

CERTIFICATION OF ENROLLMENT  
**ENGROSSED SUBSTITUTE SENATE BILL 6521**

54th Legislature  
1996 Regular Session

Passed by the Senate March 4, 1996  
YEAS 42 NAYS 0

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**President of the Senate**

Passed by the House February 29, 1996  
YEAS 96 NAYS 0

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**Speaker of the  
House of Representatives**

Approved

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**Governor of the State of Washington**

CERTIFICATE

I, Marty Brown, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE SENATE BILL 6521** as passed by the Senate and the House of Representatives on the dates hereon set forth.

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**Secretary**

FILED

**Secretary of State  
State of Washington**

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**ENGROSSED SUBSTITUTE SENATE BILL 6521**

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AS AMENDED BY THE HOUSE

Passed Legislature - 1996 Regular Session

**State of Washington                      54th Legislature                      1996 Regular Session**

**By** Senate Committee on Labor, Commerce & Trade (originally sponsored by Senators Heavey and Sutherland; by request of Department of Labor & Industries)

Read first time 02/02/96.

1            AN ACT Relating to electrical administration procedures; amending  
2 RCW 19.28.125, 19.28.210, 19.28.310, 19.28.510, and 19.28.550; and  
3 adding new sections to chapter 19.28 RCW.

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

5            NEW SECTION.    **Sec. 1.** A new section is added to chapter 19.28 RCW  
6 to read as follows:

7            The department may deny renewal of a certificate or license issued  
8 under this chapter, if the applicant for renewal owes outstanding  
9 penalties for a final judgment under this chapter. The department  
10 shall notify the applicant of the denial by registered mail, return  
11 receipt requested, to the address on the application. The applicant  
12 may appeal the denial within twenty days by filing a notice of appeal  
13 with the department accompanied by a certified check for two hundred  
14 dollars which shall be returned to the applicant if the decision of the  
15 department is not upheld by the board. The office of administrative  
16 hearings shall conduct the hearing under chapter 34.05 RCW. The  
17 electrical board shall review the proposed decision at the next  
18 regularly scheduled board meeting. If the board sustains the decision

1 of the department, the two hundred dollars must be applied to the cost  
2 of the hearing.

3 NEW SECTION. **Sec. 2.** A new section is added to chapter 19.28 RCW  
4 to read as follows:

5 The department may audit the records of an electrical contractor  
6 that has verified the hours of experience submitted by an electrical  
7 trainee to the department under RCW 19.28.510(2) in the following  
8 circumstances: Excessive hours were reported; hours reported outside  
9 the normal course of the contractor's business; the type of hours  
10 reported do not reasonably match the type of permits purchased; or for  
11 other similar circumstances in which the department demonstrates a  
12 likelihood of excessive hours being reported. The department shall  
13 limit the audit to records necessary to verify hours. The department  
14 shall adopt rules implementing audit procedures. Information obtained  
15 from an electrical contractor under the provisions of this section is  
16 confidential and is not open to public inspection under chapter 42.17  
17 RCW.

18 **Sec. 3.** RCW 19.28.125 and 1988 c 81 s 6 are each amended to read  
19 as follows:

20 (1) Each applicant for an electrical contractor's license, other  
21 than an individual, shall designate a supervisory employee or member of  
22 the firm to take the required administrator's examination. Effective  
23 July 1, 1987, a supervisory employee designated as the administrator  
24 shall be a full-time supervisory employee. This person shall be  
25 designated as administrator under the license. No person may qualify  
26 as administrator for more than one contractor. If the relationship of  
27 the administrator with the electrical contractor is terminated, the  
28 contractor's license is void within ninety days unless another  
29 administrator is qualified by the board. However, if the administrator  
30 dies, the contractor's license is void within one hundred eighty days  
31 unless another administrator is qualified by the board. A certificate  
32 issued under this section is valid for two years from the nearest  
33 birthdate of the administrator, unless revoked or suspended, and  
34 further is nontransferable. The department may deny an application for  
35 an administrator's certificate for up to two years if the applicant's  
36 previous administrator's certificate has been revoked for a serious  
37 violation and all appeals concerning the revocation have been

