

CERTIFICATION OF ENROLLMENT

SUBSTITUTE SENATE BILL 6225

59th Legislature
2006 Regular Session

Passed by the Senate March 6, 2006
YEAS 45 NAYS 0

President of the Senate

Passed by the House March 1, 2006
YEAS 97 NAYS 1

Speaker of the House of Representatives

Approved

Governor of the State of Washington

CERTIFICATE

I, Thomas Hoemann, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 6225** as passed by the Senate and the House of Representatives on the dates hereon set forth.

Secretary

FILED

**Secretary of State
State of Washington**

SUBSTITUTE SENATE BILL 6225

AS AMENDED BY THE HOUSE

Passed Legislature - 2006 Regular Session

State of Washington 59th Legislature 2006 Regular Session

By Senate Committee on Labor, Commerce, Research & Development
(originally sponsored by Senators Rasmussen, Honeyford, Haugen,
Morton, Hewitt, Rockefeller, Pflug, Parlette, Shin and Oke)

READ FIRST TIME 02/03/06.

1 AN ACT Relating to regulating the business of installing,
2 repairing, and maintaining domestic water pumping systems; amending RCW
3 18.106.010, 18.106.040, 18.106.050, 18.106.110, 19.28.041, 19.28.161,
4 19.28.051, 19.28.061, 18.106.070, 18.106.020, 19.28.211, 19.28.131, and
5 18.27.060; reenacting and amending RCW 19.28.191; and prescribing
6 penalties.

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

8 **Sec. 1.** RCW 18.106.010 and 2003 c 399 s 102 are each amended to
9 read as follows:

10 (~~Unless a different meaning is plainly required by the context,~~
11 ~~the following words and phrases as hereinafter used in this chapter~~
12 ~~shall have the following meaning:~~) The definitions in this section
13 apply throughout this chapter unless the context clearly requires
14 otherwise.

15 (1) "Advisory board" means the state advisory board of
16 plumbers((+)).

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

1 person, corporate or otherwise, who employs anyone, or offers or
2 advertises to employ anyone, to engage in any work covered by the
3 provisions of this chapter((+)).

4 (3) "Department" means the department of labor and industries((+)).

5 (4) "Director" means the director of department of labor and
6 industries((+)).

7 (5) "Journeyman plumber" means any person who has been issued a
8 certificate of competency by the department of labor and industries as
9 provided in this chapter((+)).

10 (6) "Like-in-kind" means having similar characteristics such as
11 plumbing size, type, and function, and being in the same location((+)).

12 (7) "Medical gas piping" means oxygen, nitrous oxide, high pressure
13 nitrogen, medical compressed air, and medical vacuum systems((+)).

14 (8) "Medical gas piping installer" means a journeyman plumber who
15 has been issued a medical gas piping installer endorsement((+)).

16 (9) "Plumbing" means that craft involved in installing, altering,
17 repairing and renovating potable water systems, liquid waste systems,
18 and medical gas piping systems within a building. Installation in a
19 water system of water softening or water treatment equipment is not
20 within the meaning of plumbing as used in this chapter((+)).

21 (10) "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 not
25 exceed three stories; ((~~or~~))

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

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

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

35 (A) A single-family dwelling, duplex, or other similar place of
36 residence; (B) a public water system, as defined in RCW 70.119.020 and
37 as limited under RCW 70.119.040; or (C) a farm owned and operated by a

1 person whose primary residence is located within thirty miles of any
2 part of the farm;

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

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

15 **Sec. 2.** RCW 18.106.040 and 2001 c 281 s 2 are each amended to read
16 as follows:

17 (1) Upon receipt of the application and evidence set forth in RCW
18 18.106.030, the director shall review the same and make a determination
19 as to whether the applicant is eligible to take an examination for the
20 certificate of competency. To be eligible to take the examination:

21 (a) Each applicant for a journeyman plumber's certificate of
22 competency shall furnish written evidence that he or she has completed
23 a course of study in the plumbing trade in the armed services of the
24 United States or at a school licensed by the work force training and
25 education coordinating board, or has had four or more years of
26 experience under the direct supervision of a licensed journeyman
27 plumber.

28 (b) Each applicant for a specialty plumber's certificate of
29 competency under RCW 18.106.010(~~(+8)~~) (10)(a) shall furnish written
30 evidence that he or she has completed a course of study in the plumbing
31 trade in the armed services of the United States or at a school
32 licensed by the work force training and education coordinating board
33 under chapter 28C.10 RCW, or that he or she has had at least three
34 years practical experience in the specialty.

35 (c) Each applicant for a specialty plumber's certificate of
36 competency under RCW 18.106.010(~~(+8)~~)(10) (b) or (c) shall furnish
37 written evidence that he or she is eligible to take the examination.

1 These eligibility requirements for the specialty plumbers defined by
2 RCW 18.106.010(10)(c) shall be one year of practical experience working
3 on pumping systems not exceeding one hundred gallons per minute, and
4 two years of practical experience working on pumping systems exceeding
5 one hundred gallons per minute, or equivalent as determined by rule by
6 the department in consultation with the advisory board, and that
7 experience may be obtained at the same time the individual is meeting
8 the experience required by RCW 19.28.191. The eligibility requirements
9 for other specialty plumbers shall be ((adopted)) established by rule
10 by the director pursuant to subsection (2)(b) of this section.

