

**ESSB 5713 - H AMD 999**

By Representative Conway

ADOPTED AS AMENDED 04/18/2003

1 Strike everything after the enacting clause and insert the  
2 following:

3 "PART 1 - DEFINITIONS

4 **Sec. 101.** RCW 19.28.006 and 2002 c 249 s 1 are each amended to  
5 read as follows:

6 The definitions in this section apply throughout this subchapter.

7 (1) "Administrator" means a person designated by an electrical  
8 contractor to supervise electrical work and electricians in accordance  
9 with the rules adopted under this chapter.

10 (2) "Basic electrical work" means the work classified in (a) and  
11 (b) of this subsection as class A and class B basic electrical work:

12 (a) "Class A basic electrical work" means the like-in-kind  
13 replacement of a: Contactor, relay, timer, starter, circuit board, or  
14 similar control component; household appliance; circuit breaker; fuse;  
15 residential luminaire; lamp; snap switch; dimmer; receptacle outlet;  
16 thermostat; heating element; luminaire ballast with an exact same  
17 ballast; ten horsepower or smaller motor; or wiring, appliances,  
18 devices, or equipment as specified by rule.

19 (b) "Class B basic electrical work" means work other than class A  
20 basic electrical work that requires minimal electrical circuit  
21 modifications and has limited exposure hazards. Class B basic  
22 electrical work includes the following:

23 (i) Extension of not more than one branch electrical circuit  
24 limited to one hundred twenty volts and twenty amps each where:

25 (A) No cover inspection is necessary; and

26 (B) The extension does not supply more than two outlets;

27 (ii) Like-in-kind replacement of a single luminaire not exceeding  
28 two hundred seventy-seven volts and twenty amps;

1        (iii) Like-in-kind replacement of a motor larger than ten  
2 horsepower;

3        (iv) The following low voltage systems:

4        (A) Repair and replacement of devices not exceeding one hundred  
5 volt-amperes in Class 2, Class 3, or power limited low voltage systems  
6 in one and two-family dwellings;

7        (B) Repair and replacement of the following devices not exceeding  
8 one hundred volt-amperes in Class 2, Class 3, or power limited low  
9 voltage systems in other buildings, provided the equipment is not for  
10 fire alarm or nurse call systems and is not located in an area  
11 classified as hazardous by the national electrical code; or

12        (v) Wiring, appliances, devices, or equipment as specified by rule.

13        (3) "Board" means the electrical board under RCW 19.28.311.

14        ~~((3))~~ (4) "Chapter" or "subchapter" means the subchapter, if no  
15 chapter number is referenced.

16        ~~((4))~~ (5) "Department" means the department of labor and  
17 industries.

18        ~~((5))~~ (6) "Director" means the director of the department or the  
19 director's designee.

20        ~~((6))~~ (7) "Electrical construction trade" includes but is not  
21 limited to installing or maintaining electrical wires and equipment  
22 that are used for light, heat, or power and installing and maintaining  
23 remote control, signaling, power limited, or communication circuits or  
24 systems.

25        ~~((7))~~ (8) "Electrical contractor" means a person, firm,  
26 partnership, corporation, or other entity that offers to undertake,  
27 undertakes, submits a bid for, or does the work of installing or  
28 maintaining wires or equipment that convey electrical current.

29        ~~((8))~~ (9) "Equipment" means any equipment or apparatus that  
30 directly uses, conducts, insulates, or is operated by electricity but  
31 does not mean: Plug-in appliances; or plug-in equipment as determined  
32 by the department by rule.

33        ~~((9))~~ (10) "Industrial control panel" means a factory-wired or  
34 user-wired assembly of industrial control equipment such as motor  
35 controllers, switches, relays, power supplies, computers, cathode ray  
36 tubes, transducers, and auxiliary devices. The panel may include  
37 disconnect means and motor branch circuit protective devices.