1 exhausted. For the purposes of this section only, a serious violation  
2 is a violation that presents imminent danger to the public. The  
3 certificate may be renewed for a two-year period without examination by  
4 appropriate application unless the certificate has been revoked,  
5 suspended, or not renewed within ninety days after the expiration date.  
6 If the certificate is not renewed before the expiration date, the  
7 individual shall pay twice the usual fee. An individual holding more  
8 than one administrator's certificate under this chapter shall not be  
9 required to pay annual fees for more than one certificate. A person  
10 may take the administrator's test as many times as necessary without  
11 limit.

12 (2) The administrator shall:

13 (a) Be a member of the firm or a supervisory employee and shall be  
14 available during working hours to carry out the duties of an  
15 administrator under this section;

16 (b) Ensure that all electrical work complies with the electrical  
17 installation laws and rules of the state;

18 (c) Ensure that the proper electrical safety procedures are used;

19 (d) Ensure that all electrical labels, permits, and licenses  
20 required to perform electrical work are used;

21 (e) See that corrective notices issued by an inspecting authority  
22 are complied with; and

23 (f) Notify the department in writing within ten days if the  
24 administrator terminates the relationship with the electrical  
25 contractor.

26 (3) The department shall not by rule change the administrator's  
27 duties under subsection (2) of this section.

28 **Sec. 4.** RCW 19.28.210 and 1992 c 240 s 2 are each amended to read  
29 as follows:

30 (1) The director shall cause an inspector to inspect all wiring,  
31 appliances, devices, and equipment to which this chapter applies.  
32 Nothing contained in this chapter may be construed as providing any  
33 authority for any subdivision of government to adopt by ordinance any  
34 provisions contained or provided for in this chapter except those  
35 pertaining to cities and towns pursuant to RCW 19.28.010(~~(+2)~~) (3).

36 (2) Upon request, electrical inspections will be made by the  
37 department within forty-eight hours, excluding holidays, Saturdays, and  
38 Sundays. If, upon written request, the electrical inspector fails to

1 make an electrical inspection within twenty-four hours, the serving  
2 utility may immediately connect electrical power to the installation if  
3 the necessary electrical work permit is displayed: PROVIDED, That if  
4 the request is for an electrical inspection that relates to a mobile  
5 home installation, the applicant shall provide proof of a current  
6 building permit issued by the local government agency authorized to  
7 issue such permits as a prerequisite for inspection approval or  
8 connection of electrical power to the mobile home.

9 (3) Whenever the installation of any wiring, device, appliance, or  
10 equipment is not in accordance with this chapter, or is in such a  
11 condition as to be dangerous to life or property, the person, firm,  
12 partnership, corporation, or other entity owning, using, or operating  
13 it shall be notified by the department and shall within fifteen days,  
14 or such further reasonable time as may upon request be granted, make  
15 such repairs and changes as are required to remove the danger to life  
16 or property and to make it conform to this chapter. The director,  
17 through the inspector, is hereby empowered to disconnect or order the  
18 discontinuance of electrical service to conductors or equipment that  
19 are found to be in a dangerous or unsafe condition and not in  
20 accordance with this chapter. Upon making a disconnection the  
21 inspector shall attach a notice stating that the conductors have been  
22 found dangerous to life or property and are not in accordance with this  
23 chapter. It is unlawful for any person to reconnect such defective  
24 conductors or equipment without the approval of the department, and  
25 until the conductors and equipment have been placed in a safe and  
26 secure condition, and in a condition that complies with this chapter.

