

2 **ESSB 6521** - H AMD 404 ADOPTED 2-29-96  
3 By Representatives Cairnes and Romero

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5 Strike everything after the enacting clause and insert the  
6 following:

7 NEW SECTION. **Sec. 1.** A new section is added to chapter 19.28 RCW  
8 to read as follows:

9 The department may deny renewal of a certificate or license issued  
10 under this chapter, if the applicant for renewal owes outstanding  
11 penalties for a final judgment under this chapter. The department  
12 shall notify the applicant of the denial by registered mail, return  
13 receipt requested, to the address on the application. The applicant  
14 may appeal the denial within twenty days by filing a notice of appeal  
15 with the department accompanied by a certified check for two hundred  
16 dollars which shall be returned to the applicant if the decision of the  
17 department is not upheld by the board. The office of administrative  
18 hearings shall conduct the hearing under chapter 34.05 RCW. The  
19 electrical board shall review the proposed decision at the next  
20 regularly scheduled board meeting. If the board sustains the decision  
21 of the department, the two hundred dollars must be applied to the cost  
22 of the hearing.

23 NEW SECTION. **Sec. 2.** A new section is added to chapter 19.28 RCW  
24 to read as follows:

25 The department may audit the records of an electrical contractor  
26 that has verified the hours of experience submitted by an electrical  
27 trainee to the department under RCW 19.28.510(2) in the following  
28 circumstances: Excessive hours were reported; hours reported outside  
29 the normal course of the contractor's business; the type of hours  
30 reported do not reasonably match the type of permits purchased; or for  
31 other similar circumstances in which the department demonstrates a  
32 likelihood of excessive hours being reported. The department shall  
33 limit the audit to records necessary to verify hours. The department  
34 shall adopt rules implementing audit procedures. Information obtained  
35 from an electrical contractor under the provisions of this section is

1 confidential and is not open to public inspection under chapter 42.17  
2 RCW.

3 **Sec. 3.** RCW 19.28.125 and 1988 c 81 s 6 are each amended to read  
4 as follows:

5 (1) Each applicant for an electrical contractor's license, other  
6 than an individual, shall designate a supervisory employee or member of  
7 the firm to take the required administrator's examination. Effective  
8 July 1, 1987, a supervisory employee designated as the administrator  
9 shall be a full-time supervisory employee. This person shall be  
10 designated as administrator under the license. No person may qualify  
11 as administrator for more than one contractor. If the relationship of  
12 the administrator with the electrical contractor is terminated, the  
13 contractor's license is void within ninety days unless another  
14 administrator is qualified by the board. However, if the administrator  
15 dies, the contractor's license is void within one hundred eighty days  
16 unless another administrator is qualified by the board. A certificate  
17 issued under this section is valid for two years from the nearest  
18 birthdate of the administrator, unless revoked or suspended, and  
19 further is nontransferable. The department may deny an application for  
20 an administrator's certificate for up to two years if the applicant's  
21 previous administrator's certificate has been revoked for a serious  
22 violation and all appeals concerning the revocation have been  
23 exhausted. For the purposes of this section only, a serious violation  
24 is a violation that presents imminent danger to the public. The  
25 certificate may be renewed for a two-year period without examination by  
26 appropriate application unless the certificate has been revoked,  
27 suspended, or not renewed within ninety days after the expiration date.  
28 If the certificate is not renewed before the expiration date, the  
29 individual shall pay twice the usual fee. An individual holding more  
30 than one administrator's certificate under this chapter shall not be  
31 required to pay annual fees for more than one certificate. A person  
32 may take the administrator's test as many times as necessary without  
33 limit.

34 (2) The administrator shall:

35 (a) Be a member of the firm or a supervisory employee and shall be  
36 available during working hours to carry out the duties of an  
37 administrator under this section;

1 (b) Ensure that all electrical work complies with the electrical  
2 installation laws and rules of the state;

3 (c) Ensure that the proper electrical safety procedures are used;

4 (d) Ensure that all electrical labels, permits, and licenses  
5 required to perform electrical work are used;

6 (e) See that corrective notices issued by an inspecting authority  
7 are complied with; and

8 (f) Notify the department in writing within ten days if the  
9 administrator terminates the relationship with the electrical  
10 contractor.

