pay for all
10 labor, including employee benefits, and material furnished or used
11 upon the work, taxes and contributions to the state of Washington,
12 and all damages that may be sustained by any person, firm,
13 partnership, corporation, or other entity due to a failure of the
14 principal to make the installation or maintenance in accordance with
15 this chapter or any applicable ordinance, building code, or
16 regulation of a city or town adopted pursuant to RCW 19.28.010(3). In
17 lieu of the surety bond required by this section, the license
18 applicant may file with the department a cash deposit or other
19 negotiable security acceptable to the department. If the license
20 applicant has filed a cash deposit, the department shall deposit the
21 funds in a special trust savings account in a commercial bank, mutual
22 savings bank, or savings and loan association and shall pay annually
23 to the depositor the interest derived from the account.

24 (4) The department shall issue general or specialty electrical
25 contractor licenses to applicants meeting all of the requirements of
26 this chapter. The provisions of this chapter relating to the
27 licensing of any person, firm, partnership, corporation, or other
28 entity including the requirement of a bond with the state of
29 Washington named as obligee therein and the collection of a fee
30 therefor, are exclusive, and no political subdivision of the state of
31 Washington may require or issue any licenses or bonds or charge any
32 fee for the same or a similar purpose. No person, firm, partnership,
33 corporation, or other entity holding more than one specialty
34 contractor license under this chapter may be required to pay an
35 annual fee for more than one such license or to post more than one
36 four thousand dollar bond, equivalent cash deposit, or other
37 negotiable security.

38 (5) To obtain a general or specialty electrical contractor
39 license, the applicant must designate an individual who currently
40 possesses a valid master journey level electrician's certificate of

1 competency, master specialty electrician's certificate of competency
2 in the specialty for which application has been made, or
3 administrator's certificate as a general electrical contractor
4 administrator or as a specialty electrical contractor administrator
5 in the specialty for which application has been made.

6 (6) Administrator certificate specialties include, but are not
7 limited to: Residential, pump and irrigation or domestic pump,
8 limited energy system, signs, nonresidential maintenance, restricted
9 nonresidential maintenance, appliance repair, and combination
10 specialty. To obtain an administrator's certificate, an individual
11 must pass an examination as set forth in RCW 19.28.051 unless the
12 applicant was a licensed electrical contractor at any time during
13 1974. Applicants who were electrical contractors licensed by the
14 state of Washington at any time during 1974 are entitled to receive a
15 general electrical contractor administrator's certificate without
16 examination if the applicants apply prior to January 1, 1984. The
17 board of electrical examiners shall certify to the department the
18 names of all persons who are entitled to either a general or
19 specialty electrical contractor administrator's certificate.

20 (7) For a contractor doing domestic water pumping system work as
21 defined by RCW 18.106.010(~~((10))~~) (14)(c), the department shall
22 consider the requirements of subsections (1)(a) through (h), (2), and
23 (3) of this section to have been met to be a pump and irrigation or
24 domestic pump licensed electrical contractor if (~~(the)~~):

25 (a) The contractor has met the plumbing contractor
26 (~~(registration)~~) licensing requirements of chapter (~~(18.27)~~) 18.106
27 RCW. The department shall establish a single (~~(registration/)~~)
28 licensing document for those who qualify for both (~~(general)~~) a
29 plumbing contractor (~~(registration)~~) license as defined in chapter
30 (~~(18.27)~~) 18.106 RCW and a pump and irrigation or domestic pump
31 electrical contractor license as defined by this chapter; or

32 (b) Until January 1, 2021, the contractor has met the contractor
33 registration requirements of chapter 18.27 RCW. The department shall
34 establish a single registration/licensing document for those who
35 qualify for both a general contractor registration as defined in
36 chapter 18.27 RCW and a pump and irrigation or domestic pump
37 electrical contractor license as defined by this chapter.

