
ENGROSSED HOUSE BILL 2053

State of Washington

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By Representatives Heavey, Fuhrman, G. Fisher, Grant, D. Sommers, Cooper, Mielke, Wood, Orr, Day, Ludwig and Silver. Read first time February 20, 1991. Referred to Committee on Commerce & Labor.

1 AN ACT Relating to electrical licensing exemptions; amending RCW
2 19.28.200, 19.28.210, and 19.28.610; reenacting and amending RCW
3 19.28.010; and creating a new section.

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

5 NEW SECTION. **Sec. 1.** (1) The legislature finds that:

6 (a) Electric utilities have traditionally installed, maintained,
7 and repaired electrical wires, equipment, and other apparatus used by
8 their public institution, commercial, and industrial customers without
9 licensing and inspection under chapter 19.28 RCW.

10 (b) Electric utilities have traditionally used contractors for
11 major utility projects and to supplement their own work forces and such
12 contractors have not been subject to licensing or inspection under
13 chapter 19.28 RCW.

14 (c) The traditional practice of electric utilities has proved to be
15 safe, efficient, and economical.

1 (d) Recent administrative actions have prevented electric utilities
2 from carrying out traditional practices and, as a result, have
3 prevented utilities from responding to requests from their commercial,
4 industrial, and public institution customers for repairs.

5 (e) Public institution customers of electric utilities, such as
6 schools, hospitals, municipal water suppliers, fire protection
7 districts, sewage treatment plants, and airports depend on electric
8 equipment to meet vital public needs. If the equipment is not repaired
9 and maintained in a timely fashion, vital public services are
10 interrupted and curtailed. The recent administrative actions
11 jeopardize the public health and safety by preventing timely repair and
12 maintenance of the equipment.

13 (f) The same administrative actions under (d) of this subsection
14 prevent electric utilities from providing continuous, reliable service
15 to their commercial and industrial customers and impose unnecessary
16 delays and economic losses on such customers.

17 (2) The legislature declares it to be the policy of the state of
18 Washington that: Electric utilities shall not be subject to licensing
19 and inspection with respect to work on the electric wires, equipment,
20 and other apparatus of commercial, industrial, or public institution
21 customers of utilities; no distinction shall be drawn with respect to
22 licensing and inspection between the electrical work performed for
23 public institutions and that performed for commercial and industrial
24 customers; and persons and firms whose work is subject to electric
25 utility acceptance or approval shall be exempt from such requirements
26 to the same extent as electric utilities.

27 **Sec. 2.** RCW 19.28.010 and 1986 c 263 s 1 and 1986 c 156 s 2 are
28 each reenacted and amended to read as follows:

1 (1) All wires and equipment, and installations thereof, that convey
2 electric current and installations of equipment to be operated by
3 electric current, in, on, or about buildings or structures, except for
4 telephone, telegraph, radio, and television wires and equipment, and
5 television antenna installations, signal strength amplifiers, and
6 coaxial installations pertaining thereto shall be in strict conformity
7 with this chapter, the statutes of the state of Washington, and the
8 rules issued by the department, and shall be in conformity with
9 approved methods of construction for safety to life and property. All
10 wires and equipment, and installations thereof, that fall within
11 section 90.2(b)(5) of the National Electrical Code, 1981 edition, or
12 RCW 19.28.200 are exempt from the requirements of this chapter. The
13 regulations and articles in the National Electrical Code, as approved
14 by the American Standards Association, and in the national electrical
15 safety code, as approved by the American Standards Association, and
16 other installation and safety regulations approved by the American
17 Standards Association, as modified or supplemented by rules issued by
18 the department in furtherance of safety to life and property under
19 authority hereby granted, shall be prima facie evidence of the approved
20 methods of construction. All materials, devices, appliances, and
21 equipment used in such installations shall be of a type that conforms
22 to applicable standards or be indicated as acceptable by the
23 established standards of the Underwriters' Laboratories, Inc. or other
24 electrical product testing laboratories which are accredited by the
25 department.