1        ~~((10))~~ (11) "Journeyman electrician" means a person who has been  
2 issued a journeyman electrician certificate of competency by the  
3 department.

4        ~~((11))~~ (12) "Like-in-kind" means having similar characteristics  
5 such as voltage requirements, current draw, and function, and being in  
6 the same location.

7        (13) "Master electrician" means either a master journeyman  
8 electrician or master specialty electrician.

9        ~~((12))~~ (14) "Master journeyman electrician" means a person who  
10 has been issued a master journeyman electrician certificate of  
11 competency by the department and who may be designated by an electrical  
12 contractor to supervise electrical work and electricians in accordance  
13 with rules adopted under this chapter.

14        ~~((13))~~ (15) "Master specialty electrician" means a person who has  
15 been issued a specialty electrician certificate of competency by the  
16 department and who may be designated by an electrical contractor to  
17 supervise electrical work and electricians in accordance with rules  
18 adopted under this chapter.

19        ~~((14))~~ (16) "Specialty electrician" means a person who has been  
20 issued a specialty electrician certificate of competency by the  
21 department.

22        **Sec. 102.** RCW 18.106.010 and 2002 c 82 s 1 are each amended to  
23 read as follows:

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

- 27        (1) "Advisory board" means the state advisory board of plumbers;
- 28        (2) "Contractor" means any person, corporate or otherwise, who  
29 engages in, or offers or advertises to engage in, any work covered by  
30 the provisions of this chapter by way of trade or business, or any  
31 person, corporate or otherwise, who employs anyone, or offers or  
32 advertises to employ anyone, to engage in any work covered by the  
33 provisions of this chapter;
- 34        (3) "Department" means the department of labor and industries;
- 35        (4) "Director" means the director of department of labor and  
36 industries;

1 (5) "Journeyman plumber" means any person who has been issued a  
2 certificate of competency by the department of labor and industries as  
3 provided in this chapter;

4 (6) "Like-in-kind" means having similar characteristics such as  
5 plumbing size, type, and function, and being in the same location;

6 (7) "Medical gas piping" means oxygen, nitrous oxide, high pressure  
7 nitrogen, medical compressed air, and medical vacuum systems;

8 ((+7)) (8) "Medical gas piping installer" means a journeyman  
9 plumber who has been issued a medical gas piping installer endorsement;

10 ((+8)) (9) "Plumbing" means that craft involved in installing,  
11 altering, repairing and renovating potable water systems, liquid waste  
12 systems, and medical gas piping systems within a building.  
13 Installation in a water system of water softening or water treatment  
14 equipment is not within the meaning of plumbing as used in this  
15 chapter;

16 ((+9)) (10) "Specialty plumber" means anyone who has been issued  
17 a specialty certificate of competency limited to:

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

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

## 22 PART 2 - BASIC ELECTRICAL WORK

23 **Sec. 201.** RCW 19.28.101 and 1996 c 241 s 4 are each amended to  
24 read as follows:

25 (1) The director shall cause an inspector to inspect all wiring,  
26 appliances, devices, and equipment to which this chapter applies except  
27 for basic electrical work as defined in this chapter. The department  
28 may not require an electrical work permit for class A basic electrical  
29 work unless deficiencies in the installation or repair require  
30 inspection. The department may inspect class B basic electrical work  
31 on a random basis as specified by the department in rule. Nothing  
32 contained in this chapter may be construed as providing any authority  
33 for any subdivision of government to adopt by ordinance any provisions  
34 contained or provided for in this chapter except those pertaining to  
35 cities and towns pursuant to RCW 19.28.010(3).