38 **Sec. 25.** RCW 19.28.191 and 2016 c 198 s 2 are each amended to
39 read as follows:

1 (1) Upon receipt of the application, the department shall review
2 the application and determine whether the applicant is eligible to
3 take an examination for the master journey level electrician, journey
4 level electrician, master specialty electrician, or specialty
5 electrician certificate of competency.

6 (a) Before July 1, 2005, an applicant who possesses a valid
7 journey level electrician certificate of competency in effect for the
8 previous four years and a valid general administrator's certificate
9 may apply for a master journey level electrician certificate of
10 competency without examination.

11 (b) Before July 1, 2005, an applicant who possesses a valid
12 specialty electrician certificate of competency, in the specialty
13 applied for, for the previous two years and a valid specialty
14 administrator's certificate, in the specialty applied for, may apply
15 for a master specialty electrician certificate of competency without
16 examination.

17 (c) Before December 1, 2003, the following persons may obtain an
18 equipment repair specialty electrician certificate of competency
19 without examination:

20 (i) A person who has successfully completed an apprenticeship
21 program approved under chapter 49.04 RCW for the machinist trade; and

22 (ii) A person who provides evidence in a form prescribed by the
23 department affirming that: (A) He or she was employed as of April 1,
24 2003, by a factory-authorized equipment dealer or service company;
25 and (B) he or she has worked in equipment repair for a minimum of
26 four thousand hours.

27 (d) To be eligible to take the examination for a master journey
28 level electrician certificate of competency, the applicant must have
29 possessed a valid journey level electrician certificate of competency
30 for four years.

31 (e) To be eligible to take the examination for a master specialty
32 electrician certificate of competency, the applicant must have
33 possessed a valid specialty electrician certificate of competency, in
34 the specialty applied for, for two years.

35 (f) To be eligible to take the examination for a journey level
36 certificate of competency, the applicant must have:

37 (i) Worked in the electrical construction trade for a minimum of
38 eight thousand hours, of which four thousand hours shall be in
39 industrial or commercial electrical installation under the
40 supervision of a master journey level electrician or journey level

1 electrician and not more than a total of four thousand hours in all
2 specialties under the supervision of a master journey level
3 electrician, journey level electrician, master specialty electrician
4 working in that electrician's specialty, or specialty electrician
5 working in that electrician's specialty. Specialty electricians with
6 less than a four thousand hour work experience requirement cannot
7 credit the time required to obtain that specialty towards qualifying
8 to become a journey level electrician; or

9 (ii) Successfully completed an apprenticeship program approved
10 under chapter 49.04 RCW for the electrical construction trade.

11 (g)(i) To be eligible to take the examination for a specialty
12 electrician certificate of competency, the applicant must have:

13 (A) Worked in the residential (as specified in WAC
14 296-46B-920(2)(a)), pump and irrigation (as specified in WAC
15 296-46B-920(2)(b)), sign (as specified in WAC 296-46B-920(2)(d)),
16 limited energy (as specified in WAC 296-46B-920(2)(e)),
17 nonresidential maintenance (as specified in WAC 296-46B-920(2)(g)),
18 or other new nonresidential specialties as determined by the
19 department in rule under the supervision of a master journey level
20 electrician, journey level electrician, master specialty electrician
21 working in that electrician's specialty, or specialty electrician
22 working in that electrician's specialty for a minimum of four
23 thousand hours;

24 (B) Worked in the appliance repair specialty as determined by the
25 department in rule, restricted nonresidential maintenance as
26 determined by the department in rule, the equipment repair specialty
27 as determined by the department in rule, the pump and irrigation
28 specialty other than as defined by (g)(i)(A) of this subsection or
29 domestic pump specialty as determined by the department in rule, or a
30 specialty other than the designated specialties in (g)(i)(A) of this
31 subsection for a minimum of the initial ninety days, or longer if set
32 by rule by the department. The restricted nonresidential maintenance
33 specialty is limited to a maximum of 277 volts and 20 amperes for
34 lighting branch circuits and/or a maximum of 250 volts and 60 amperes
35 for other circuits excluding the replacement or repair of circuit
36 breakers. The department may alter the scope of work for the
37 restricted nonresidential maintenance specialty by rule. The initial
38 period must be spent under one hundred percent supervision of a
39 master journey level electrician, journey level electrician, master
40 specialty electrician working in that electrician's specialty, or