26 (2) This chapter shall not limit the authority or power of any city
27 or town to enact and enforce under authority given by law, any
28 ordinance, rule, or regulation requiring an equal, higher, or better
29 standard of construction and an equal, higher, or better standard of
30 materials, devices, appliances, and equipment than that required by

1 this chapter: PROVIDED, That such city or town shall require that its
2 electrical inspectors meet the qualifications provided for state
3 electrical inspectors in accordance with RCW 19.28.070. In a city or
4 town having an equal, higher, or better standard the installations,
5 materials, devices, appliances, and equipment shall be in accordance
6 with the ordinance, rule, or regulation of the city or town.
7 Electrical equipment associated with spas, hot tubs, swimming pools,
8 and hydromassage bathtubs shall not be offered for sale or exchange
9 unless the electrical equipment is certified as being in compliance
10 with the applicable product safety standard by bearing the
11 certification mark of an approved electrical products testing
12 laboratory.

13 (3) Nothing in this chapter may be construed as permitting the
14 connection of any conductor of any electric circuit with a pipe that is
15 connected with or designed to be connected with a waterworks piping
16 system, without the consent of the person or persons legally
17 responsible for the operation and maintenance of the waterworks piping
18 system.

19 **Sec. 3.** RCW 19.28.200 and 1980 c 30 s 15 are each amended to read
20 as follows:

21 No license under the provision of this chapter shall be required
22 from any utility or any person, firm, partnership, corporation, or
23 other entity whose work is subject to approval or acceptance by a
24 utility before connection to the utility's system because of work in
25 connection with the installation ((and/)), repair, or maintenance of
26 the following:

27 (a) Lines ((or)), wires, apparatus, or equipment owned by or under
28 the control of a utility, including but not limited to those used for
29 transmission or distribution of electricity from the source of supply

1 to the point of contact at the premises and/or property to be
2 supplied(~~(, or for work in installing or maintaining or repairing on~~
3 ~~the premises of customers,~~) and service connections and meters(~~(,)~~)
4 and other apparatus or appliances used in the measurement of the
5 consumption of electricity by the customer(~~(s, or for work in~~
6 ~~connection with))~~);

7 (b) Lines, wires, apparatus, or equipment used in the lighting of
8 streets, alleys, ways, or public areas or squares(~~(, or for the work of~~
9 installing, maintaining or repairing wires, apparatus or appliances
10 used in their business, or in making or distributing electricity, upon
11 the property owned or operated and managed by them; or for the work of
12 installing and repairing));

13 (c) Lines, wires, apparatus, or equipment owned by a commercial,
14 industrial, or public institution customer that are:

15 (i) Located outside the building or structure; and

16 (ii) Not covered under (d) of this subsection;

17 (d) Lines, wires, apparatus, or equipment owned by commercial,
18 industrial, or public institution customer and used in making or
19 distributing electricity on premises used by the customer;

20 (e) Ignition or lighting systems for motor vehicles(~~(,)~~); or ~~((as))~~

21 (f) Wires and equipment, and installations thereof, exempted in RCW
22 19.28.010.

23 **Sec. 4.** RCW 19.28.210 and 1989 c 344 s 1 are each amended to read
24 as follows:

25 (1) The director shall cause an inspector to inspect all wiring,
26 appliances, devices, and equipment to which this chapter applies.
27 Nothing contained in this chapter may be construed as providing any
28 authority for any subdivision of government to adopt by ordinance any

1 provisions contained or provided for in this chapter except those
2 pertaining to cities and towns pursuant to RCW 19.28.010(2).

3 (2) Upon request, electrical inspections will be made by the
4 department within forty-eight hours, excluding holidays, Saturdays, and
5 Sundays. If, upon written request, the electrical inspector fails to
6 make an electrical inspection within twenty-four hours, the serving
7 utility may immediately connect electrical power to the installation if
8 the necessary electrical work permit is displayed: PROVIDED, That if
9 the request is for an electrical inspection that relates to a mobile
10 home installation, the applicant shall provide proof of a current
11 building permit issued by the local government agency authorized to
12 issue such permits as a prerequisite for inspection approval or
13 connection of electrical power to the mobile home.

14 (3) Whenever the installation of any wiring, device, appliance, or
15 equipment is not in accordance with this chapter, or is in such a
16 condition as to be dangerous to life or property, the person, firm,
17 partnership, corporation, or other entity owning, using, or operating
18 it shall be notified by the department and shall within fifteen days,
19 or such further reasonable time as may upon request be granted, make
20 such repairs and changes as are required to remove the danger to life
21 or property and to make it conform to this chapter. The director,
22 through the inspector, is hereby empowered to disconnect or order the
23 discontinuance of electrical service to conductors or equipment that
24 are found to be in a dangerous or unsafe condition and not in
25 accordance with this chapter. Upon making a disconnection the
26 inspector shall attach a notice stating that the conductors have been
27 found dangerous to life or property and are not in accordance with this
28 chapter. It is unlawful for any person to reconnect such defective
29 conductors or equipment without the approval of the department, and

1 until the conductors and equipment have been placed in a safe and
2 secure condition, and in a condition that complies with this chapter.