27 (4) The director, through the electrical inspector, has the right  
28 during reasonable hours to enter into and upon any building or premises  
29 in the discharge of his or her official duties for the purpose of  
30 making any inspection or test of the installation of new construction  
31 or altered electrical wiring, electrical devices, equipment, or  
32 material contained in or on the buildings or premises. No electrical  
33 wiring or equipment subject to this chapter may be concealed until it  
34 has been approved by the inspector making the inspection. At the time  
35 of the inspection, electrical wiring or equipment subject to this  
36 chapter must be sufficiently accessible to permit the inspector to  
37 employ any testing methods that will verify conformance with the  
38 national electrical code and any other requirements of this chapter.

1 (5) Persons, firms, partnerships, corporations, or other entities  
2 making electrical installations shall obtain inspection and approval  
3 from an authorized representative of the department as required by this  
4 chapter before requesting the electric utility to connect to the  
5 installations. Electric utilities may connect to the installations if  
6 approval is clearly indicated by certification of the electrical work  
7 permit required to be affixed to each installation or by equivalent  
8 means, except that increased or relocated services may be reconnected  
9 immediately at the discretion of the utility before approval if an  
10 electrical work permit is displayed. The permits shall be furnished  
11 upon payment of the fee to the department.

12 (6) The director, subject to the recommendations and approval of  
13 the board, shall set by rule a schedule of license and electrical work  
14 permit fees that will cover the costs of administration and enforcement  
15 of this chapter. The rules shall be adopted in accordance with the  
16 administrative procedure act, chapter 34.05 RCW. No fee may be charged  
17 for plug-in mobile homes, recreational vehicles, or portable  
18 appliances.

19 (7) Nothing in this chapter shall authorize the inspection of any  
20 wiring, appliance, device, or equipment, or installations thereof, by  
21 any utility or by any person, firm, partnership, corporation, or other  
22 entity employed by a utility in connection with the installation,  
23 repair, or maintenance of lines, wires, apparatus, or equipment owned  
24 by or under the control of the utility. All work covered by the  
25 national electric code not exempted by the 1981 edition of the national  
26 electric code 90-2(B)(5) shall be inspected by the department.

27 **Sec. 5.** RCW 19.28.310 and 1988 c 81 s 10 are each amended to read  
28 as follows:

29 The department has the power, in case of (~~continued~~) serious  
30 noncompliance with the provisions of this chapter, to revoke or suspend  
31 for such a period as it determines, any electrical contractor license  
32 or electrical contractor administrator certificate issued under this  
33 chapter. The department shall notify the holder of the license or  
34 certificate of the revocation or suspension by certified mail. A  
35 revocation or suspension is effective (~~fifteen~~) twenty days after the  
36 holder receives the notice. Any revocation or suspension is subject to  
37 review by an appeal to the board. The filing of an appeal stays the  
38 effect of a revocation or suspension until the board makes its

1 decision. The appeal shall be filed within (~~fifteen~~) twenty days  
2 after notice of the revocation or suspension is given by certified mail  
3 sent to the address of the holder of the license or certificate as  
4 shown on the application for the license or certificate, and shall be  
5 effected by filing a written notice of appeal with the department,  
6 accompanied by a certified check for two hundred dollars, which shall  
7 be returned to the holder of the license or certificate if the decision  
8 of the department is not sustained by the board. The hearing shall be  
9 conducted in accordance with chapter 34.05 RCW. If the board sustains  
10 the decision of the department, the two hundred dollars shall be  
11 applied by the department to the payment of the per diem and expenses  
12 of the members of the board incurred in the matter, and any balance  
13 remaining after payment of per diem and expenses shall be paid into the  
14 electrical license fund.

15 **Sec. 6.** RCW 19.28.510 and 1983 c 206 s 13 are each amended to read  
16 as follows:

17 (1) No person may engage in the electrical construction trade  
18 without having a current journeyman electrician certificate of  
19 competency or a current specialty electrician certificate of competency  
20 issued by the department in accordance with this chapter. Electrician  
21 certificate of competency specialties include, but are not limited to:  
22 Residential, domestic appliances, pump and irrigation, limited energy  
23 system, signs, and nonresidential maintenance.