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

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

30           (4) The director, through the electrical inspector, has the right  
31 during reasonable hours to enter into and upon any building or premises  
32 in the discharge of his or her official duties for the purpose of  
33 making any inspection or test of the installation of new construction  
34 or altered electrical wiring, electrical devices, equipment, or  
35 material contained in or on the buildings or premises. No electrical  
36 wiring or equipment subject to this chapter may be concealed until it  
37 has been approved by the inspector making the inspection. At the time

1 of the inspection, electrical wiring or equipment subject to this  
2 chapter must be sufficiently accessible to permit the inspector to  
3 employ any testing methods that will verify conformance with the  
4 national electrical code and any other requirements of this chapter.

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

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

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

31 **Sec. 202.** RCW 19.28.141 and 2001 c 211 s 9 are each amended to  
32 read as follows:

33 (1) Except as provided in subsection (2) of this section, the  
34 provisions of RCW 19.28.101 shall not apply:

35 ~~((1))~~ (a) Within the corporate limits of any incorporated city or  
36 town which has heretofore adopted and enforced or subsequently adopts

1 and enforces an ordinance requiring an equal, higher or better standard  
2 of construction and of materials, devices, appliances and equipment  
3 than is required by this chapter.

4 ~~((+2))~~ (b) Within the service area of an electricity supply agency  
5 owned and operated by a city or town which is supplying electricity and  
6 enforcing a standard of construction and materials outside its  
7 corporate limits at the time this act takes effect(~~(:—PROVIDED, That~~  
8 ~~such))~~). The city, town, or agency shall ~~((henceforth))~~ enforce by  
9 inspection within its service area outside its corporate limits the  
10 same standards of construction and of materials, devices, appliances  
11 and equipment as ~~((is))~~ are enforced by the department of labor and  
12 industries under ~~((the authority of))~~ this chapter(~~(:—PROVIDED~~  
13 ~~FURTHER, That))~~). Fees charged ~~((henceforth))~~ in connection with such  
14 enforcement shall not exceed those established in RCW 19.28.101.

15 ~~((+3))~~ (c) Within the rights of way of state highways, provided  
16 the state department of transportation maintains and enforces an equal,  
17 higher or better standard of construction and of materials, devices,  
18 appliances and equipment than is required by RCW 19.28.010 through  
19 19.28.141 and 19.28.311 through 19.28.361.

20 (2) A city, town, or electrical supply agency is permitted, but not  
21 required, to enforce the same permitting and inspection standards  
22 applicable to basic electrical work as are enforced by the department  
23 of labor and industries.

24 **PART 3 - INCIDENTAL ELECTRICAL WORK**

25 **Sec. 301.** RCW 19.28.091 and 2001 c 211 s 6 are each amended to  
26 read as follows:

27 (1) No license under the provision of this chapter shall be  
28 required from any utility or any person, firm, partnership,  
29 corporation, or other entity employed by a utility because of work in  
30 connection with the installation, repair, or maintenance of lines,  
31 wires, apparatus, or equipment owned by or under the control of a  
32 utility and used for transmission or distribution of electricity from  
33 the source of supply to the point of contact at the premises and/or  
34 property to be supplied and service connections and meters and other

1 apparatus or appliances used in the measurement of the consumption of  
2 electricity by the customer.

3 (2) No license under the provisions of this chapter shall be  
4 required from any utility because of work in connection with the  
5 installation, repair, or maintenance of the following:

6 (a) Lines, wires, apparatus, or equipment used in the lighting of  
7 streets, alleys, ways, or public areas or squares;

8 (b) Lines, wires, apparatus, or equipment owned by a commercial,  
9 industrial, or public institution customer that are an integral part of  
10 a transmission or distribution system, either overhead or underground,  
11 providing service to such customer and located outside the building or  
12 structure: PROVIDED, That a utility does not initiate the sale of  
13 services to perform such work;

14 (c) Lines and wires, together with ancillary apparatus, and  
15 equipment, owned by a customer that is an independent power producer  
16 who has entered into an agreement for the sale of electricity to a  
17 utility and that are used in transmitting electricity from an  
18 electrical generating unit located on premises used by such customer to  
19 the point of interconnection with the utility's system.