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

15 (b) The director shall establish reasonable criteria by rule for
16 determining an applicant's eligibility to take an examination for the
17 certificate of competency for specialty plumbers under subsection
18 (1)(c) of this section. In establishing the criteria, the director
19 shall consult with the state advisory board of plumbers as established
20 in RCW 18.106.110. These rules must take effect by ((July 1, 2002))
21 December 31, 2006.

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

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

26 **Sec. 3.** RCW 18.106.050 and 1997 c 326 s 5 are each amended to read
27 as follows:

28 (1) The department, with the advice of the advisory board, shall
29 prepare a written examination to be administered to applicants for
30 certificates of competency for journeyman plumber and specialty
31 plumber. The examination shall be constructed to determine:

32 (a) Whether the applicant possesses varied general knowledge of the
33 technical information and practical procedures that are identified with
34 the trade of journeyman plumber or specialty plumber; and

35 (b) Whether the applicant is familiar with the applicable plumbing
36 codes and the administrative rules of the department pertaining to
37 plumbing and plumbers.

1 ~~((The department shall administer the examination to eligible~~
2 ~~persons. All applicants shall, before taking the examination, pay to~~
3 ~~the department a fee.))~~

4 (2) ~~((For purposes of the medical gas piping installer~~
5 ~~endorsement,))~~ The department, with the consent of the advisory board,
6 may enter into a contract with a nationally recognized testing agency
7 to develop, administer, and score ~~((medical gas piping installer))~~ any
8 examinations required by this chapter. All applicants shall, before
9 taking an examination ~~((for a medical gas piping installer~~
10 ~~endorsement))~~, pay the required examination fee. The department shall
11 set the examination fee by contract with a nationally recognized
12 testing agency. The fee shall cover but not exceed the costs of
13 preparing and administering the examination and the materials necessary
14 to conduct the practical elements of the examination. The department
15 shall approve training courses and set the fees for training courses
16 for ~~((the medical gas piping installer endorsement))~~ examinations
17 provided by this chapter.

18 (3) An examination to determine the competency of an applicant for
19 a domestic water pumping system specialty plumbing certificate as
20 defined by RCW 18.106.010(10)(c) must be established by the department
21 in consultation with the advisory board by December 31, 2006. The
22 department may include an examination for appropriate electrical safety
23 and technical requirements as required by RCW 19.28.191 with the
24 examination required by this section. The department, in consultation
25 with the advisory board, may accept the certification by a professional
26 or trade association or other acceptable entity as meeting the
27 examination requirement of this section. Individuals who can provide
28 evidence to the department prior to January 1, 2007, that they have
29 been employed in the pump and irrigation business as defined by RCW
30 18.106.010(10)(c) for not less than four thousand hours in the most
31 recent four calendar years shall be issued the appropriate certificate
32 by the department upon receiving such documentation and applicable
33 fees. The department shall establish a single document for those who
34 have received both the plumbing specialty certification defined by this
35 subsection and have also met the certification requirements for a pump
36 and irrigation or domestic pump specialty electrician, showing that the
37 individual has received both certifications.

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

7 **Sec. 4.** RCW 18.106.110 and 1997 c 307 s 1 are each amended to read
8 as follows:

9 (1) There is created a state advisory board of plumbers, to be
10 composed of (~~five~~) seven members appointed by the governor. Two
11 members shall be journeyman plumbers, (~~two~~) one member shall be a
12 specialty plumber, three members shall be persons conducting a plumbing
13 business, at least one of which shall be primarily engaged in a
14 specialty plumbing business, and one member from the general public who
15 is familiar with the business and trade of plumbing.

16 (2) The term of one journeyman plumber expires July 1, 1995; the
17 term of the second journeyman plumber expires July 1, 2000; the term of
18 the specialty plumber expires July 1, 2008; the term of one person
19 conducting a plumbing business expires July 1, 1996; the term of the
20 second person conducting a plumbing business expires July 1, 2000; the
21 term of the third person conducting a plumbing business expires July 1,
22 2007; and the term of the public member expires July 1, 1997.
23 Thereafter, upon the expiration of said terms, the governor shall
24 appoint a new member to serve for a period of three years. However, to
25 ensure that the board can continue to act, a member whose term expires
26 shall continue to serve until his or her replacement is appointed. In
27 the case of any vacancy on the board for any reason, the governor shall
28 appoint a new member to serve out the term of the person whose position
29 has become vacant.

30 (3) The advisory board shall carry out all the functions and duties
31 enumerated in this chapter, as well as generally advise the department
32 on all matters relative to this chapter.