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

1 be charged for the issuance or renewal of the certificate. The  
2 department shall set the fee by rule. The fee shall cover but not  
3 exceed the cost of administering and enforcing the trainee  
4 certification and supervision requirements of this chapter.  
5 Apprentices and individuals learning the electrical construction trade  
6 shall have their electrical training certificates in their possession  
7 at all times that they are performing electrical work. They shall show  
8 their certificates to an authorized representative of the department at  
9 the representative's request.

10 (3) Any person who has been issued an electrical training  
11 certificate under this chapter may work if that person is under  
12 supervision. Supervision shall consist of a person being on the same  
13 job site and under the control of either a journeyman electrician or an  
14 appropriate specialty electrician who has an applicable certificate of  
15 competency issued under this chapter. Either a journeyman electrician  
16 or an appropriate specialty electrician shall be on the same job site  
17 as the noncertified individual for a minimum of seventy-five percent of  
18 each working day unless otherwise provided in this chapter. The ratio  
19 of noncertified individuals to certified journeymen or specialty  
20 electricians working on a job site shall be:

21 (a) From September 1, 1979, through December 31, 1982, not more  
22 than three noncertified electricians working on any one job site for  
23 every certified journeyman or specialty electrician;

24 (b) Effective January 1, 1983, not more than two noncertified  
25 individuals working on any one job site for every specialty electrician  
26 or journeyman electrician working as a specialty electrician;

27 (c) Effective January 1, 1983, not more than one noncertified  
28 individual working on any one job site for every certified journeyman  
29 electrician.

30 The ratio requirements do not apply to a trade school program in  
31 the electrical construction trade established during 1946.

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



1       (4) The electrical contractor shall accurately verify and attest to  
2 the electrical trainee hours worked by electrical trainees on behalf of  
3 the electrical contractor.

4       **Sec. 7.** RCW 19.28.550 and 1993 c 192 s 1 are each amended to read  
5 as follows:

6       (1) The department shall issue a certificate of competency to all  
7 applicants who have passed the examination provided in RCW 19.28.540,  
8 and who have complied with RCW 19.28.510 through 19.28.620 and the  
9 rules adopted under this chapter. The certificate shall bear the date  
10 of issuance, and shall expire on (~~October 31st or April 30th, not less~~  
11 ~~than six months nor more than three years immediately following the~~  
12 ~~date of issuance~~)) the holder's birthday. The certificate shall be  
13 renewed every three years, upon application, on or before the holder's  
14 birthdate. A fee shall be assessed for each certificate and for each  
15 annual renewal.

16       (2) If the certificate holder demonstrates to the department that  
17 he or she has satisfactorily completed an annual eight-hour continuing  
18 education course, the certificate may be renewed without examination by  
19 appropriate application unless the certificate has been revoked,  
20 suspended, or not renewed within ninety days after the expiration date.

21       (a) The contents and requirements for satisfactory completion of  
22 the continuing education course shall be determined by the director and  
23 approved by the board.

24       (b) The department shall accept proof of a certificate holder's  
25 satisfactory completion of a continuing education course offered in  
26 another state as meeting the requirements for maintaining a current  
27 Washington state certificate of competency if the department is  
28 satisfied the course is comparable in nature to that required in  
29 Washington state for maintaining a current certificate of competency.

30       (3) If the certificate is not renewed before the expiration date,  
31 the individual shall pay twice the usual fee. The department shall set  
32 the fees by rule for issuance and renewal of a certificate of  
33 competency. The fees shall cover but not exceed the costs of issuing  
34 the certificates and of administering and enforcing the electrician  
35 certification requirements of this chapter.

36       (4) The certificates of competency and temporary permits provided  
37 for in this chapter grant the holder the right to work in the  
38 electrical construction trade as a journeyman electrician or specialty

1 electrician in accordance with their provisions throughout the state  
2 and within any of its political subdivisions without additional proof  
3 of competency or any other license, permit, or fee to engage in such  
4 work.

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