20 (3) Any person, firm, partnership, corporation, or other entity  
21 licensed under RCW 19.28.041 may enter into a contract with a utility  
22 for the performance of work under subsection (2) of this section.

23 (4) No license under the provisions of this chapter shall be  
24 required from any person, firm, partnership, corporation, or other  
25 entity because of the work of installing and repairing ignition or  
26 lighting systems for motor vehicles.

27 (5) No license under the provisions of this chapter shall be  
28 required from any person, firm, partnership, corporation, or other  
29 entity because of work in connection with the installation, repair, or  
30 maintenance of wires and equipment, and installations thereof, exempted  
31 in RCW 19.28.010.

32 (6) The department may by rule exempt from licensing requirements  
33 under this chapter work performed on premanufactured electric power  
34 generation equipment assemblies and control gear involving the testing,  
35 repair, modification, maintenance, or installation of components  
36 internal to the power generation equipment, the control gear, or the  
37 transfer switch.



1       (7) An entity that currently holds a valid specialty or general  
2 plumbing contractor's registration under chapter 18.27 RCW may employ  
3 a certified plumber, a certified residential plumber, or a plumber  
4 trainee meeting the requirements of chapter 18.106 RCW to perform  
5 electrical work that is incidentally, directly, and immediately  
6 appropriate to the like-in-kind replacement of a household appliance or  
7 other small household utilization equipment that requires limited  
8 electric power and limited waste and/or water connections. A plumber  
9 trainee must be supervised by a certified plumber or a certified  
10 residential plumber while performing electrical work. The electrical  
11 work is subject to the permitting and inspection requirements of this  
12 chapter.

13       **Sec. 302.** RCW 19.28.261 and 2001 c 211 s 19 are each amended to  
14 read as follows:

15       (1) Nothing in RCW 19.28.161 through 19.28.271 shall be construed  
16 to require that a person obtain a license or a certified electrician in  
17 order to do electrical work at his or her residence or farm or place of  
18 business or on other property owned by him or her unless the electrical  
19 work is on the construction of a new building intended for rent, sale,  
20 or lease. However, if the construction is of a new residential  
21 building with up to four units intended for rent, sale, or lease, the  
22 owner may receive an exemption from the requirement to obtain a license  
23 or use a certified electrician if he or she provides a signed affidavit  
24 to the department stating that he or she will be performing the work  
25 and will occupy one of the units as his or her principal residence.  
26 The owner shall apply to the department for this exemption and may only  
27 receive an exemption once every twenty-four months. It is intended  
28 that the owner receiving this exemption shall occupy the unit as his or  
29 her principal residence for twenty-four months after completion of the  
30 units.

31       (2) Nothing in RCW 19.28.161 through 19.28.271 shall be intended to  
32 derogate from or dispense with the requirements of any valid electrical  
33 code enacted by a city or town pursuant to RCW 19.28.010(3), except  
34 that no code shall require the holder of a certificate of competency to  
35 demonstrate any additional proof of competency or obtain any other

1 license or pay any fee in order to engage in the electrical  
2 construction trade.

3 (3) RCW 19.28.161 through 19.28.271 shall not apply to common  
4 carriers subject to Part I of the Interstate Commerce Act, nor to their  
5 officers and employees.

6 (4) Nothing in RCW 19.28.161 through 19.28.271 shall be deemed to  
7 apply to the installation or maintenance of telephone, telegraph,  
8 radio, or television wires and equipment; nor to any electrical utility  
9 or its employees in the installation, repair, and maintenance of  
10 electrical wiring, circuits, and equipment by or for the utility, or  
11 comprising a part of its plants, lines or systems.