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

1 **Sec. 5.** RCW 19.28.041 and 2002 c 249 s 2 are each amended to read
2 as follows:

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

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

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

24 (c) Employer social security number;

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

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

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

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

38 (e) Employment security department number;

1 (f) State excise tax registration number;

2 (g) Unified business identifier (UBI) account number may be
3 substituted for the information required by (d) of this subsection if
4 the applicant will not employ employees in Washington, and by (e) and
5 (f) of this subsection; and

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

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

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

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

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

1 to post more than one four thousand dollar bond, equivalent cash
2 deposit, or other negotiable security.

3 (5) To obtain a general or specialty electrical contractor license
4 the applicant must designate an individual who currently possesses a
5 valid master journeyman electrician's certificate of competency, master
6 specialty electrician's certificate of competency in the specialty for
7 which application has been made, or administrator's certificate as a
8 general electrical contractor administrator or as a specialty
9 electrical contractor administrator in the specialty for which
10 application has been made.

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

25 (7) For a contractor doing domestic water pumping system work as
26 defined by RCW 18.106.010(10)(c), the department shall consider the
27 requirements of subsections (1)(a) through (h), (2), and (3) of this
28 section to have been met to be a pump and irrigation or domestic pump
29 licensed electrical contractor if the contractor has met the contractor
30 registration requirements of chapter 18.27 RCW. The department shall
31 establish a single registration/licensing document for those who
32 qualify for both general contractor registration as defined in chapter
33 18.27 RCW and a pump and irrigation or domestic pump electrical
34 contractor license as defined by this chapter.

35 **Sec. 6.** RCW 19.28.161 and 2002 c 249 s 4 are each amended to read
36 as follows:

37 (1) No person may engage in the electrical construction trade

1 without having a valid master journeyman electrician certificate of
2 competency, journeyman electrician certificate of competency, master
3 specialty electrician certificate of competency, or specialty
4 electrician certificate of competency issued by the department in
5 accordance with this chapter. Electrician certificate of competency
6 specialties include, but are not limited to: Residential, pump and
7 irrigation, limited energy system, signs, nonresidential maintenance,
8 restricted nonresidential maintenance, and appliance repair. Until
9 July 1, 2007, the department of labor and industries shall issue a
10 written warning to any specialty pump and irrigation or domestic pump
11 electrician not having a valid electrician certification. The warning
12 will state that the individual must apply for an electrical training
13 certificate or be qualified for and apply for electrician certification
14 under the requirements in RCW 19.28.191(1)(g) within thirty calendar
15 days of the warning. Only one warning will be issued to any
16 individual. If the individual fails to comply with this section, the
17 department shall issue a penalty as defined in RCW 19.28.271 to the
18 individual.

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

1 shall cover but not exceed the cost of administering and enforcing the
2 trainee certification and supervision requirements of this chapter.
3 Apprentices and individuals learning the electrical construction trade
4 shall have their electrical training certificates in their possession
5 at all times that they are performing electrical work. They shall show
6 their certificates to an authorized representative of the department at
7 the representative's request.

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

21 (4) The ratio of noncertified individuals to certified master
22 journeymen electricians, journeymen electricians, master specialty
23 electricians, or specialty electricians on any one job site is as
24 follows:

25 (a) When working as a specialty electrician, not more than two
26 noncertified individuals for every certified master specialty
27 electrician working in that electrician's specialty, specialty
28 electrician working in that electrician's specialty, master journeyman
29 electrician, or journeyman electrician, except that the ratio
30 requirements are one certified master specialty electrician working in
31 that electrician's specialty, specialty electrician working in that
32 electrician's specialty, master journeyman electrician, or journeyman
33 electrician working as a specialty electrician to no more than four
34 students enrolled in and working as part of an electrical construction
35 program at public community or technical colleges, or not-for-profit
36 nationally accredited trade or technical schools licensed by the work
37 force training and education coordinating board under chapter 28C.10

1 RCW. In meeting the ratio requirements for students enrolled in an
2 electrical construction program at a trade school, a trade school may
3 receive input and advice from the electrical board; and

4 (b) When working as a journeyman electrician, not more than one
5 noncertified individual for every certified master journeyman
6 electrician or journeyman electrician, except that the ratio
7 requirements shall be one certified master journeyman electrician or
8 journeyman electrician to no more than four students enrolled in and
9 working as part of an electrical construction program at public
10 community or technical colleges, or not-for-profit nationally
11 accredited trade or technical schools licensed by the work force
12 training and education coordinating board under chapter 28C.10 RCW. In
13 meeting the ratio requirements for students enrolled in an electrical
14 construction program at a trade school, a trade school may receive
15 input and advice from the electrical board.

16 An individual who has a current training certificate and who has
17 successfully completed or is currently enrolled in an approved
18 apprenticeship program or in an electrical construction program at
19 public community or technical colleges, or not-for-profit nationally
20 accredited technical or trade schools licensed by the work force
21 training and education coordinating board under chapter 28C.10 RCW, may
22 work without direct on-site supervision during the last six months of
23 meeting the practical experience requirements of this chapter.

