

2 EHB 3003 - S COMM AMD

3 By Committee on Commerce & Labor

4 ADOPTED 3/5/98

5 Strike everything after the enacting clause and insert the
6 following:

7 "Sec. 1. RCW 19.28.010 and 1993 c 275 s 2 are each amended to read
8 as follows:

9 (1) All wires and equipment, and installations thereof, that convey
10 electric current and installations of equipment to be operated by
11 electric current, in, on, or about buildings or structures, except for
12 noncomposite fiber optic cables, telephone, telegraph, radio, and
13 television wires and equipment, and television antenna installations,
14 signal strength amplifiers, and coaxial installations pertaining
15 thereto shall be in strict conformity with this chapter, the statutes
16 of the state of Washington, and the rules issued by the department, and
17 shall be in conformity with approved methods of construction for safety
18 to life and property. All wires and equipment that fall within section
19 90.2(b)(5) of the National Electrical Code, 1981 edition, are exempt
20 from the requirements of this chapter. The regulations and articles in
21 the National Electrical Code, the national electrical safety code, and
22 other installation and safety regulations approved by the national fire
23 protection association, as modified or supplemented by rules issued by
24 the department in furtherance of safety to life and property under
25 authority hereby granted, shall be prima facie evidence of the approved
26 methods of construction. All materials, devices, appliances, and
27 equipment used in such installations shall be of a type that conforms
28 to applicable standards or be indicated as acceptable by the
29 established standards of any electrical product testing laboratory
30 which is accredited by the department. Industrial control panels,
31 utilization equipment, and their components do not need to be listed,
32 labeled, or otherwise indicated as acceptable by an accredited
33 electrical product testing laboratory unless specifically required by
34 the National Electrical Code, 1993 edition.

35 (2) Residential buildings or structures moved into or within a
36 county, city, or town are not required to comply with all of the

1 requirements of this chapter, if the original occupancy classification
2 of the building or structure is not changed as a result of the move.
3 This subsection shall not apply to residential buildings or structures
4 that are substantially remodeled or rehabilitated.

5 (3) This chapter shall not limit the authority or power of any city
6 or town to enact and enforce under authority given by law, any
7 ordinance, rule, or regulation requiring an equal, higher, or better
8 standard of construction and an equal, higher, or better standard of
9 materials, devices, appliances, and equipment than that required by
10 this chapter. A city or town shall require that its electrical
11 inspectors meet the qualifications provided for state electrical
12 inspectors in accordance with RCW 19.28.070. In a city or town having
13 an equal, higher, or better standard the installations, materials,
14 devices, appliances, and equipment shall be in accordance with the
15 ordinance, rule, or regulation of the city or town. Electrical
16 equipment associated with spas, hot tubs, swimming pools, and
17 hydromassage bathtubs shall not be offered for sale or exchange unless
18 the electrical equipment is certified as being in compliance with the
19 applicable product safety standard by bearing the certification mark of
20 an approved electrical products testing laboratory.

21 (4) Nothing in this chapter may be construed as permitting the
22 connection of any conductor of any electric circuit with a pipe that is
23 connected with or designed to be connected with a waterworks piping
24 system, without the consent of the person or persons legally
25 responsible for the operation and maintenance of the waterworks piping
26 system.

27 **Sec. 2.** RCW 19.28.200 and 1992 c 240 s 1 are each amended to read
28 as follows:

29 (1) No license under the provision of this chapter shall be
30 required from any utility or any person, firm, partnership,
31 corporation, or other entity employed by a utility because of work in
32 connection with the installation, repair, or maintenance of lines,
33 wires, apparatus, or equipment owned by or under the control of a
34 utility and used for transmission or distribution of electricity from
35 the source of supply to the point of contact at the premises and/or
36 property to be supplied and service connections and meters and other
37 apparatus or appliances used in the measurement of the consumption of
38 electricity by the customer.

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

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

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

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

18 (3) Any person, firm, partnership, corporation, or other entity
19 licensed under RCW 19.28.120 may enter into a contract with a utility
20 for the performance of work under subsection (2) of this section.

21 (4) No license under the provisions of this chapter shall be
22 required from any person, firm, partnership, corporation, or other
23 entity because of the work of installing and repairing ignition or
24 lighting systems for motor vehicles.

