

ESHB 1952 - S COMM AMD

By Committee on Labor & Commerce

ADOPTED AS AMENDED 02/28/2018

1 Strike everything after the enacting clause and insert the
2 following:

3 "Sec. 1. RCW 19.28.010 and 2001 c 211 s 2 are each amended to
4 read as follows:

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

1 (2) Residential buildings or structures moved into or within a
2 county, city, or town are not required to comply with all of the
3 requirements of this chapter, if the original occupancy
4 classification of the building or structure is not changed as a
5 result of the move. This subsection shall not apply to residential
6 buildings or structures that are substantially remodeled or
7 rehabilitated.

8 (3) This chapter shall not limit the authority or power of any
9 city or town to enact and enforce under authority given by law, any
10 ordinance, rule, or regulation requiring an equal, higher, or better
11 standard of construction and an equal, higher, or better standard of
12 materials, devices, appliances, and equipment than that required by
13 this chapter. A city or town shall require that its electrical
14 inspectors meet the qualifications provided for state electrical
15 inspectors in accordance with RCW 19.28.321. In a city or town having
16 an equal, higher, or better standard the installations, materials,
17 devices, appliances, and equipment shall be in accordance with the
18 ordinance, rule, or regulation of the city or town.

19 (4) The officials of all incorporated cities and towns where
20 electrical inspections are required by local ordinances may enforce
21 the provisions of RCW 19.28.041(1), 19.28.161, 19.28.271(1),
22 19.28.420(1), and applicable licensing and certification rules within
23 their respective jurisdictions. Nothing in this subsection diminishes
24 the authority of the department to enforce the provisions of RCW
25 19.28.041(1), 19.28.161, 19.28.271(1), 19.28.420(1), and applicable
26 licensing and certification rules within any city or town.

27 (5) Electrical equipment associated with spas, hot tubs, swimming
28 pools, and hydromassage bathtubs shall not be offered for sale or
29 exchange unless the electrical equipment is certified as being in
30 compliance with the applicable product safety standard by bearing the
31 certification mark of an approved electrical products testing
32 laboratory.

33 ~~((4))~~ (6) Nothing in this chapter may be construed as
34 permitting the connection of any conductor of any electric circuit
35 with a pipe that is connected with or designed to be connected with a
36 waterworks piping system, without the consent of the person or
37 persons legally responsible for the operation and maintenance of the
38 waterworks piping system.

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

3 (1) In matters of enforcement of this chapter by officials of
4 incorporated cities and towns where electrical inspections are
5 required by local ordinances, any person, firm, partnership,
6 corporation, or other entity found in violation of RCW 19.28.161 or
7 19.28.271(1) must be assessed a penalty of not less than fifty
8 dollars or more than five hundred dollars. Any person, firm,
9 partnership, corporation, or other entity violating any of the
10 provisions of RCW 19.28.041(1) must be assessed a penalty of not less
11 than fifty dollars or more than ten thousand dollars. Any person,
12 firm, partnership, corporation, or other entity violating any of the
13 provisions of RCW 19.28.420(1) may be assessed a penalty of not less
14 than one hundred dollars or more than ten thousand dollars per
15 violation. Any penalty issued under this section is subject to review
16 by an appeal to the board, as is provided in RCW 19.28.131. The
17 appeal shall be filed within twenty days after the notice of the
18 penalty is given to the assessed party using a method by which the
19 mailing can be tracked or the delivery can be confirmed, sent to the
20 last known address of the assessed party and shall be made by filing
21 a written notice of appeal with the department.

22 (2) No person, firm, partnership, corporation, or other entity
23 may be penalized by both a city or town and the department for the
24 same violation of RCW 19.28.041(1), 19.28.161, 19.28.271(1),
25 19.28.420(1), or applicable licensing and certification rules.

26 (3) RCW 19.28.131, 19.28.271 (2) and (3), and 19.28.490 do not
27 apply in matters of enforcement of this chapter by officials of
28 incorporated cities and towns where electrical inspections are
29 required by local ordinances."

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30 On page 1, line 1 of the title, after "laws;" strike the
31 remainder of the title and insert "amending RCW 19.28.010; adding a
32 new section to chapter 19.28 RCW; and prescribing penalties."

EFFECT: (1) Provides that any penalties issued by a city or town
under the bill may be appealed to the electrical board.

(2) Provides that no person or entity may be penalized by both a city or town and the department of labor and industries for the same violation of electrical laws or rules.

(3) Removes a provision that makes the electrical board member who is a building official of a city or town with an electrical inspection program a voting member.

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