

CERTIFICATION OF ENROLLMENT
ENGROSSED SUBSTITUTE HOUSE BILL 2172

Chapter 281, Laws of 2001

(partial veto)

57th Legislature
2001 Regular Legislative Session

SPECIALTY PLUMBER'S CERTIFICATE OF COMPETENCY--BACKFLOW PREVENTION
ASSEMBLIES

EFFECTIVE DATE: 7/22/01

Passed by the House April 19, 2001
Yeas 94 Nays 0

FRANK CHOPP
Speaker of the House of Representatives

CLYDE BALLARD
Speaker of the House of Representatives

Passed by the Senate April 10, 2001
Yeas 45 Nays 3

BRAD OWEN
President of the Senate

Approved May 11, 2001, with the
exception of section 4, which is
vetoed.

GARY LOCKE
Governor of the State of Washington

CERTIFICATE

We, Timothy A. Martin and Cynthia Zehnder, Co-Chief Clerks of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE HOUSE BILL 2172** as passed by the House of Representatives and the Senate on the dates hereon set forth.

TIMOTHY A. MARTIN
Chief Clerk

CYNTHIA ZEHNDER
Chief Clerk

FILED

May 11, 2001 - 10:13 a.m.

**Secretary of State
State of Washington**

ENGROSSED SUBSTITUTE HOUSE BILL 2172

AS AMENDED BY THE SENATE

Passed Legislature - 2001 Regular Session

State of Washington 57th Legislature 2001 Regular Session

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

Read first time 02/27/2001. Referred to Committee on .

1 AN ACT Relating to the repair and maintenance of backflow
2 prevention assemblies; amending RCW 18.106.010 and 18.106.040; adding
3 a new section to chapter 18.106 RCW; and adding a new section to
4 chapter 19.27 RCW.

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

6 **Sec. 1.** RCW 18.106.010 and 1997 c 326 s 2 are each amended to read
7 as follows:

8 Unless a different meaning is plainly required by the context, the
9 following words and phrases as hereinafter used in this chapter shall
10 have the following meaning:

- 11 (1) "Advisory board" means the state advisory board of plumbers;
12 (2) "Department" means the department of labor and industries;
13 (3) "Director" means the director of department of labor and
14 industries;
15 (4) "Journeyman plumber" means any person who has been issued a
16 certificate of competency by the department of labor and industries as
17 provided in this chapter;
18 (5) "Medical gas piping" means oxygen, nitrous oxide, high pressure
19 nitrogen, medical compressed air, and medical vacuum systems;

1 (6) "Medical gas piping installer" means a journeyman plumber who
2 has been issued a medical gas piping installer endorsement;

3 (7) "Plumbing" means that craft involved in installing, altering,
4 repairing and renovating potable water systems, liquid waste systems,
5 and medical gas piping systems within a building. Installation in a
6 water system of water softening or water treatment equipment is not
7 within the meaning of plumbing as used in this chapter;

8 (8) "Specialty plumber" means anyone who has been issued a
9 specialty certificate of competency limited to:

10 (a) Installation, maintenance, and repair of the plumbing of
11 single-family dwellings, duplexes, and apartment buildings that do not
12 exceed three stories; or

13 (b) Maintenance and repair of backflow prevention assemblies.

14 **Sec. 2.** RCW 18.106.040 and 1977 ex.s. c 149 s 4 are each amended
15 to read as follows:

16 (1) Upon receipt of the application and evidence set forth in RCW
17 18.106.030, the director shall review the same and make a determination
18 as to whether the applicant is eligible to take an examination for the
19 certificate of competency. To be eligible to take the examination:

20 (a) Each applicant for a journeyman plumber's certificate of
21 competency shall furnish written evidence that he or she has ~~((either))~~
22 completed a course of study in the plumbing trade in the armed services
23 of the United States or at a school ~~((accredited))~~ licensed by the
24 ~~((coordinating council on occupational education;))~~ work force training
25 and education coordinating board, or ~~((that he))~~ has had four or more
26 years of experience under the direct supervision of a licensed
27 journeyman plumber.

