
SUBSTITUTE HOUSE BILL 2626

State of Washington

53rd Legislature

1994 Regular Session

By House Committee on Commerce & Labor (originally sponsored by Representatives Mastin and Grant)

Read first time 02/04/94.

1 AN ACT Relating to enforcement of plumbing certificate of
2 competency requirements; amending RCW 18.106.020, 18.106.180,
3 18.106.270, and 3.62.020; adding a new section to chapter 18.106 RCW;
4 repealing RCW 18.106.025; and prescribing penalties.

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

6 NEW SECTION. **Sec. 1.** A new section is added to chapter 18.106 RCW
7 to read as follows:

8 The department of labor and industries shall establish two pilot
9 projects in which the department will enter into an agreement with a
10 city or county regarding compliance inspections by the participating
11 city or county to enforce this chapter. The city or county shall be
12 permitted, under the terms of the agreement, to submit declarations of
13 noncompliance to the department for the department's enforcement under
14 RCW 18.106.180. One pilot project shall be located in western
15 Washington and one in eastern Washington.

16 **Sec. 2.** RCW 18.106.020 and 1983 c 124 s 4 are each amended to read
17 as follows:

1 (1) No person may engage in or offer to engage in the trade of
2 plumbing without having a journeyman certificate, or specialty
3 certificate, temporary permit, or without being supervised by a person
4 who has a journeyman certificate, specialty certificate, or temporary
5 permit. No person may employ a person to engage in or offer to engage
6 in the trade of plumbing unless the person employed has a journeyman
7 certificate, specialty certificate, or temporary permit or is
8 supervised by a person who has a journeyman certificate, specialty
9 certificate, or temporary permit.

10 (2) Violation of subsection (1) of this section is an infraction.
11 Each day in which a person engages in the trade of plumbing in
12 violation of subsection (1) of this section or employs a person in
13 violation of subsection (1) of this section is a separate infraction.
14 Each worksite at which a person engages in the trade of plumbing in
15 violation of subsection (1) of this section or at which a person is
16 employed in violation of subsection (1) of this section is a separate
17 infraction.

18 (3) Notices of infractions for violations of subsection (1) of this
19 section may be issued to:

20 (a) The person engaging in or offering to engage in the trade of
21 plumbing in violation of subsection (1) of this section;

22 (b) The employer of a person employed in violation of subsection
23 (1) of this section; and

24 (c) The employer's supervisor who authorized the work assignment of
25 the person employed in violation of subsection (1) of this section.

26 **Sec. 3.** RCW 18.106.180 and 1983 c 124 s 7 are each amended to read
27 as follows:

28 An authorized representative of the department may issue a notice
29 of infraction as specified in RCW 18.106.020(3) if a person who is
30 doing plumbing work or who is offering to do plumbing work fails to
31 produce evidence of having a certificate or permit issued by the
32 department in accordance with this chapter or of being supervised by a
33 person who has such a certificate or permit. A notice of infraction
34 issued under this section shall be personally served on the person
35 named in the notice by an authorized representative of the department.

36 **Sec. 4.** RCW 18.106.270 and 1983 c 124 s 16 are each amended to
37 read as follows:

1 (1) A person found to have committed an infraction under RCW
2 18.106.020 shall be assessed a monetary penalty of ~~((one))~~ two hundred
3 fifty dollars for the first infraction, and not more than one thousand
4 dollars for a second or subsequent infraction. The department shall
5 set by rule a schedule of penalties for infractions imposed under this
6 chapter.

7 (2) The court may waive, reduce, or suspend the monetary penalty
8 imposed for the infraction for good cause shown.

9 (3) Monetary penalties collected under this chapter shall be
10 remitted as provided in chapter 3.62 RCW.

11 **Sec. 5.** RCW 3.62.020 and 1988 c 169 s 3 are each amended to read
12 as follows:

13 (1) Except as provided in subsection (4) of this section, all
14 costs, fees, fines, forfeitures and penalties assessed and collected in
15 whole or in part by district courts, except costs, fines, forfeitures
16 and penalties assessed and collected, in whole or in part, because of
17 the violation of city ordinances, shall be remitted by the clerk of the
18 district court to the county treasurer at least monthly, together with
19 a financial statement as required by the division of municipal
20 corporations, noting the information necessary for crediting of such
21 funds as required by law.

22 (2)(a) Except as provided in (b) of this subsection, the county
23 treasurer shall remit thirty-two percent of the money received under
24 subsection (1) of this section except certain costs to the state
25 treasurer. "Certain costs" as used in this subsection, means those
26 costs awarded to prevailing parties in civil actions under RCW 4.84.010
27 or 36.18.040, or those costs awarded against convicted defendants in
28 criminal actions under RCW 10.01.160, 10.46.190, or 36.18.040, or other
29 similar statutes if such costs are specifically designated as costs by
30 the court and are awarded for the specific reimbursement of costs
31 incurred by the state or county in the prosecution of the case,
32 including the fees of defense counsel. Money remitted under this
33 subsection to the state treasurer shall be deposited as provided in RCW
34 43.08.250.

35 (b) When money received under subsection (1) of this section is
36 received because of a violation of chapter 18.106 RCW that is enforced
37 using a declaration of noncompliance submitted by a city as authorized
38 under section 1 of this act, twenty percent of the money received shall

1 be remitted by the county treasurer to the treasurer of the city and
2 twelve percent shall be remitted as required under (a) of this
3 subsection.

4 (3) The balance of the money received by the county treasurer under
5 subsection (1) of this section shall be deposited in the county current
6 expense fund.

7 (4) All money collected for county parking infractions shall be
8 remitted by the clerk of the district court at least monthly, with the
9 information required under subsection (1) of this section, to the
10 county treasurer for deposit in the county current expense fund.

11 NEW SECTION. **Sec. 6.** RCW 18.106.025 and 1983 c 124 s 5 are each
12 repealed.

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