1 specialty electrician working in that electrician's specialty. After
2 this initial period, a person may take the specialty examination. If
3 the person passes the examination, the person may work unsupervised
4 for the balance of the minimum hours required for certification. A
5 person may not be certified as a specialty electrician in the
6 appliance repair specialty or in a specialty other than the
7 designated specialties in (g)(i)(A) of this subsection, however,
8 until the person has worked a minimum of two thousand hours in that
9 specialty, or longer if set by rule by the department; or

10 (C) Successfully completed an approved apprenticeship program
11 under chapter 49.04 RCW for the applicant's specialty in the
12 electrical construction trade.

13 (ii) In meeting the training requirements for the pump and
14 irrigation or domestic pump specialties, the individual shall be
15 allowed to obtain the experience required by this section at the same
16 time the individual is meeting the experience required by RCW
17 18.106.040(1)((e)) (d). After meeting the training requirements
18 provided in this section, the individual may take the examination and
19 upon passing the examination, meeting additional training
20 requirements as may still be required for those seeking a pump and
21 irrigation, or a domestic pump specialty certificate as defined by
22 rule, and paying the applicable fees, the individual must be issued
23 the appropriate certificate. The department may include an
24 examination for specialty plumbing certificate defined in RCW
25 18.106.010(~~(10)(e)~~) (14)(c) with the examination required by this
26 section. The department, by rule and in consultation with the
27 electrical board, may establish additional equivalent ways to gain
28 the experience requirements required by this subsection.

29 (~~Individuals who are able to provide evidence to the department,~~
30 ~~prior to January 1, 2007, that they have been employed as a pump~~
31 ~~installer in the pump and irrigation or domestic pump business by an~~
32 ~~appropriately licensed electrical contractor, registered general~~
33 ~~contractor defined by chapter 18.27 RCW, or appropriate general~~
34 ~~specialty contractor defined by chapter 18.27 RCW for not less than~~
35 ~~eight thousand hours in the most recent six calendar years shall be~~
36 ~~issued the appropriate certificate by the department upon receiving~~
37 ~~such documentation and applicable fees.)) The department shall
38 establish a single document for those who have received both an
39 electrical specialty certification as defined by this subsection and
40 have also met the certification requirements for the specialty~~

1 plumber as defined by RCW 18.106.010(~~(10)(e)~~), showing that the
2 individual has received both certifications. No other experience or
3 training requirements may be imposed.

4 (iii) Before July 1, 2015, an applicant possessing an electrical
5 training certificate issued by the department is eligible to apply
6 one hour of every two hours of unsupervised telecommunications system
7 installation work experience toward eligibility for examination for a
8 limited energy system certificate of competency (as specified in WAC
9 296-46B-920(2)(e)), if:

10 (A) The telecommunications work experience was obtained while
11 employed by a contractor licensed under this chapter as a general
12 electrical contractor (as specified in WAC 296-46B-920(1)) or limited
13 energy system specialty contractor (as specified in WAC
14 296-46B-920(2)(e)); and

15 (B) Evidence of the telecommunications work experience is
16 submitted in the form of an affidavit prescribed by the department.