24 (5) For the residential (as specified in WAC (~~(296-46A-930)~~) 296-
25 46B-920(2)(a)), pump and irrigation (as specified in WAC (~~(296-46A-~~
26 ~~930(2)(b)(i))~~) 296-46B-920(2)(b)), sign (as specified in WAC (~~(296-46A-~~
27 ~~930(2)(c))~~) 296-46B-920(2)(d)), limited energy (as specified in WAC
28 (~~(296-46A-930(2)(e)(i))~~) 296-46B-920(2)(e)), nonresidential maintenance
29 (as specified in WAC (~~(296-46A-930(2)(f)(i))~~) 296-46B-920(2)(g)),
30 restricted nonresidential maintenance as determined by the department
31 in rule, or other new nonresidential specialties, not including
32 appliance repair, as determined by the department in rule, either a
33 master journeyman electrician, journeyman electrician, master specialty
34 electrician working in that electrician's specialty, or specialty
35 electrician working in that electrician's specialty must be on the same
36 job site as the noncertified individual for a minimum of seventy-five
37 percent of each working day. Other specialties must meet the
38 requirements specified in RCW 19.28.191(~~(1)(f)(ii))~~) (1)(g)(ii). When

1 the ratio of certified electricians to noncertified individuals on a
2 job site is one certified electrician to three or four noncertified
3 individuals, the certified electrician must:

4 (a) Directly supervise and instruct the noncertified individuals
5 and the certified electrician may not directly make or engage in an
6 electrical installation; and

7 (b) Be on the same job site as the noncertified individual for a
8 minimum of one hundred percent of each working day.

9 (6) The electrical contractor shall accurately verify and attest to
10 the electrical trainee hours worked by electrical trainees on behalf of
11 the electrical contractor.

12 **Sec. 7.** RCW 19.28.191 and 2003 c 399 s 601 and 2003 c 211 s 1 are
13 each reenacted and amended to read as follows:

14 (1) Upon receipt of the application, the department shall review
15 the application and determine whether the applicant is eligible to take
16 an examination for the master journeyman electrician, journeyman
17 electrician, master specialty electrician, or specialty electrician
18 certificate of competency.

19 (a) Before July 1, 2005, an applicant who possesses a valid
20 journeyman electrician certificate of competency in effect for the
21 previous four years and a valid general administrator's certificate may
22 apply for a master journeyman electrician certificate of competency
23 without examination.

24 (b) Before July 1, 2005, an applicant who possesses a valid
25 specialty electrician certificate of competency, in the specialty
26 applied for, for the previous two years and a valid specialty
27 administrator's certificate, in the specialty applied for, may apply
28 for a master specialty electrician certificate of competency without
29 examination.

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

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

35 (ii) A person who provides evidence in a form prescribed by the
36 department affirming that: (A) He or she was employed as of April 1,

1 2003, by a factory-authorized equipment dealer or service company; and
2 (B) he or she has worked in equipment repair for a minimum of four
3 thousand hours.

4 (d) To be eligible to take the examination for a master journeyman
5 electrician certificate of competency the applicant must have possessed
6 a valid journeyman electrician certificate of competency for four
7 years.

8 (e) To be eligible to take the examination for a master specialty
9 electrician certificate of competency the applicant must have possessed
10 a valid specialty electrician certificate of competency, in the
11 specialty applied for, for two years.

12 (f) To be eligible to take the examination for a journeyman
13 certificate of competency the applicant must have:

14 (i) Worked in the electrical construction trade for a minimum of
15 eight thousand hours, of which four thousand hours shall be in
16 industrial or commercial electrical installation under the supervision
17 of a master journeyman electrician or journeyman electrician and not
18 more than a total of four thousand hours in all specialties under the
19 supervision of a master journeyman electrician, journeyman electrician,
20 master specialty electrician working in that electrician's specialty,
21 or specialty electrician working in that electrician's specialty.
22 Speciality electricians with less than a four thousand hour work
23 experience requirement cannot credit the time required to obtain that
24 specialty towards qualifying to become a journeyman electrician; or

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

27 (g) To be eligible to take the examination for a specialty
28 electrician certificate of competency the applicant must have:

29 (i) Worked in the residential (as specified in WAC (~~(296-46A-930)~~)
30 296-46B-920(2)(a)), pump and irrigation (as specified in WAC (~~(296-46A-~~
31 ~~930(2)(b)(i))~~) 296-46B-920(2)(b)), sign (as specified in WAC (~~(296-46A-~~
32 ~~930(2)(c))~~) 296-46B-920(2)(d)), limited energy (as specified in WAC
33 (~~(296-46A-930(2)(e)(i))~~) 296-46B-920(2)(e)), nonresidential maintenance
34 (as specified in WAC (~~(296-46A-930(2)(f)(i))~~) 296-46B-920(2)(g)), or
35 other new nonresidential specialties as determined by the department in
36 rule under the supervision of a master journeyman electrician,
37 journeyman electrician, master specialty electrician working in that

1 electrician's specialty, or specialty electrician working in that
2 electrician's specialty for a minimum of four thousand hours; ((~~or~~))

