

CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 1055

61st Legislature
2009 Regular Session

Passed by the House February 23, 2009
Yeas 95 Nays 0

Speaker of the House of Representatives

Passed by the Senate March 31, 2009
Yeas 33 Nays 15

President of the Senate

Approved

Governor of the State of Washington

CERTIFICATE

I, Barbara Baker, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 1055** as passed by the House of Representatives and the Senate on the dates hereon set forth.

Chief Clerk

FILED

**Secretary of State
State of Washington**

SUBSTITUTE HOUSE BILL 1055

Passed Legislature - 2009 Regular Session

State of Washington 61st Legislature 2009 Regular Session

By House Commerce & Labor (originally sponsored by Representatives Moeller, Williams, Conway, Wood, and Simpson)

READ FIRST TIME 02/17/09.

1 AN ACT Relating to requiring workers to have licenses,
2 certificates, or permits in their possession when performing work in
3 certain construction trades; amending RCW 18.106.020, 18.106.070,
4 18.106.090, 18.106.170, 19.28.271, 19.28.211, 19.28.231, 70.87.230, and
5 70.87.250; reenacting and amending RCW 19.28.161; and creating a new
6 section.

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

8 NEW SECTION. **Sec. 1.** (1) The legislature finds that dishonest
9 construction contractors sometimes hire workers without proper
10 licenses, certificates, permits, and endorsements to do electrical,
11 plumbing, and conveyance work. This practice gives these contractors
12 an unfair competitive advantage and leaves workers and customers
13 vulnerable.

14 (2) The legislature intends that electricians, plumbers, and
15 conveyance workers be required to have their licenses, certificates,
16 permits, and endorsements and photo identification in their possession
17 while working. The legislature further intends that the department of
18 labor and industries be authorized to require electricians, plumbers,
19 and conveyance workers to wear and visibly display their licenses,

1 certificates, permits, and endorsements while working, and to include
2 photo identification on these documents. These requirements will help
3 address the problems of the underground economy in the construction
4 industry, level the playing field for honest contractors, and protect
5 workers and consumers.

6 **Sec. 2.** RCW 18.106.020 and 2006 c 185 s 11 are each amended to
7 read as follows:

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

30 (2) No person may engage in or offer to engage in medical gas
31 piping installation without having a certificate of competency as a
32 journeyman plumber and a medical gas piping installer endorsement and
33 photo identification in his or her possession. The department may
34 establish by rule a requirement that the person also wear and visibly
35 display his or her endorsement. A trainee may engage in medical gas
36 piping installation if he or she has a training certificate and is
37 supervised by a person with a medical gas piping installer endorsement.

1 No contractor may employ a person to engage in or offer to engage in
2 medical gas piping installation unless the person employed has a
3 certificate of competency as a journeyman plumber and a medical gas
4 piping installer endorsement.

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

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

14 (5) Notices of infractions for violations of this section may be
15 issued to:

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

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

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

21 **Sec. 3.** RCW 18.106.070 and 2006 c 185 s 10 are each amended to
22 read as follows:

23 (1) The department shall issue a certificate of competency to all
24 applicants who have passed the examination and have paid the fee for
25 the certificate. The certificate may include a photograph of the
26 holder. The certificate shall bear the date of issuance, and shall
27 expire on the birthdate of the holder immediately following the date of
28 issuance. The certificate shall be renewable every other year, upon
29 application, on or before the birthdate of the holder, except for
30 specialty plumbers defined by RCW 18.106.010(10)(c) who also have an
31 electrical certification issued jointly as provided by RCW
32 18.106.050(3) in which case their certificate shall be renewable every
33 three years on or before the birthdate of the holder. The department
34 shall renew a certificate of competency if the applicant: (a) Pays the
35 renewal fee assessed by the department; and (b) during the past two
36 years has completed sixteen hours of continuing education approved by
37 the department with the advice of the advisory board, including four

1 hours related to electrical safety. For holders of the specialty
2 plumber certificate under RCW 18.106.010(10)(c), the continuing
3 education may comprise both electrical and plumbing education with a
4 minimum of twelve of the required twenty-four hours of continuing
5 education in plumbing. If a person fails to renew the certificate by
6 the renewal date, he or she must pay a doubled fee. If the person does
7 not renew the certificate within ninety days of the renewal date, he or
8 she must retake the examination and pay the examination fee.