11 (3) The department shall not by rule change the administrator's  
12 duties under subsection (2) of this section.

13 **Sec. 4.** RCW 19.28.210 and 1992 c 240 s 2 are each amended to read  
14 as follows:

15 (1) The director shall cause an inspector to inspect all wiring,  
16 appliances, devices, and equipment to which this chapter applies.  
17 Nothing contained in this chapter may be construed as providing any  
18 authority for any subdivision of government to adopt by ordinance any  
19 provisions contained or provided for in this chapter except those  
20 pertaining to cities and towns pursuant to RCW 19.28.010(~~((2))~~) (3).

21 (2) Upon request, electrical inspections will be made by the  
22 department within forty-eight hours, excluding holidays, Saturdays, and  
23 Sundays. If, upon written request, the electrical inspector fails to  
24 make an electrical inspection within twenty-four hours, the serving  
25 utility may immediately connect electrical power to the installation if  
26 the necessary electrical work permit is displayed: PROVIDED, That if  
27 the request is for an electrical inspection that relates to a mobile  
28 home installation, the applicant shall provide proof of a current  
29 building permit issued by the local government agency authorized to  
30 issue such permits as a prerequisite for inspection approval or  
31 connection of electrical power to the mobile home.

32 (3) Whenever the installation of any wiring, device, appliance, or  
33 equipment is not in accordance with this chapter, or is in such a  
34 condition as to be dangerous to life or property, the person, firm,  
35 partnership, corporation, or other entity owning, using, or operating  
36 it shall be notified by the department and shall within fifteen days,  
37 or such further reasonable time as may upon request be granted, make  
38 such repairs and changes as are required to remove the danger to life

1 or property and to make it conform to this chapter. The director,  
2 through the inspector, is hereby empowered to disconnect or order the  
3 discontinuance of electrical service to conductors or equipment that  
4 are found to be in a dangerous or unsafe condition and not in  
5 accordance with this chapter. Upon making a disconnection the  
6 inspector shall attach a notice stating that the conductors have been  
7 found dangerous to life or property and are not in accordance with this  
8 chapter. It is unlawful for any person to reconnect such defective  
9 conductors or equipment without the approval of the department, and  
10 until the conductors and equipment have been placed in a safe and  
11 secure condition, and in a condition that complies with this chapter.

12 (4) The director, through the electrical inspector, has the right  
13 during reasonable hours to enter into and upon any building or premises  
14 in the discharge of his or her official duties for the purpose of  
15 making any inspection or test of the installation of new construction  
16 or altered electrical wiring, electrical devices, equipment, or  
17 material contained in or on the buildings or premises. No electrical  
18 wiring or equipment subject to this chapter may be concealed until it  
19 has been approved by the inspector making the inspection. At the time  
20 of the inspection, electrical wiring or equipment subject to this  
21 chapter must be sufficiently accessible to permit the inspector to  
22 employ any testing methods that will verify conformance with the  
23 national electrical code and any other requirements of this chapter.

24 (5) Persons, firms, partnerships, corporations, or other entities  
25 making electrical installations shall obtain inspection and approval  
26 from an authorized representative of the department as required by this  
27 chapter before requesting the electric utility to connect to the  
28 installations. Electric utilities may connect to the installations if  
29 approval is clearly indicated by certification of the electrical work  
30 permit required to be affixed to each installation or by equivalent  
31 means, except that increased or relocated services may be reconnected  
32 immediately at the discretion of the utility before approval if an  
33 electrical work permit is displayed. The permits shall be furnished  
34 upon payment of the fee to the department.

35 (6) The director, subject to the recommendations and approval of  
36 the board, shall set by rule a schedule of license and electrical work  
37 permit fees that will cover the costs of administration and enforcement  
38 of this chapter. The rules shall be adopted in accordance with the  
39 administrative procedure act, chapter 34.05 RCW. No fee may be charged

1 for plug-in mobile homes, recreational vehicles, or portable  
2 appliances.