3 (ii) Worked in the appliance repair specialty as determined by the
4 department in rule, restricted nonresidential maintenance as determined
5 by the department in rule, the equipment repair specialty as determined
6 by the department in rule, the pump and irrigation specialty other than
7 as defined by (g)(i) of this subsection or domestic pump specialty as
8 determined by the department in rule, or a specialty other than the
9 designated specialties in (g)(i) of this subsection for a minimum of
10 the initial ninety days, or longer if set by rule by the department.
11 The restricted nonresidential maintenance specialty is limited to a
12 maximum of 277 volts and 20 amperes for lighting branch circuits and/or
13 a maximum of 250 volts and 60 amperes for other circuits, but excludes
14 the replacement or repair of circuit breakers. The initial period must
15 be spent under one hundred percent supervision of a master journeyman
16 electrician, journeyman electrician, master specialty electrician
17 working in that electrician's specialty, or specialty electrician
18 working in that electrician's specialty. After this initial period, a
19 person may take the specialty examination. If the person passes the
20 examination, the person may work unsupervised for the balance of the
21 minimum hours required for certification. A person may not be
22 certified as a specialty electrician in the appliance repair specialty
23 or in a specialty other than the designated specialties in (g)(i) of
24 this subsection, however, until the person has worked a minimum of two
25 thousand hours in that specialty, or longer if set by rule by the
26 department; ((~~or~~))

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

30 (iv) In meeting the training requirements for the pump and
31 irrigation or domestic pump specialties, the individual shall be
32 allowed to obtain the experience required by this section at the same
33 time the individual is meeting the experience required by RCW
34 18.106.040(1)(c). After meeting the training requirements provided in
35 this section, the individual may take the examination and upon passing
36 the examination, meeting additional training requirements as may still
37 be required for those seeking a pump and irrigation, or a domestic pump
38 specialty certificate as defined by rule, and paying the applicable

1 fees, the individual must be issued the appropriate certificate. The
2 department may include an examination for specialty plumbing
3 certificate defined in RCW 18.106.010(10)(c) with the examination
4 required by this section. The department, by rule and in consultation
5 with the electrical board, may establish additional equivalent ways to
6 gain the experience requirements required by this subsection.
7 Individuals who are able to provide evidence to the department, prior
8 to January 1, 2007, that they have been employed as a pump installer in
9 the pump and irrigation or domestic pump business by an appropriately
10 licensed electrical contractor, registered general contractor defined
11 by chapter 18.27 RCW, or appropriate general specialty contractor
12 defined by chapter 18.27 RCW for not less than eight thousand hours in
13 the most recent six calendar years shall be issued the appropriate
14 certificate by the department upon receiving such documentation and
15 applicable fees. The department shall establish a single document for
16 those who have received both an electrical specialty certification as
17 defined by this subsection and have also met the certification
18 requirements for the specialty plumber as defined by RCW
19 18.106.010(10)(c), showing that the individual has received both
20 certifications. No other experience or training requirements may be
21 imposed.

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

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

16 (j) The department must determine whether hours of training and
17 experience in the armed services or school program are in the
18 electrical construction trade and appropriate as a substitute for hours
19 of work experience. The department must use the following criteria for
20 evaluating the equivalence of classroom electrical training programs
21 and work in the electrical construction trade:

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

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

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

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

36 (v) Electrical training programs of less than two years may not be
37 credited towards qualification for journeyman electrician unless the

1 training program is used to gain qualification for a four thousand hour
2 electrical specialty.

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

4 (2) The department shall establish reasonable rules for the
5 examinations to be given applicants for certificates of competency. In
6 establishing the rules, the department shall consult with the board.
7 Upon determination that the applicant is eligible to take the
8 examination, the department shall so notify the applicant, indicating
9 the time and place for taking the examination.

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

15 **Sec. 8.** RCW 19.28.051 and 2001 c 211 s 4 are each amended to read
16 as follows:

17 It shall be the purpose and function of the board to establish, in
18 addition to a general electrical contractors' license, such
19 classifications of specialty electrical contractors' licenses as it
20 deems appropriate with regard to individual sections pertaining to
21 state adopted codes in this chapter. In addition, it shall be the
22 purpose and function of the board to establish and administer written
23 examinations for general electrical administrators' certificates and
24 the various specialty electrical administrators' certificates.
25 Examinations shall be designed to reasonably (~~insure~~) ensure that
26 general and specialty electrical administrators' certificate holders
27 are competent to engage in and supervise the work covered by this
28 statute and their respective licenses. The examinations shall include
29 questions from the following categories to (~~assure~~) ensure proper
30 safety and protection for the general public: (1) Safety, (2) state
31 electrical code, and (3) electrical theory. The department with the
32 consent of the board shall be permitted to enter into a contract with
33 a professional testing agency to develop, administer, and score these
34 examinations, or accept certifications or other appropriate
35 demonstrations established by independent entities that otherwise
36 fulfill the examination requirements of this section. Individuals who
37 can provide evidence to the department, prior to January 1, 2007, that

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

19 **Sec. 9.** RCW 19.28.061 and 2002 c 249 s 3 are each amended to read
20 as follows:

21 (1) Each applicant for an electrical contractor's license, other
22 than an individual, shall designate a supervisory employee or member of
23 the firm to take the required master electrician's or administrator's
24 examination. Effective July 1, 1987, a supervisory employee designated
25 as the electrical contractor's master electrician or administrator
26 shall be a full-time supervisory employee. This person shall be
27 designated as master electrician or administrator under the license.
28 No person may concurrently qualify as master electrician or
29 administrator for more than one contractor. If the relationship of the
30 master electrician or administrator with the electrical contractor is
31 terminated, the contractor's license is void within ninety days unless
32 another master electrician or administrator is qualified by the board.
33 However, if the master electrician or administrator dies or is
34 otherwise incapacitated, the contractor's license is void within one
35 hundred eighty days unless another master electrician or administrator
36 is qualified by the board. The contractor must notify the department

1 in writing within ten days if the master electrician's or
2 administrator's relationship with the contractor terminates due to the
3 master electrician's or administrator's death or incapacitation.

4 (2) The department must issue an administrator's certificate to all
5 applicants who have passed the examination as provided in RCW 19.28.051
6 and this section, and who have complied with the rules adopted under
7 this chapter. The administrator's certificate must bear the date of
8 issuance, expires on the holder's birthday, and is nontransferable.
9 The certificate must be renewed every three years, upon application, on
10 or before the holder's birthday.

11 (a) If the certificate holder demonstrates to the department that
12 he or she has satisfactorily completed an annual eight-hour continuing
13 education course, the certificate may be renewed by appropriate
14 application without examination unless the certificate has been
15 revoked, suspended, or not renewed within ninety days after the
16 expiration date. For holders of pump and irrigation or domestic pump
17 specialty administrator certificates, the continuing education may
18 comprise both electrical and plumbing education.

19 (b) The contents and requirements for satisfactory completion of
20 the continuing education course must be determined by the director and
21 approved by the board.

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

28 (3) A fee must be assessed for each administrator's certificate and
29 for each renewal. An individual holding more than one administrator's
30 certificate under this chapter is not required to pay fees for more
31 than one certificate. The department must set the fees by rule for
32 issuance and renewal of a certificate. The fees must cover, but not
33 exceed, the costs of issuing the certificates and of administering and
34 enforcing the administrator certification requirements of this chapter.

35 (4) The department may deny an application for an administrator's
36 certificate for up to two years if the applicant's previous
37 administrator's certificate has been revoked for a serious violation
38 and all appeals concerning the revocation have been exhausted. For the

1 purposes of this section only, a serious violation is a violation that
2 presents imminent danger to the public. The certificate may be renewed
3 for a three-year period without examination by appropriate application
4 unless the certificate has been revoked, suspended, or not renewed
5 within ninety days after the expiration date. If the certificate is
6 not renewed before the expiration date, the individual shall pay twice
7 the usual fee. A person may take the administrator's examination as
8 many times as necessary to pass without limit.

9 (5) The designated master electrician or administrator shall:

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

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

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

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

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

20 (f) Notify the department in writing within ten days if the master
21 electrician or administrator terminates the relationship with the
22 electrical contractor.

23 (6) The department shall not by rule change the administrator's
24 duties under subsection (5) of this section.

25 **Sec. 10.** RCW 18.106.070 and 2003 c 399 s 801 are each amended to
26 read as follows:

27 (1) The department shall issue a certificate of competency to all
28 applicants who have passed the examination and have paid the fee for
29 the certificate. The certificate shall bear the date of issuance, and
30 shall expire on the birthdate of the holder immediately following the
31 date of issuance. The certificate shall be renewable every other year,
32 upon application, on or before the birthdate of the holder, except for
33 specialty plumbers defined by RCW 18.106.010(10)(c) who also have an
34 electrical certification issued jointly as provided by RCW
35 18.106.050(3) in which case their certificate shall be renewable every
36 three years on or before the birthdate of the holder. The department
37 shall renew a certificate of competency if the applicant: (a) Pays the

1 renewal fee assessed by the department; and (b) during the past two
2 years has completed sixteen hours of continuing education approved by
3 the department with the advice of the advisory board, including four
4 hours related to electrical safety. For holders of the specialty
5 plumber certificate under RCW 18.106.010(10)(c), the continuing
6 education may comprise both electrical and plumbing education with a
7 minimum of twelve of the required twenty-four hours of continuing
8 education in plumbing. If a person fails to renew the certificate by
9 the renewal date, he or she must pay a doubled fee. If the person does
10 not renew the certificate within ninety days of the renewal date, he or
11 she must retake the examination and pay the examination fee.

12 The journeyman plumber and specialty plumber certificates of
13 competency, the medical gas piping installer endorsement, and the
14 temporary permit provided for in this chapter grant the holder the
15 right to engage in the work of plumbing as a journeyman plumber,
16 specialty plumber, or medical gas piping installer, in accordance with
17 their provisions throughout the state and within any of its political
18 subdivisions on any job or any employment without additional proof of
19 competency or any other license or permit or fee to engage in the work.
20 This section does not preclude employees from adhering to a union
21 security clause in any employment where such a requirement exists.

