

SENATE BILL REPORT

HB 2290

AS REPORTED BY COMMITTEE ON COMMERCE & LABOR, FEBRUARY 28, 1992

Brief Description: Regulating fire protection sprinkler system contractors.

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

HOUSE COMMITTEE ON JUDICIARY

SENATE COMMITTEE ON COMMERCE & LABOR

Majority Report: Do pass as amended.

Signed by Senators Matson, Chairman; Anderson, Vice Chairman; Bluechel, McMullen, Murray, and Skratek.

Staff: Traci Anderson (786-7452)

Hearing Dates: February 26, 1992; February 28, 1992

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:

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.

Appropriation: none

Revenue: none

Fiscal Note: none requested

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

SUMMARY OF PROPOSED SENATE AMENDMENT:

The state director of fire protection is directed to adopt rules allowing prime and specialty contractors to install underground systems that service fire protection sprinkler systems. The rules will be adopted within 90 days of the effective date of the act.

Governing bodies of counties and cities are prohibited from requiring the installation or improvement of fire protection sprinkler systems in any nonresidential structure constructed after December 31, 1959, if the structure was in compliance with applicable state and local law at the time the structure was constructed.

TESTIMONY FOR:

This bill adds needed penalties for those engaged in the installation and maintenance of faulty fire sprinkler systems and those who install or maintain fire sprinkler systems and are not licensed to perform such activities.

TESTIMONY AGAINST: None

TESTIFIED: Mark Triplett, Building Industry Association of Washington; Dick Ducharme, Utility Contractors Association of Washington; Duke Schaub, Association of General Contractors; Paul O'Connor and Gordon Walgren, Fire Sprinkler Advisory Board of Puget Sound