3 (7) Nothing in this chapter shall authorize the inspection of any  
4 wiring, appliance, device, or equipment, or installations thereof, by  
5 any utility or by any person, firm, partnership, corporation, or other  
6 entity employed by a utility in connection with the installation,  
7 repair, or maintenance of lines, wires, apparatus, or equipment owned  
8 by or under the control of the utility. All work covered by the  
9 national electric code not exempted by the 1981 edition of the national  
10 electric code 90-2(B)(5) shall be inspected by the department.

11 **Sec. 5.** RCW 19.28.310 and 1988 c 81 s 10 are each amended to read  
12 as follows:

13 The department has the power, in case of (~~continued~~) serious  
14 noncompliance with the provisions of this chapter, to revoke or suspend  
15 for such a period as it determines, any electrical contractor license  
16 or electrical contractor administrator certificate issued under this  
17 chapter. The department shall notify the holder of the license or  
18 certificate of the revocation or suspension by certified mail. A  
19 revocation or suspension is effective (~~fifteen~~) twenty days after the  
20 holder receives the notice. Any revocation or suspension is subject to  
21 review by an appeal to the board. The filing of an appeal stays the  
22 effect of a revocation or suspension until the board makes its  
23 decision. The appeal shall be filed within (~~fifteen~~) twenty days  
24 after notice of the revocation or suspension is given by certified mail  
25 sent to the address of the holder of the license or certificate as  
26 shown on the application for the license or certificate, and shall be  
27 effected by filing a written notice of appeal with the department,  
28 accompanied by a certified check for two hundred dollars, which shall  
29 be returned to the holder of the license or certificate if the decision  
30 of the department is not sustained by the board. The hearing shall be  
31 conducted in accordance with chapter 34.05 RCW. If the board sustains  
32 the decision of the department, the two hundred dollars shall be  
33 applied by the department to the payment of the per diem and expenses  
34 of the members of the board incurred in the matter, and any balance  
35 remaining after payment of per diem and expenses shall be paid into the  
36 electrical license fund.

1       **Sec. 6.** RCW 19.28.510 and 1983 c 206 s 13 are each amended to read  
2 as follows:

3       (1) No person may engage in the electrical construction trade  
4 without having a current journeyman electrician certificate of  
5 competency or a current specialty electrician certificate of competency  
6 issued by the department in accordance with this chapter. Electrician  
7 certificate of competency specialties include, but are not limited to:  
8 Residential, domestic appliances, pump and irrigation, limited energy  
9 system, signs, and nonresidential maintenance.

10       (2) A person who is indentured in an apprenticeship program  
11 approved under chapter 49.04 RCW for the electrical construction trade  
12 or who is learning the electrical construction trade may work in the  
13 electrical construction trade if supervised by a certified journeyman  
14 electrician or a certified specialty electrician in that electrician's  
15 specialty. All apprentices and individuals learning the electrical  
16 construction trade shall obtain an electrical training certificate from  
17 the department. The certificate shall authorize the holder to learn  
18 the electrical construction trade while under the direct supervision of  
19 a journeyman electrician or a specialty electrician working in his or  
20 her specialty. The holder of the electrical training certificate shall  
21 renew the certificate annually. At the time of renewal, the holder  
22 shall provide the department with an accurate list of the holder's  
23 employers in the electrical construction industry for the previous year  
24 and the number of hours worked for each employer. An annual fee shall  
25 be charged for the issuance or renewal of the certificate. The  
26 department shall set the fee by rule. The fee shall cover but not  
27 exceed the cost of administering and enforcing the trainee  
28 certification and supervision requirements of this chapter.  
29 Apprentices and individuals learning the electrical construction trade  
30 shall have their electrical training certificates in their possession  
31 at all times that they are performing electrical work. They shall show  
32 their certificates to an authorized representative of the department at  
33 the representative's request.