17 (h) Any applicant for a journey level electrician certificate of
18 competency who has successfully completed a two-year program in the
19 electrical construction trade at public community or technical
20 colleges, or not-for-profit nationally accredited technical or trade
21 schools licensed by the workforce training and education coordinating
22 board under chapter 28C.10 RCW, may substitute up to two years of the
23 technical or trade school program for two years of work experience
24 under a master journey level electrician or journey level
25 electrician. The applicant shall obtain the additional two years of
26 work experience required in industrial or commercial electrical
27 installation prior to the beginning, or after the completion, of the
28 technical school program. Any applicant who has received training in
29 the electrical construction trade in the armed service of the United
30 States may be eligible to apply armed service work experience towards
31 qualification to take the examination for the journey level
32 electrician certificate of competency.

33 (i) An applicant for a specialty electrician certificate of
34 competency who, after January 1, 2000, has successfully completed a
35 two-year program in the electrical construction trade at a public
36 community or technical college, or a not-for-profit nationally
37 accredited technical or trade school licensed by the workforce
38 training and education coordinating board under chapter 28C.10 RCW,
39 may substitute up to one year of the technical or trade school
40 program for one year of work experience under a master journey level

1 electrician, journey level electrician, master specialty electrician
2 working in that electrician's specialty, or specialty electrician
3 working in that electrician's specialty. Any applicant who has
4 received training in the electrical construction trade in the armed
5 services of the United States may be eligible to apply armed service
6 work experience towards qualification to take the examination for an
7 appropriate specialty electrician certificate of competency.

8 (j) The department must determine whether hours of training and
9 experience in the armed services or school program are in the
10 electrical construction trade and appropriate as a substitute for
11 hours of work experience. The department must use the following
12 criteria for evaluating the equivalence of classroom electrical
13 training programs and work in the electrical construction trade:

14 (i) A two-year electrical training program must consist of three
15 thousand or more hours.

16 (ii) In a two-year electrical training program, a minimum of two
17 thousand four hundred hours of student/instructor contact time must
18 be technical electrical instruction directly related to the scope of
19 work of the electrical specialty. Student/instructor contact time
20 includes lecture and in-school lab.

21 (iii) The department may not allow credit for a program that
22 accepts more than one thousand hours transferred from another
23 school's program.

24 (iv) Electrical specialty training school programs of less than
25 two years will have all of the above student/instructor contact time
26 hours proportionately reduced. Such programs may not apply to more
27 than fifty percent of the work experience required to attain
28 certification.

29 (v) Electrical training programs of less than two years may not
30 be credited towards qualification for journey level electrician
31 unless the training program is used to gain qualification for a four
32 thousand hour electrical specialty.

33 (k) No other requirement for eligibility may be imposed.

34 (2) The department shall establish reasonable rules for the
35 examinations to be given applicants for certificates of competency.
36 In establishing the rules, the department shall consult with the
37 board. Upon determination that the applicant is eligible to take the
38 examination, the department shall so notify the applicant, indicating
39 the time and place for taking the examination.

1 (3) No noncertified individual may work unsupervised more than
2 one year beyond the date when the trainee would be eligible to test
3 for a certificate of competency if working on a full-time basis after
4 original application for the trainee certificate. For the purposes of
5 this section, "full-time basis" means two thousand hours.

6 **Sec. 26.** RCW 19.28.191 and 2018 c 249 s 1 are each amended to
7 read as follows:

8 (1) Upon receipt of the application, the department shall review
9 the application and determine whether the applicant is eligible to
10 take an examination for the master journey level electrician, journey
11 level electrician, master specialty electrician, or specialty
12 electrician certificate of competency.

13 (a) To be eligible to take the examination for a master journey
14 level electrician certificate of competency, the applicant must have
15 possessed a valid journey level electrician certificate of competency
16 for four years.

17 (b) To be eligible to take the examination for a master specialty
18 electrician certificate of competency, the applicant must have
19 possessed a valid specialty electrician certificate of competency, in
20 the specialty applied for, for two years.

