

HOUSE BILL REPORT

EHB 2053

*As Passed House
January 22, 1992*

Title: An act relating to electrical licensing exemptions.

Brief Description: Exempting electrical utilities and contractors from licensing requirements for certain work involving electrical transmission lines.

Sponsor(s): Representatives Heavey, Fuhrman, G. Fisher, Grant, D. Sommers, Cooper, Mielke, Wood, Orr, Day, Ludwig and Silver.

Brief History:

Reported by House Committee on:
Commerce & Labor, March 5, 1991, DP;
Passed House, January 22, 1992, 96-2.

**HOUSE COMMITTEE ON
COMMERCE & LABOR**

Majority Report: *Do pass.* Signed by 10 members: Representatives Heavey, Chair; Cole, Vice Chair; Fuhrman, Ranking Minority Member; Lisk, Assistant Ranking Minority Member; Jones; R. King; O'Brien; Prentice; Vance; and Wilson.

Minority Report: Without recommendation: Signed by 1 member: Representative Franklin.

Staff: Jim Kelley (786-7166).

Background: It is unlawful for any person or entity to engage in the business of installing or maintaining wires or equipment to convey electric current, or installing or maintaining equipment to be operated by electric current as it pertains to the electrical industry without having a valid electrical contractor's license issued by the Department of Labor and Industries. However, an electrical contractor's license is not required from a utility for the installation or maintenance of lines for transmission of electricity from the source of supply to the point of contact at the premises or property to be supplied.

This exemption does not apply to the installation or maintenance of power lines on the premises or property being supplied with power.

Summary of Bill: the Legislature makes several findings, including the following:

1. Electric utilities and the contractors they hire have installed, maintained, and repaired electrical equipment used by their customers without licensing and inspection by the Department of Labor and Industries;
2. The traditional practice of electric utilities has been safe, efficient, and economical;
3. Recent administrative actions have prevented electric utilities from carrying out traditional practices; and
4. Schools, hospitals, and other public institutions depend on electric utilities to repair and maintain their equipment. The recent administrative actions jeopardize the public health and safety.

No license is required from and no inspection is authorized for any utility or a contractor whose work is subject to approval or acceptance by a utility for the installation, repair or maintenance of lines, wires, apparatus, or equipment that is:

1. Owned or under the control of a utility including those used for transmission or distribution of electricity from the source of supply to the point of contact at the premises or property to be supplied;
2. Owned by a customer and outside the building or structure; or
3. Owned by a customer and used in making or distributing electricity on premises used by the customer.

The license exemption for utilities and their contractors also applies to the employees of the utilities and contractors so long as they have registered with or graduated from a state or federally approved apprenticeship course designed for the work being performed.

Fiscal Note: Available.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: This bill merely allows utilities to perform work that they have been performing for 30 years without a license. The department just recently began inspecting these facilities. The bill would clear up an ambiguity in the law.

Testimony Against: There are good reasons for people who do work on primary power lines to be licensed. It is sophisticated and dangerous work. There is no good reason to exempt some contractors from license requirements and not exempt others who do the same work.

Witnesses: Collins Sprague and Randy Cloward, Washington Water Power Company (in favor); Ray D. Warren, IBEW Local 77 (in favor); Joe Brewer, Department of Labor & Industries (neutral); Larry Stevens, National Electrical Contractors Association (opposed); and Ron Judd, IBEW Local 46 (had concerns).