22 (2) A person who is indentured in an apprenticeship program
23 approved under chapter 49.04 RCW for the plumbing construction trade or
24 who is learning the plumbing construction trade may work in the
25 plumbing construction trade if supervised by a certified journeyman
26 plumber or a certified specialty plumber in that plumber's specialty.
27 All apprentices and individuals learning the plumbing construction
28 trade shall obtain a plumbing training certificate from the department.
29 The certificate shall authorize the holder to learn the plumbing
30 construction trade while under the direct supervision of a journeyman
31 plumber or a specialty plumber working in his or her specialty. The
32 holder of the plumbing training certificate shall renew the certificate
33 annually. At the time of renewal, the holder shall provide the
34 department with an accurate list of the holder's employers in the
35 plumbing construction industry for the previous year and the number of
36 hours worked for each employer. An annual fee shall be charged for the
37 issuance or renewal of the certificate. The department shall set the
38 fee by rule. The fee shall cover but not exceed the cost of

1 administering and enforcing the trainee certification and supervision
2 requirements of this chapter. Apprentices and individuals learning the
3 plumbing construction trade shall have their plumbing training
4 certificates in their possession at all times that they are performing
5 plumbing work. They shall show their certificates to an authorized
6 representative of the department at the representative's request.

7 (3) Any person who has been issued a plumbing training certificate
8 under this chapter may work if that person is under supervision.
9 Supervision shall consist of a person being on the same job site and
10 under the control of either a journeyman plumber or an appropriate
11 specialty plumber who has an applicable certificate of competency
12 issued under this chapter. Either a journeyman plumber or an
13 appropriate specialty plumber shall be on the same job site as the
14 noncertified individual for a minimum of seventy-five percent of each
15 working day unless otherwise provided in this chapter. The ratio of
16 noncertified individuals to certified journeymen or specialty plumbers
17 working on a job site shall be: (a) Not more than two noncertified
18 plumbers working on any one job site for every certified specialty
19 plumber or journeyman plumber working as a specialty plumber; and (b)
20 not more than one noncertified plumber working on any one job site for
21 every certified journeyman plumber working as a journeyman plumber.

22 An individual who has a current training certificate and who has
23 successfully completed or is currently enrolled in an approved
24 apprenticeship program or in a technical school program in the plumbing
25 construction trade in a school approved by the work force training and
26 education coordinating board, may work without direct on-site
27 supervision during the last six months of meeting the practical
28 experience requirements of this chapter.

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

36 (5) The training to become a certified plumber must include not
37 less than sixteen hours of classroom training established by the
38 director with the advice of the advisory board. The classroom training

1 must include, but not be limited to, electrical wiring safety,
2 grounding, bonding, and other related items plumbers need to know to
3 work under RCW 19.28.091.

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

7 **Sec. 11.** RCW 18.106.020 and 2002 c 82 s 2 are each amended to read
8 as follows:

9 (1) No person may engage in or offer to engage in the trade of
10 plumbing without having a journeyman certificate, specialty
11 certificate, temporary permit, or trainee certificate. A trainee must
12 be supervised by a person who has a journeyman certificate, specialty
13 certificate, or temporary permit, as specified in RCW 18.106.070. No
14 contractor may employ a person to engage in or offer to engage in the
15 trade of plumbing unless the person employed has a journeyman
16 certificate, specialty certificate, temporary permit, or trainee
17 certificate. This section does not apply to a contractor who is
18 contracting for work on his or her own residence. Until July 1, 2007,
19 the department shall issue a written warning to any specialty plumber
20 defined by RCW 18.106.010(10)(c) not having a valid plumber
21 certification. The warning will state that the individual must apply
22 for a plumber training certificate or be qualified for and apply for
23 plumber certification under the requirements in RCW 18.106.040 within
24 thirty calendar days of the warning. Only one warning will be issued
25 to any individual. If the individual fails to comply with this
26 section, the department shall issue a penalty or penalties as
27 authorized by this chapter.

28 (2) No person may engage in or offer to engage in medical gas
29 piping installation without having a certificate of competency as a
30 journeyman plumber and a medical gas piping installer endorsement. A
31 trainee may engage in medical gas piping installation if he or she has
32 a training certificate and is supervised by a person with a medical gas
33 piping installer endorsement. No contractor may employ a person to
34 engage in or offer to engage in medical gas piping installation unless
35 the person employed has a certificate of competency as a journeyman
36 plumber and a medical gas piping installer endorsement.

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

4 (4) Violation of this section is an infraction. Each day in which
5 a person engages in the trade of plumbing in violation of this section
6 or employs a person in violation of this section is a separate
7 infraction. Each worksite at which a person engages in the trade of
8 plumbing in violation of this section or at which a person is employed
9 in violation of this section is a separate infraction.

10 (5) Notices of infractions for violations of this section may be
11 issued to:

12 (a) The person engaging in or offering to engage in the trade of
13 plumbing in violation of this section;

14 (b) The contractor in violation of this section; and

15 (c) The contractor's employee who authorized the work assignment of
16 the person employed in violation of this section.