28 (b) Each applicant for a specialty plumber's certificate of
29 competency under RCW 18.106.010(8)(a) shall furnish written evidence
30 that he or she has ~~((either))~~ completed a course of study in the
31 plumbing trade in the armed services of the United States or at a
32 school ~~((accredited))~~ licensed by the ~~((commission for vocational~~
33 ~~education or its designee))~~ work force training and education
34 coordinating board under chapter 28C.10 RCW, or that he or she has had
35 at least three years practical experience in ~~((his))~~ the specialty.
36 ~~((No other requirement for eligibility may be imposed.))~~

37 (c) Each applicant for a specialty plumber's certificate of
38 competency under RCW 18.106.010(8)(b) shall furnish written evidence

1 that he or she is eligible to take the examination. These eligibility
2 requirements shall be adopted by rule by the director pursuant to
3 subsection (2)(b) of this section.

4 (2)(a) The director shall establish reasonable rules ((and
5 regulations)) for the examinations to be given applicants for
6 certificates of competency. In establishing ((said)) the rules,
7 ((regulations, and criteria,)) the director shall consult with the
8 state advisory board of plumbers as established in RCW 18.106.110.

9 (b) The director shall establish reasonable criteria by rule for
10 determining an applicant's eligibility to take an examination for the
11 certificate of competency for specialty plumbers under subsection
12 (1)(c) of this section. In establishing the criteria, the director
13 shall consult with the state advisory board of plumbers as established
14 in RCW 18.106.110. These rules must take effect by July 1, 2002.

15 (3) Upon determination that the applicant is eligible to take the
16 examination, the director shall so notify ((him)) the applicant,
17 indicating the time and place for taking the same.

18 (4) No other requirement for eligibility may be imposed.

19 NEW SECTION. Sec. 3. A new section is added to chapter 18.106 RCW
20 to read as follows:

21 (1) Those actively certified by the department of health on or
22 before July 1, 2001, as backflow assembly testers and registered as a
23 contractor under chapter 18.27 RCW or employed by a registered
24 contractor, may perform maintenance and repair of backflow prevention
25 assemblies, without being a certified plumber under this chapter, until
26 January 1, 2003. For the purposes of this section, "maintenance and
27 repair" include cleaning and replacing internal parts of an assembly,
28 but do not include installing or replacing backflow prevention
29 assemblies.

30 (2) After January 1, 2003, backflow assembly testers exempted under
31 subsection (1) of this section are required to meet the eligibility
32 requirements for a specialty plumber's certificate of competency under
33 RCW 18.106.040(1)(c).

34 **NEW SECTION. Sec. 4. A new section is added to chapter 19.27 RCW*
35 *to read as follows:*

36 *The owner of a building classified as a group R, division 3*
37 *occupancy, as defined in the state building code adopted under this*

1 chapter, shall have the backflow prevention assembly tested by a
2 department of health certified backflow assembly tester:

3 (1) At the time of installation, repair, or relocation, if required
4 by the local official, board, department, or agency authorized to
5 administer and enforce the provisions of the uniform plumbing code as
6 adopted under this chapter; or

7 (2) When such official, board, department, or agency finds that
8 cross-connection control within the property lines of the premises may
9 fail to prevent pollution or contamination of the domestic water
10 supply.

11 *Sec. 4 was vetoed. See message at end of chapter.

Passed the House April 19, 2001.

Passed the Senate April 10, 2001.

Approved by the Governor May 11, 2001, with the exception of
certain items that were vetoed.

Filed in Office of Secretary of State May 11, 2001.

1 Note: Governor's explanation of partial veto is as follows:

2 "I am returning herewith, without my approval as to section 4,
3 Engrossed Substitute House Bill No. 2172 entitled:

4 "AN ACT Relating to the repair and maintenance of backflow
5 prevention assemblies;"

6 Engrossed Substitute House Bill No. 2172 creates a specialty
7 plumber's certificate of competency for the maintenance and repair of
8 backflow prevention assemblies. This bill will make it easier and more
9 cost effective to conduct annual inspections of backflow prevention
10 assemblies by increasing the number of available inspectors.

11 Section 4 of the bill would have repealed the requirement that
12 backflow prevention devices in residential dwellings be annually
13 inspected. Such action would compromise the health and safety of
14 Washington residents and the integrity of our state's potable water.
15 Without a state inspection requirement, local governments would likely
16 impose their own requirements, resulting in a multitude of differing
17 standards.

18 For these reasons I have vetoed section 4 of Engrossed Substitute
19 House Bill No. 2172.

20 With the exception of section 4, Engrossed Substitute House Bill
21 No. 2172 is approved."