21 (c) To be eligible to take the examination for a journey level
22 certificate of competency, the applicant must have successfully
23 completed an apprenticeship program approved under chapter 49.04 RCW
24 or equivalent apprenticeship program approved by the department for
25 the electrical construction trade in which the applicant worked in
26 the electrical construction trade for a minimum of eight thousand
27 hours. Four thousand of the hours shall be in industrial or
28 commercial electrical installation under the supervision of a master
29 journey level electrician or journey level electrician and not more
30 than a total of four thousand hours in all specialties under the
31 supervision of a master journey level electrician, journey level
32 electrician, master specialty electrician working in that
33 electrician's specialty, or specialty electrician working in that
34 electrician's specialty. Specialty electricians with less than a four
35 thousand hour work experience requirement cannot credit the time
36 required to obtain that specialty towards qualifying to become a
37 journey level electrician. The holder of a specialty electrician
38 certificate of competency with a four thousand hour work experience
39 requirement shall be allowed to credit the work experience required

1 to obtain that certificate towards apprenticeship requirements for
2 qualifying to take the examination for a journey level electrician
3 certificate of competency.

4 (d) To be eligible to take the examination for a specialty
5 electrician certificate of competency, the applicant must have:

6 (i) Worked in the residential (as specified in WAC
7 296-46B-920(2)(a)), pump and irrigation (as specified in WAC
8 296-46B-920(2)(b)), sign (as specified in WAC 296-46B-920(2)(d)),
9 limited energy (as specified in WAC 296-46B-920(2)(e)),
10 nonresidential maintenance (as specified in WAC 296-46B-920(2)(g)),
11 or other new nonresidential specialties as determined by the
12 department in rule under the supervision of a master journey level
13 electrician, journey level electrician, master specialty electrician
14 working in that electrician's specialty, or specialty electrician
15 working in that electrician's specialty for a minimum of four
16 thousand hours;

17 (ii) Worked in the appliance repair specialty as determined by
18 the department in rule, restricted nonresidential maintenance as
19 determined by the department in rule, the equipment repair specialty
20 as determined by the department in rule, the pump and irrigation
21 specialty other than as defined by (d)(i) of this subsection or
22 domestic pump specialty as determined by the department in rule, or a
23 specialty other than the designated specialties in (d)(i) of this
24 subsection for a minimum of the initial ninety days, or longer if set
25 by rule by the department. The restricted nonresidential maintenance
26 specialty is limited to a maximum of 277 volts and 20 amperes for
27 lighting branch circuits and/or a maximum of 250 volts and 60 amperes
28 for other circuits excluding the replacement or repair of circuit
29 breakers. The department may alter the scope of work for the
30 restricted nonresidential maintenance specialty by rule. The initial
31 period must be spent under one hundred percent supervision of a
32 master journey level electrician, journey level electrician, master
33 specialty electrician working in that electrician's specialty, or
34 specialty electrician working in that electrician's specialty. After
35 this initial period, a person may take the specialty examination. If
36 the person passes the examination, the person may work unsupervised
37 for the balance of the minimum hours required for certification. A
38 person may not be certified as a specialty electrician in the
39 appliance repair specialty or in a specialty other than the
40 designated specialties in (d)(i) of this subsection, however, until

1 the person has worked a minimum of two thousand hours in that
2 specialty, or longer if set by rule by the department;

3 (iii) Successfully completed an approved apprenticeship program
4 under chapter 49.04 RCW for the applicant's specialty in the
5 electrical construction trade; or