3 (4) The director, through the electrical inspector, has the right
4 during reasonable hours to enter into and upon any building or premises
5 in the discharge of his or her official duties for the purpose of
6 making any inspection or test of the installation of new construction
7 or altered electrical wiring, electrical devices, equipment, or
8 material contained in or on the buildings or premises. No electrical
9 wiring or equipment subject to this chapter may be concealed until it
10 has been approved by the inspector making the inspection.

11 (5) Persons, firms, partnerships, corporations, or other entities
12 making electrical installations shall obtain inspection and approval
13 from an authorized representative of the department as required by this
14 chapter before requesting the electric utility to connect to the
15 installations. Electric utilities may connect to the installations if
16 approval is clearly indicated by certification of the electrical work
17 permit required to be affixed to each installation or by equivalent
18 means, except that increased or relocated services may be reconnected
19 immediately at the discretion of the utility before approval if an
20 electrical work permit is displayed. The permits shall be furnished
21 upon payment of the fee to the department.

22 (6) The director, subject to the recommendations and approval of
23 the board, shall set by rule a schedule of license and electrical work
24 permit fees that will cover the costs of administration and enforcement
25 of this chapter. The rules shall be adopted in accordance with the
26 administrative procedure act, chapter 34.05 RCW. No fee may be charged
27 for plug-in mobile homes, recreational vehicles, or portable
28 appliances.

29 (7) Nothing in this chapter authorizes the inspection of any
30 wiring, appliance, device, or equipment, or installations thereof, that

1 is exempt from application of this chapter or the inspection of the
2 work of any person, firm, partnership, corporation, or other entity
3 that is exempt from the application of this chapter.

4 **Sec. 5.** RCW 19.28.610 and 1986 c 156 s 16 are each amended to read
5 as follows:

6 Nothing in RCW 19.28.510 through 19.28.620 shall be construed to
7 require that a person obtain a license or a certified electrician in
8 order to do electrical work at his or her residence or farm or place of
9 business or on other property owned by him: PROVIDED, HOWEVER, That
10 nothing in RCW 19.28.510 through 19.28.620 shall be intended to
11 derogate from or dispense with the requirements of any valid electrical
12 code enacted by a city or town pursuant to RCW 19.28.010(2), except
13 that no code shall require the holder of a certificate of competency to
14 demonstrate any additional proof of competency or obtain any other
15 license or pay any fee in order to engage in the electrical
16 construction trade: AND PROVIDED FURTHER, That RCW 19.28.510 through
17 19.28.620 shall not apply to common carriers subject to Part I of the
18 Interstate Commerce Act, nor to their officers and employees: AND
19 PROVIDED FURTHER, That nothing in RCW 19.28.510 through 19.28.620 shall
20 be deemed to apply to the installation or maintenance of telephone,
21 telegraph, radio, or television wires and equipment; nor to any
22 electrical utility or its employees or any person, firm, corporation,
23 or other entity whose work is subject to approval or acceptance by the
24 utility before connection to the utility's system, in the
25 installation((s)), repair, and maintenance of electrical wiring,
26 circuits, and equipment by, on behalf of, under the direction of, or
27 for the utility, or comprising a part of its plants, lines or systems.
28 The licensing provisions of RCW 19.28.510 through 19.28.620 shall not
29 apply to persons making electrical installations on their own property

1 or to regularly employed employees working on the premises of their
2 employer or to employees of employers exempt under RCW 19.28.200 so
3 long as those employees have registered with or graduated from a state
4 or federally approved apprenticeship course designed for the work being
5 performed: AND PROVIDED FURTHER, That nothing in RCW 19.28.510 through
6 19.28.620 shall be construed to restrict the right of any householder
7 to assist or receive assistance from a friend, neighbor, relative or
8 other person when none of the individuals doing the electrical
9 installation hold themselves out as engaged in the trade or business of
10 electrical installations. Nothing precludes any person who is exempt
11 from the licensing requirements of this chapter under this section from
12 obtaining a journeyman or specialty certificate of competency if they
13 otherwise meet the requirements of this chapter.