17 **Sec. 12.** RCW 19.28.211 and 2002 c 249 s 7 are each amended to read
18 as follows:

19 (1) The department shall issue a certificate of competency to all
20 applicants who have passed the examination provided in RCW 19.28.201,
21 and who have complied with RCW 19.28.161 through 19.28.271 and the
22 rules adopted under this chapter. The certificate shall bear the date
23 of issuance, and shall expire on the holder's birthday. The
24 certificate shall be renewed every three years, upon application, on or
25 before the holder's birthdate. A fee shall be assessed for each
26 certificate and for each annual renewal.

27 (2) If the certificate holder demonstrates to the department that
28 he or she has satisfactorily completed an annual eight-hour continuing
29 education course, the certificate may be renewed without examination by
30 appropriate application unless the certificate has been revoked,
31 suspended, or not renewed within ninety days after the expiration date.
32 For pump and irrigation or domestic pump specialty electricians, the
33 continuing education course may combine both electrical and plumbing
34 education provided that there is a minimum of four hours of electrical
35 training in the course.

36 (a) The contents and requirements for satisfactory completion of

1 the continuing education course shall be determined by the director and
2 approved by the board.

3 (b) The department shall accept proof of a certificate holder's
4 satisfactory completion of a continuing education course offered in
5 another state as meeting the requirements for maintaining a current
6 Washington state certificate of competency if the department is
7 satisfied the course is comparable in nature to that required in
8 Washington state for maintaining a current certificate of competency.

9 (3) If the certificate is not renewed before the expiration date,
10 the individual shall pay twice the usual fee. The department shall set
11 the fees by rule for issuance and renewal of a certificate of
12 competency. The fees shall cover but not exceed the costs of issuing
13 the certificates and of administering and enforcing the electrician
14 certification requirements of this chapter.

15 (4) The certificates of competency and temporary permits provided
16 for in this chapter grant the holder the right to work in the
17 electrical construction trade as a master electrician, journeyman
18 electrician, or specialty electrician in accordance with their
19 provisions throughout the state and within any of its political
20 subdivisions without additional proof of competency or any other
21 license, permit, or fee to engage in such work.

22 **Sec. 13.** RCW 19.28.131 and 2001 c 211 s 8 are each amended to read
23 as follows:

24 Until July 1, 2007, the department shall issue a written warning to
25 any specialty contractor, performing the scope of work defined by rule
26 for the pump and irrigation or domestic pump specialties, not having a
27 valid electrical contractor license. The warning will state that the
28 contractor must be qualified for and apply for a specialty electrical
29 contractor license under the requirements in RCW 19.28.041 within
30 thirty calendar days of the warning. Only one warning will be issued
31 to any contractor. If the contractor fails to comply with this
32 section, the department shall issue a penalty or penalties as
33 authorized in this section to the contractor. Any person, firm,
34 partnership, corporation, or other entity violating any of the
35 provisions of RCW 19.28.010 through 19.28.141 and 19.28.311 through
36 19.28.361 shall be assessed a penalty of not less than fifty dollars or
37 more than ten thousand dollars. The department shall set by rule a

1 schedule of penalties for violating RCW 19.28.010 through 19.28.141 and
2 19.28.311 through 19.28.361. The department shall notify the person,
3 firm, partnership, corporation, or other entity violating any of the
4 provisions of RCW 19.28.010 through 19.28.141 and 19.28.311 through
5 19.28.361 of the amount of the penalty and of the specific violation by
6 certified mail, return receipt requested, sent to the last known
7 address of the assessed party. Any penalty is subject to review by an
8 appeal to the board. The filing of an appeal stays the effect of the
9 penalty until the board makes its decision. The appeal shall be filed
10 within twenty days after notice of the penalty is given to the assessed
11 party by certified mail, return receipt requested, sent to the last
12 known address of the assessed party and shall be made by filing a
13 written notice of appeal with the department. The notice shall be
14 accompanied by a certified check for two hundred dollars, which shall
15 be returned to the assessed party if the decision of the department is
16 not sustained by the board. If the board sustains the decision of the
17 department, the two hundred dollars shall be applied by the department
18 to the payment of the per diem and expenses of the members of the board
19 incurred in the matter, and any balance remaining after payment of per
20 diem and expenses shall be paid into the electrical license fund. The
21 hearing and review procedures shall be conducted in accordance with
22 chapter 34.05 RCW. The board shall assign its hearings to an
23 administrative law judge to conduct the hearing and issue a proposed
24 decision and order. The board shall be allowed a minimum of twenty
25 days to review a proposed decision and shall issue its decision no
26 later than the next regularly scheduled board meeting.

27 **Sec. 14.** RCW 18.27.060 and 2001 c 159 s 5 are each amended to read
28 as follows:

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

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

35 (3) If a contractor's surety bond or other security has an
36 unsatisfied judgment against it or is canceled, or if the contractor's
37 insurance policy is canceled, the contractor's registration shall be

1 automatically suspended on the effective date of the impairment or
2 cancellation. The department shall mail notice of the suspension to
3 the contractor's address on the certificate of registration by
4 certified and by first class mail within two days after suspension.

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

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

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

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