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

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

1 ~~shall have their plumbing training certificates in their possession at~~
2 ~~all times that they are performing plumbing work. They shall show~~
3 ~~their certificates to an authorized representative of the department at~~
4 ~~the representative's request.))~~

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

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

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

34 (5) The training to become a certified plumber must include not
35 less than sixteen hours of classroom training established by the
36 director with the advice of the advisory board. The classroom training
37 must include, but not be limited to, electrical wiring safety,

1 grounding, bonding, and other related items plumbers need to know to
2 work under RCW 19.28.091.

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

6 **Sec. 4.** RCW 18.106.090 and 1985 c 7 s 78 are each amended to read
7 as follows:

8 The department is authorized to grant and issue temporary permits
9 in lieu of certificates of competency whenever a plumber coming into
10 the state of Washington from another state requests the department for
11 a temporary permit to engage in the trade of plumbing as a journeyman
12 plumber or as a specialty plumber during the period of time between
13 filing of an application for a certificate as provided in RCW
14 18.106.030 as now or hereafter amended and taking the examination
15 provided for in RCW 18.106.050(~~(:—PROVIDED, That))~~). The temporary
16 permit may include a photograph of the plumber. No temporary permit
17 shall be issued to:

18 (1) Any person who has failed to pass the examination for a
19 certificate of competency;

20 (2) Any applicant under this section who has not furnished the
21 department with such evidence required under RCW 18.106.030;

22 (3) To any apprentice plumber.

23 **Sec. 5.** RCW 18.106.170 and 1983 c 124 s 6 are each amended to read
24 as follows:

25 An authorized representative of the department may investigate
26 alleged or apparent violations of this chapter. An authorized
27 representative of the department upon presentation of credentials may
28 inspect sites at which a person is doing plumbing work for the purpose
29 of determining whether that person has a certificate or permit issued
30 by the department in accordance with this chapter (~~(or is supervised by~~
31 ~~a person who has such a certificate or permit))~~). Upon request of the
32 authorized representative of the department, a person doing plumbing
33 work shall produce (~~(evidence that the person has a)~~) his or her
34 certificate or permit (~~(issued by the department in accordance with~~
35 ~~this chapter or is supervised by a person who has such a certificate or~~
36 ~~permit))~~) and photo identification.

1 **Sec. 6.** RCW 19.28.271 and 2001 c 211 s 20 are each amended to read
2 as follows:

3 (1) It is unlawful for any person, firm, partnership, corporation,
4 or other entity to employ an individual for purposes of RCW 19.28.161
5 through 19.28.271 who has not been issued a certificate of competency,
6 a temporary permit, or a training certificate. It is unlawful for any
7 individual to engage in the electrical construction trade or to
8 maintain or install any electrical equipment or conductors without
9 having in his or her possession a certificate of competency, a
10 temporary permit, or a training certificate under RCW 19.28.161 through
11 19.28.271, and photo identification. The department may establish by
12 rule a requirement that the individual also wear and visibly display
13 his or her certificate or permit.

14 (2) Any person, firm, partnership, corporation, or other entity
15 found in violation of RCW 19.28.161 through 19.28.271 shall be assessed
16 a penalty of not less than fifty dollars or more than five hundred
17 dollars. The department shall set by rule a schedule of penalties for
18 violating RCW 19.28.161 through 19.28.271. An appeal may be made to
19 the board as is provided in RCW 19.28.131. The appeal shall be filed
20 within twenty days after the notice of the penalty is given to the
21 assessed party by certified mail, return receipt requested, sent to the
22 last known address of the assessed party and shall be made by filing a
23 written notice of appeal with the department. Any equipment maintained
24 or installed by any person who does not possess a certificate of
25 competency under RCW 19.28.161 through 19.28.271 shall not receive an
26 electrical work permit and electrical service shall not be connected or
27 maintained to operate the equipment. Each day that a person, firm,
28 partnership, corporation, or other entity violates RCW 19.28.161
29 through 19.28.271 is a separate violation.

30 (~~(+2)~~) (3) A civil penalty shall be collected in a civil action
31 brought by the attorney general in the county wherein the alleged
32 violation arose at the request of the department if any of RCW
33 19.28.161 through 19.28.271 or any rules adopted under RCW 19.28.161
34 through 19.28.271 are violated.