6 (iv) In meeting the training requirements for the pump and
7 irrigation or domestic pump specialties, the individual shall be
8 allowed to obtain the experience required by this section at the same
9 time the individual is meeting the experience required by RCW
10 18.106.040(1)((~~e~~)) (d). After meeting the training requirements
11 provided in this section, the individual may take the examination and
12 upon passing the examination, meeting additional training
13 requirements as may still be required for those seeking a pump and
14 irrigation, or a domestic pump specialty certificate as defined by
15 rule, and paying the applicable fees, the individual must be issued
16 the appropriate certificate. The department may include an
17 examination for specialty plumbing certificate defined in RCW
18 18.106.010((~~10~~)) (14)(c) with the examination required by this
19 section. The department, by rule and in consultation with the
20 electrical board, may establish additional equivalent ways to gain
21 the experience requirements required by this subsection. The
22 department shall establish a single document for those who have
23 received both an electrical specialty certification as defined by
24 this subsection and have also met the certification requirements for
25 the specialty plumber as defined by RCW 18.106.010((~~10~~)(~~e~~))
26 (14)(c), showing that the individual has received both
27 certifications. No other experience or training requirements may be
28 imposed.

29 (e) Any applicant for a journey level electrician certificate of
30 competency who has successfully completed a two-year program in the
31 electrical construction trade at public community or technical
32 colleges, or not-for-profit nationally accredited technical or trade
33 schools licensed by the workforce training and education coordinating
34 board under chapter 28C.10 RCW, may substitute up to two years of the
35 technical or trade school program for two years of work experience
36 under a master journey level electrician or journey level electrician
37 required under the apprenticeship program. The applicant shall obtain
38 the additional two years of work experience required in industrial or
39 commercial electrical installation prior to the beginning, or after
40 the completion, of the technical school program. Any applicant who

1 has received training in the electrical construction trade in the
2 armed service of the United States may be eligible to apply armed
3 service work experience towards qualification to complete an
4 apprenticeship and take the examination for the journey level
5 electrician certificate of competency.

6 (f) An applicant for a specialty electrician certificate of
7 competency who, after January 1, 2000, has successfully completed a
8 two-year program in the electrical construction trade at a public
9 community or technical college, or a not-for-profit nationally
10 accredited technical or trade school licensed by the workforce
11 training and education coordinating board under chapter 28C.10 RCW,
12 may substitute up to one year of the technical or trade school
13 program for one year of work experience under a master journey level
14 electrician, journey level electrician, master specialty electrician
15 working in that electrician's specialty, or specialty electrician
16 working in that electrician's specialty. Any applicant who has
17 received training in the electrical construction trade in the armed
18 services of the United States may be eligible to apply armed service
19 work experience towards qualification to take the examination for an
20 appropriate specialty electrician certificate of competency.

21 (g) The department must determine whether hours of training and
22 experience in the armed services or school program are in the
23 electrical construction trade and appropriate as a substitute for
24 hours of work experience. The department must use the following
25 criteria for evaluating the equivalence of classroom electrical
26 training programs and work in the electrical construction trade:

27 (i) A two-year electrical training program must consist of three
28 thousand or more hours.

29 (ii) In a two-year electrical training program, a minimum of two
30 thousand four hundred hours of student/instructor contact time must
31 be technical electrical instruction directly related to the scope of
32 work of the electrical specialty. Student/instructor contact time
33 includes lecture and in-school lab.

34 (iii) The department may not allow credit for a program that
35 accepts more than one thousand hours transferred from another
36 school's program.

37 (iv) Electrical specialty training school programs of less than
38 two years will have all of the above student/instructor contact time
39 hours proportionately reduced. Such programs may not apply to more

1 than fifty percent of the work experience required to attain
2 certification.

3 (v) Electrical training programs of less than two years may not
4 be credited towards qualification for journey level electrician
5 unless the training program is used to gain qualification for a four
6 thousand hour electrical specialty.

7 (h) No other requirement for eligibility may be imposed.

8 (2) The department shall establish reasonable rules for the
9 examinations to be given applicants for certificates of competency.
10 In establishing the rules, the department shall consult with the
11 board. Upon determination that the applicant is eligible to take the
12 examination, the department shall so notify the applicant, indicating
13 instructions for taking the examination.

14 (3) No noncertified individual may work unsupervised more than
15 one year beyond the date when the trainee would be eligible to test
16 for a certificate of competency if working on a full-time basis after
17 original application for the trainee certificate. For the purposes of
18 this section, "full-time basis" means two thousand hours.

