

HOUSE BILL REPORT

HB 2290

As Amended by the Senate

Title: An act relating to fire protection sprinkler systems.

Brief Description: Regulating fire protection sprinkler system contractors.

Sponsor(s): Representatives R. Meyers, Ferguson, Schmidt, Zellinsky, Winsley, Wilson, Paris and Sheldon; by request of Department of Community Development.

Brief History:

Reported by House Committee on:
Judiciary, January 15, 1992, DP;
Passed House, February 12, 1992, 89-0;
Amended by Senate.

**HOUSE COMMITTEE ON
JUDICIARY**

Majority Report: *Do pass.* Signed by 17 members:
Representatives Appelwick, Chair; Ludwig, Vice Chair;
Padden, Ranking Minority Member; Paris, Assistant Ranking
Minority Member; Broback; Forner; Hargrove; Inslee; Locke;
R. Meyers; Mielke; H. Myers; Riley; Scott; D. Sommers; Tate;
and Vance.

Staff: Bill Perry (786-7123).

Background: A 1990 Washington law provides for the licensing of persons who install fire sprinkler systems. To be licensed, a contractor must employ a holder of a certificate of competency issued by the state director of fire protection, must meet minimum insurance requirements, and must pay a license fee.

In 1991, the Legislature passed SHB 1821, which was vetoed by the governor. That bill would have provided for the following:

A person would have been guilty of a class C felony if he or she had willfully and maliciously constructed, installed, or maintained a fire sprinkler system and known that the system was inoperable. It would also have been a class C felony to willfully and knowingly impair the operation of a sprinkler system.

A person without a license who constructed, installed, or maintained a fire protection sprinkler system in a building other than a single-family, owner-occupied home would have been guilty of a gross misdemeanor.

The governor's veto message indicated concern that the bill would have adversely affected "in-house maintenance employees" of companies that construct, install, or maintain their own fire sprinkler systems.

Summary of Bill: It is a class C felony for a licensed sprinkler system contractor to maliciously construct, install, or maintain a fire sprinkler system in a way that threatens the safety of someone in a fire.

It is a gross misdemeanor for an unlicensed fire sprinkler system contractor to construct, install, or maintain a system in any dwelling other than an owner-occupied, single-family dwelling.

The state attorney general and county prosecutors are given authority to enforce the fire sprinkler system licensing law through civil proceedings.

EFFECT OF SENATE AMENDMENT(S): The Senate amendment makes two changes to the House bill. First, a provision is added requiring the state director of fire protection to adopt rules establishing a special category for general and specialty contractors who install underground systems that service fire protection sprinkler systems. The rules are to be adopted within 90 days of the effective date of the act. Second, a prime contractor or a building owner cannot be found criminally liable under the bill unless he or she is shown to have had actual knowledge of an illegal installation.

Fiscal Note: Not requested.

Effective Date: The bill contains an emergency clause and takes effect immediately.

Testimony For: The bill addresses the concerns expressed in the governor's veto message and provides needed protection to the public.

Testimony Against: None.

Witnesses: Gordon Walgren, Fire Sprinkler Advisory Board of Puget Sound (in favor); and Dick Small, Department of Community Development (in favor).

VOTE ON FINAL PASSAGE:

Yeas 89; Excused 5; Absent 4

Excused: Representatives Basich, Ludwig, Meyers R,
Wineberry, Wood

Absent: Representatives Beck, Brekke, Hargrove, Hine