35 **Sec. 7.** RCW 19.28.161 and 2006 c 224 s 2 and 2006 c 185 s 6 are
36 each reenacted and amended to read 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 certificate may include a photograph of
33 the holder. The holder of the electrical training certificate shall
34 renew the certificate biennially. At the time of renewal, the holder
35 shall provide the department with an accurate list of the holder's
36 employers in the electrical construction industry for the previous
37 biennial period and the number of hours worked for each employer, and
38 proof of sixteen hours of approved classroom electrical continuing

1 education courses covering this chapter, the national electrical code,
2 or electrical theory, or the equivalent electrical training courses
3 taken as part of an approved apprenticeship program under chapter 49.04
4 RCW or an approved electrical training program under RCW
5 19.28.191(1)(h). This education requirement is effective July 1, 2007.
6 A biennial fee shall be charged for the issuance or renewal of the
7 certificate. The department shall set the fee by rule. The fee shall
8 cover but not exceed the cost of administering and enforcing the
9 trainee certification and supervision requirements of this chapter.
10 Apprentices and individuals learning the electrical construction trade
11 shall have their electrical training certificates in their possession
12 at all times that they are performing electrical work. They shall show
13 their certificates to an authorized representative of the department at
14 the representative's request.

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

28 (4) The ratio of noncertified individuals to certified master
29 journeymen electricians, journeymen electricians, master specialty
30 electricians, or specialty electricians on any one job site is as
31 follows:

32 (a) When working as a specialty electrician, not more than two
33 noncertified individuals for every certified master specialty
34 electrician working in that electrician's specialty, specialty
35 electrician working in that electrician's specialty, master journeyman
36 electrician, or journeyman electrician, except that the ratio
37 requirements are one certified master specialty electrician working in
38 that electrician's specialty, specialty electrician working in that

1 electrician's specialty, master journeyman electrician, or journeyman
2 electrician working as a specialty electrician to no more than four
3 students enrolled in and working as part of an electrical construction
4 program at public community or technical colleges, or not-for-profit
5 nationally accredited trade or technical schools licensed by the
6 workforce training and education coordinating board under chapter
7 28C.10 RCW. In meeting the ratio requirements for students enrolled in
8 an electrical construction program at a trade school, a trade school
9 may receive input and advice from the electrical board; and

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

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 an electrical construction program at
25 public community or technical colleges, or not-for-profit nationally
26 accredited technical or trade schools licensed by the workforce
27 training and education coordinating board under chapter 28C.10 RCW, may
28 work without direct on-site supervision during the last six months of
29 meeting the practical experience requirements of this chapter.

30 (5) For the residential (as specified in WAC 296-46B-920(2)(a)),
31 pump and irrigation (as specified in WAC 296-46B-920(2)(b)), sign (as
32 specified in WAC 296-46B-920(2)(d)), limited energy (as specified in
33 WAC 296-46B-920(2)(e)), nonresidential maintenance (as specified in WAC
34 296-46B-920(2)(g)), restricted nonresidential maintenance as determined
35 by the department in rule, or other new nonresidential specialties, not
36 including appliance repair, as determined by the department in rule,
37 either a master journeyman electrician, journeyman electrician, master
38 specialty electrician working in that electrician's specialty, or

1 specialty electrician working in that electrician's specialty must be
2 on the same job site as the noncertified individual for a minimum of
3 seventy-five percent of each working day. Other specialties must meet
4 the requirements specified in RCW 19.28.191(1)(g)(ii). When the ratio
5 of certified electricians to noncertified individuals on a job site is
6 one certified electrician to three or four noncertified individuals,
7 the certified electrician must:

8 (a) Directly supervise and instruct the noncertified individuals
9 and the certified electrician may not directly make or engage in an
10 electrical installation; and

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

13 (6) The electrical contractor shall accurately verify and attest to
14 the electrical trainee hours worked by electrical trainees on behalf of
15 the electrical contractor.

16 **Sec. 8.** RCW 19.28.211 and 2006 c 185 s 12 are each amended to read
17 as follows:

18 (1) The department shall issue a certificate of competency to all
19 applicants who have passed the examination provided in RCW 19.28.201,
20 and who have complied with RCW 19.28.161 through 19.28.271 and the
21 rules adopted under this chapter. The certificate may include a
22 photograph of the holder. The certificate shall bear the date of
23 issuance, and shall expire on the holder's birthday. The certificate
24 shall be renewed every three years, upon application, on or before the
25 holder's birthdate. A fee shall be assessed for each certificate and
26 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. 9.** RCW 19.28.231 and 2001 c 211 s 16 are each amended to read
23 as follows:

24 The department is authorized to grant and issue temporary permits
25 in lieu of certificates of competency whenever an electrician coming
26 into the state of Washington from another state requests the department
27 for a temporary permit to engage in the electrical construction trade
28 as an electrician during the period of time between filing of an
29 application for a certificate as provided in RCW 19.28.181 and the date
30 the results of taking the examination provided for in RCW 19.28.201 are
31 furnished to the applicant. The temporary permit may include a
32 photograph of the holder. The department is authorized to enter into
33 reciprocal agreements with other states providing for the acceptance of
34 such states' journeyman and speciality electrician certificate of
35 competency or its equivalent when such states requirements are equal to
36 the standards set by this chapter. No temporary permit shall be issued
37 to:

1 (1) Any person who has failed to pass the examination for a
2 certificate of competency, except that any person who has failed the
3 examination for competency under this section shall be entitled to
4 continue to work under a temporary permit for ninety days if the person
5 is enrolled in a journeyman electrician refresher course and shows
6 evidence to the department that he or she has not missed any classes.
7 The person, after completing the journeyman electrician refresher
8 course, shall be eligible to retake the examination for competency at
9 the next scheduled time.