19 **Sec. 27.** RCW 19.28.051 and 2006 c 185 s 8 are each amended to
20 read as follows:

21 It shall be the purpose and function of the board to establish,
22 in addition to a general electrical contractors' license, such
23 classifications of specialty electrical contractors' licenses as it
24 deems appropriate with regard to individual sections pertaining to
25 state adopted codes in this chapter. In addition, it shall be the
26 purpose and function of the board to establish and administer written
27 examinations for general electrical administrators' certificates and
28 the various specialty electrical administrators' certificates.
29 Examinations shall be designed to reasonably ensure that general and
30 specialty electrical administrators' certificate holders are
31 competent to engage in and supervise the work covered by this statute
32 and their respective licenses. The examinations shall include
33 questions from the following categories to ensure proper safety and
34 protection for the general public: (1) Safety, (2) state electrical
35 code, and (3) electrical theory. The department with the consent of
36 the board shall be permitted to enter into a contract with a
37 professional testing agency to develop, administer, and score these
38 examinations, or accept certifications or other appropriate
39 demonstrations established by independent entities that otherwise

1 fulfill the examination requirements of this section. (~~Individuals~~
2 ~~who can provide evidence to the department, prior to January 1, 2007,~~
3 ~~that they have been employed as a pump installer in the pump and~~
4 ~~irrigation or domestic pump business by an appropriately licensed~~
5 ~~electrical contractor, registered general contractor defined by~~
6 ~~chapter 18.27 RCW, or appropriate general specialty contractor~~
7 ~~defined by chapter 18.27 RCW for not less than eight thousand hours~~
8 ~~in the most recent six calendar years shall be issued the appropriate~~
9 ~~administrator's certificate by the department upon receiving such~~
10 ~~documentation and applicable fees.)) The fee for the examination may
11 be set by the department in its contract with the professional
12 testing agency. The department may direct that the applicant pay the
13 fee to the professional testing agency. The fee shall cover but not
14 exceed the costs of preparing and administering the examination. It
15 shall be the further purpose and function of this board to advise the
16 director as to the need of additional electrical inspectors and
17 compliance officers to be utilized by the director on either a full-
18 time or part-time employment basis and to carry out the duties
19 enumerated in RCW 19.28.161 through 19.28.271 as well as generally
20 advise the department on all matters relative to RCW 19.28.161
21 through 19.28.271.~~

22 NEW SECTION. **Sec. 28.** A new section is added to chapter 18.106
23 RCW to read as follows:

24 (1) No city, town, or county shall issue a plumbing permit for
25 work which is to be done by any contractor required to be licensed
26 under this chapter without verification that such contractor is
27 currently licensed as required by law. When such verification is
28 made, nothing contained in this section is intended to be, nor shall
29 be construed to create, or form the basis for any liability under
30 this chapter on the part of any city, town, or county, or its
31 officers, employees, or agents.

32 (2) At the time of issuing the plumbing permit, all cities,
33 towns, or counties are responsible for:

34 (a) Printing the plumbing contractor license number on the
35 plumbing permit; and

36 (b) Providing a written notice to the plumbing permit applicant
37 informing them of plumbing contractor license laws and the potential
38 risk and monetary liability to the homeowner for using an unlicensed
39 plumbing contractor.

1 (3) If a plumbing permit is obtained by an applicant or
2 contractor who falsifies information to obtain an exemption provided
3 under RCW 18.106.150 the plumbing permit shall be forfeited.

4 NEW SECTION. **Sec. 29.** Sections 21, 22, and 28 of this act take
5 effect January 1, 2021.

6 NEW SECTION. **Sec. 30.** Section 25 of this act expires July 1,
7 2023.

8 NEW SECTION. **Sec. 31.** Section 26 of this act takes effect July
9 1, 2023.

--- END ---