34       (3) Any person who has been issued an electrical training  
35 certificate under this chapter may work if that person is under  
36 supervision. Supervision shall consist of a person being on the same  
37 job site and under the control of either a journeyman electrician or an  
38 appropriate specialty electrician who has an applicable certificate of  
39 competency issued under this chapter. Either a journeyman electrician

1 or an appropriate specialty electrician shall be on the same job site  
2 as the noncertified individual for a minimum of seventy-five percent of  
3 each working day unless otherwise provided in this chapter. The ratio  
4 of noncertified individuals to certified journeymen or specialty  
5 electricians working on a job site shall be:

6 (a) From September 1, 1979, through December 31, 1982, not more  
7 than three noncertified electricians working on any one job site for  
8 every certified journeyman or specialty electrician;

9 (b) Effective January 1, 1983, not more than two noncertified  
10 individuals working on any one job site for every specialty electrician  
11 or journeyman electrician working as a specialty electrician;

12 (c) Effective January 1, 1983, not more than one noncertified  
13 individual working on any one job site for every certified journeyman  
14 electrician.

15 The ratio requirements do not apply to a trade school program in  
16 the electrical construction trade established during 1946.

17 An individual who has a current training certificate and who has  
18 successfully completed or is currently enrolled in an approved  
19 apprenticeship program or in a technical school program in the  
20 electrical construction trade in a school approved by the commission  
21 for vocational education, may work without direct on-site supervision  
22 during the last six months of meeting the practical experience  
23 requirements of this chapter.

24 (4) The electrical contractor shall accurately verify and attest to  
25 the electrical trainee hours worked by electrical trainees on behalf of  
26 the electrical contractor.

27 **Sec. 7.** RCW 19.28.550 and 1993 c 192 s 1 are each amended to read  
28 as follows:

29 (1) The department shall issue a certificate of competency to all  
30 applicants who have passed the examination provided in RCW 19.28.540,  
31 and who have complied with RCW 19.28.510 through 19.28.620 and the  
32 rules adopted under this chapter. The certificate shall bear the date  
33 of issuance, and shall expire on ~~((October 31st or April 30th, not less~~  
34 ~~than six months nor more than three years immediately following the~~  
35 ~~date of issuance))~~ the holder's birthday. The certificate shall be  
36 renewed every three years, upon application, on or before the holder's  
37 birthdate. A fee shall be assessed for each certificate and for each  
38 annual renewal.

1 (2) If the certificate holder demonstrates to the department that  
2 he or she has satisfactorily completed an annual eight-hour continuing  
3 education course, the certificate may be renewed without examination by  
4 appropriate application unless the certificate has been revoked,  
5 suspended, or not renewed within ninety days after the expiration date.

6 (a) The contents and requirements for satisfactory completion of  
7 the continuing education course shall be determined by the director and  
8 approved by the board.

9 (b) The department shall accept proof of a certificate holder's  
10 satisfactory completion of a continuing education course offered in  
11 another state as meeting the requirements for maintaining a current  
12 Washington state certificate of competency if the department is  
13 satisfied the course is comparable in nature to that required in  
14 Washington state for maintaining a current certificate of competency.

15 (3) If the certificate is not renewed before the expiration date,  
16 the individual shall pay twice the usual fee. The department shall set  
17 the fees by rule for issuance and renewal of a certificate of  
18 competency. The fees shall cover but not exceed the costs of issuing  
19 the certificates and of administering and enforcing the electrician  
20 certification requirements of this chapter.

21 (4) The certificates of competency and temporary permits provided  
22 for in this chapter grant the holder the right to work in the  
23 electrical construction trade as a journeyman electrician or specialty  
24 electrician in accordance with their provisions throughout the state  
25 and within any of its political subdivisions without additional proof  
26 of competency or any other license, permit, or fee to engage in such  
27 work."

28 **ESSB 6521** - H AMD  
29 By Representative

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31 On page 1, line 1 of the title, after "procedures;" strike the  
32 remainder of the title and insert "amending RCW 19.28.125, 19.28.210,  
33 19.28.310, 19.28.510, and 19.28.550; and adding new sections to chapter  
34 19.28 RCW."

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