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

30 (6) No license under the provisions of this chapter shall be
31 required from any person, firm, partnership, corporation, or other
32 entity because of work in connection with the installation, repair, or
33 maintenance of structured communication cabling. For purposes of this
34 section, "structured communication cabling" means twisted pair copper
35 and coaxial cables designed to support analog and digital voice
36 applications, data, local area networks, and video. "Structured
37 communication cabling" does not include the following, all of which are
38 subject to this chapter: Fire protection signaling systems, intrusion
39 alarms, patient monitoring systems, and energy management control

1 systems. Installation of structured communications cabling is subject
2 to adopted electrical installations standards and inspections under RCW
3 19.28.210.

4 **Sec. 3.** RCW 19.28.610 and 1994 c 157 s 1 are each amended to read
5 as follows:

6 Nothing in RCW 19.28.510 through 19.28.620 shall be construed to
7 require that a person obtain a license or a certified electrician in
8 order to do electrical work at his or her residence or farm or place of
9 business or on other property owned by him or her unless the electrical
10 work is on the construction of a new building intended for rent, sale,
11 or lease. However, if the construction is of a new residential
12 building with up to four units intended for rent, sale, or lease, the
13 owner may receive an exemption from the requirement to obtain a license
14 or use a certified electrician if he or she provides a signed affidavit
15 to the department stating that he or she will be performing the work
16 and will occupy one of the units as his or her principal residence.
17 The owner shall apply to the department for this exemption and may only
18 receive an exemption once every twenty-four months. It is intended
19 that the owner receiving this exemption shall occupy the unit as his or
20 her principal residence for twenty-four months after completion of the
21 units. Nothing in RCW 19.28.510 through 19.28.620 shall be intended to
22 derogate from or dispense with the requirements of any valid electrical
23 code enacted by a city or town pursuant to RCW 19.28.010(3), except
24 that no code shall require the holder of a certificate of competency to
25 demonstrate any additional proof of competency or obtain any other
26 license or pay any fee in order to engage in the electrical
27 construction trade. RCW 19.28.510 through 19.28.620 shall not apply to
28 common carriers subject to Part I of the Interstate Commerce Act, nor
29 to their officers and employees. Nothing in RCW 19.28.510 through
30 19.28.620 shall be deemed to apply to the installation or maintenance
31 of telephone, telegraph, radio, or television wires and equipment; nor
32 to any electrical utility or its employees in the installation, repair,
33 and maintenance of electrical wiring, circuits, and equipment by or for
34 the utility, or comprising a part of its plants, lines or systems. The
35 licensing provisions of RCW 19.28.510 through 19.28.620 shall not apply
36 to:

37 (1) Persons making electrical installations on their own property
38 or to regularly employed employees working on the premises of their

1 employer, unless the electrical work is on the construction of a new
2 building intended for rent, sale, or lease; or

3 (2) Employees of an employer while the employer is performing
4 utility type work of the nature described in RCW 19.28.200 so long as
5 such employees have registered in the state of Washington with or
6 graduated from a state-approved outside lineman apprenticeship course
7 that is recognized by the department and that qualifies a person to
8 perform such work; or

9 (3) Persons, firms, partnerships, corporations, or other entities
10 engaged in the installation, repair, or maintenance of structured
11 communication cabling as defined in RCW 19.28.200(6).

12 Nothing in RCW 19.28.510 through 19.28.620 shall be construed to
13 restrict the right of any householder to assist or receive assistance
14 from a friend, neighbor, relative or other person when none of the
15 individuals doing the electrical installation hold themselves out as
16 engaged in the trade or business of electrical installations. Nothing
17 precludes any person who is exempt from the licensing requirements of
18 this chapter under this section from obtaining a journeyman or
19 specialty certificate of competency if they otherwise meet the
20 requirements of this chapter.

21 NEW SECTION. Sec. 4. The department of labor and industries shall
22 convene an advisory committee to study the inclusion of
23 telecommunications infrastructure in the requirements of chapter 19.28
24 RCW, including licensure and certification. The committee shall
25 include representatives of the groups and entities affected and shall
26 present recommendations on alternatives by January 1, 1999, to the
27 commerce and labor committees of the house of representatives and the
28 senate."

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32 On page 1, beginning on line 2 of the title, after "requirements;"
33 strike the remainder of the title and insert "amending RCW 19.28.010,
34 19.28.200, and 19.28.610; and creating a new section."

1 EFFECT: Creates an advisory committee of the parties affected to
2 study regulation of telecommunications infrastructure, including
3 licensure and certification, and recommend alternatives to the
4 legislature by the next session.

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