10 (2) Any applicant under this section who has not furnished the
11 department with such evidence required under RCW 19.28.181.

12 (3) To any apprentice electrician.

13 **Sec. 10.** RCW 70.87.230 and 2003 c 143 s 1 are each amended to read
14 as follows:

15 (1) Except as provided in RCW 70.87.270, a person may not perform
16 conveyance work within the state unless he or she is an elevator
17 mechanic who is regularly employed by and is working: ~~((+1))~~ (a) For
18 an owner exempt from licensing requirements under RCW 70.87.270 and
19 performing maintenance; ~~((+2))~~ (b) for a public agency performing
20 maintenance; or ~~((+3))~~ (c) under the direct supervision of an elevator
21 contractor. A person, firm, public agency, or company is not required
22 to be an elevator contractor for removing or dismantling conveyances
23 that are destroyed as a result of a complete demolition of a secured
24 building or structure or where the building is demolished back to the
25 basic support structure whereby no access is permitted therein to
26 endanger the safety and welfare of a person.

27 (2) When performing conveyance work, an elevator mechanic must have
28 his or her license and photo identification in his or her possession.
29 The elevator mechanic must produce his or her license and
30 identification upon request of an authorized representative of the
31 department. The department may establish by rule a requirement that
32 the mechanic also wear and visibly display his or her license.

33 **Sec. 11.** RCW 70.87.250 and 2003 c 143 s 21 are each amended to
34 read as follows:

35 (1) Upon approval of an application, the department may issue a

1 license that is biennially renewable. Each license may include a
2 photograph of the licensee. The fee for the license and for any
3 renewal shall be set by the department in rule.

4 (2) The department may issue temporary elevator mechanic licenses.
5 These temporary elevator mechanic licenses will be issued to those
6 certified as qualified and competent by licensed elevator contractors.
7 The company shall furnish proof of competency as the department may
8 require. Each license may include a photograph of the licensee. Each
9 license must recite that it is valid for a period of thirty days from
10 the date of issuance and for such particular conveyance or geographical
11 areas as the department may designate, and otherwise entitles the
12 licensee to the rights and privileges of an elevator mechanic license
13 issued in this chapter. A temporary elevator mechanic license may be
14 renewed by the department and a fee as established in rule must be
15 charged for any temporary elevator mechanic license or renewal.

16 (3) The renewal of all licenses granted under this section is
17 conditioned upon the submission of a certificate of completion of a
18 course designed to ensure the continuing education of licensees on new
19 and existing rules of the department. The course must consist of not
20 less than eight hours of instruction that must be attended and
21 completed within one year immediately preceding any license renewal.

22 (4) The courses must be taught by instructors through continuing
23 education providers that may include, but are not limited to,
24 association seminars and labor training programs. The department must
25 approve the continuing education providers. All instructors must be
26 approved by the department and are exempt from the requirements of
27 subsection (3) of this section with regard to his or her application
28 for license renewal, provided that such applicant was qualified as an
29 instructor at any time during the one year immediately preceding the
30 scheduled date for such renewal.

31 (5) A licensee who is unable to complete the continuing education
32 course required under this section before the expiration of his or her
33 license due to a temporary disability may apply for a waiver from the
34 department. This will be on a form provided by the department and
35 signed under the pains and penalties of perjury and accompanied by a
36 certified statement from a competent physician attesting to the
37 temporary disability. Upon the termination of the temporary
38 disability, the licensee must submit to the department a certified

1 statement from the same physician, if practicable, attesting to the
2 termination of the temporary disability. At which time a waiver
3 sticker, valid for ninety days, must be issued to the licensee and
4 affixed to his or her license.

5 (6) Approved training providers must keep uniform records, for a
6 period of ten years, of attendance of licensees and these records must
7 be available for inspection by the department at its request. Approved
8 training providers are responsible for the security of all attendance
9 records and certificates of completion. However, falsifying or
10 knowingly allowing another to falsify attendance records or
11 certificates of completion constitutes grounds for suspension or
12 revocation of the approval required under this section.

--- END ---