12 (5) The licensing provisions of RCW 19.28.161 through 19.28.271  
13 shall not apply to:

14 ~~((1))~~ (a) Persons making electrical installations on their own  
15 property or to regularly employed employees working on the premises of  
16 their employer, unless the electrical work is on the construction of a  
17 new building intended for rent, sale, or lease;

18 ~~((2))~~ (b) Employees of an employer while the employer is  
19 performing utility type work of the nature described in RCW 19.28.091  
20 so long as such employees have registered in the state of Washington  
21 with or graduated from a state-approved outside lineman apprenticeship  
22 course that is recognized by the department and that qualifies a person  
23 to perform such work; ~~((or~~

24 ~~(3))~~ (c) Any work exempted under RCW 19.28.091(6); and

25 (d) Certified plumbers, certified residential plumbers, or plumber  
26 trainees meeting the requirements of chapter 18.106 RCW and performing  
27 exempt work under RCW 19.28.091(7).

28 (6) Nothing in RCW 19.28.161 through 19.28.271 shall be construed  
29 to restrict the right of any householder to assist or receive  
30 assistance from a friend, neighbor, relative or other person when none  
31 of the individuals doing the electrical installation hold themselves  
32 out as engaged in the trade or business of electrical installations.

33 (7) Nothing precludes any person who is exempt from the licensing  
34 requirements of this chapter under this section from obtaining a  
35 journeyman or specialty certificate of competency if they otherwise  
36 meet the requirements of this chapter.

PART 4 - INCIDENTAL PLUMBING WORK

**Sec. 401.** RCW 18.27.090 and 2001 c 159 s 7 are each amended to read as follows:

The registration provisions of this chapter do not apply to:

(1) An authorized representative of the United States government, the state of Washington, or any incorporated city, town, county, township, irrigation district, reclamation district, or other municipal or political corporation or subdivision of this state;

(2) Officers of a court when they are acting within the scope of their office;

(3) Public utilities operating under the regulations of the utilities and transportation commission in construction, maintenance, or development work incidental to their own business;

(4) Any construction, repair, or operation incidental to the discovering or producing of petroleum or gas, or the drilling, testing, abandoning, or other operation of any petroleum or gas well or any surface or underground mine or mineral deposit when performed by an owner or lessee;

(5) The sale or installation of any finished products, materials, or articles of merchandise that are not actually fabricated into and do not become a permanent fixed part of a structure;

(6) Any construction, alteration, improvement, or repair of personal property performed by the registered or legal owner, or by a mobile/manufactured home retail dealer or manufacturer licensed under chapter 46.70 RCW who shall warranty service and repairs under chapter 46.70 RCW;

(7) Any construction, alteration, improvement, or repair carried on within the limits and boundaries of any site or reservation under the legal jurisdiction of the federal government;

(8) Any person who only furnished materials, supplies, or equipment without fabricating them into, or consuming them in the performance of, the work of the contractor;

(9) Any work or operation on one undertaking or project by one or more contracts, the aggregate contract price of which for labor and materials and all other items is less than five hundred dollars, such work or operations being considered as of a casual, minor, or

1 inconsequential nature. The exemption prescribed in this subsection  
2 does not apply in any instance wherein the work or construction is only  
3 a part of a larger or major operation, whether undertaken by the same  
4 or a different contractor, or in which a division of the operation is  
5 made into contracts of amounts less than five hundred dollars for the  
6 purpose of evasion of this chapter or otherwise. The exemption  
7 prescribed in this subsection does not apply to a person who advertises  
8 or puts out any sign or card or other device which might indicate to  
9 the public that he or she is a contractor, or that he or she is  
10 qualified to engage in the business of contractor;

11 (10) Any construction or operation incidental to the construction  
12 and repair of irrigation and drainage ditches of regularly constituted  
13 irrigation districts or reclamation districts; or to farming, dairying,  
14 agriculture, viticulture, horticulture, or stock or poultry raising; or  
15 to clearing or other work upon land in rural districts for fire  
16 prevention purposes; except when any of the above work is performed by  
17 a registered contractor;

18 (11) An owner who contracts for a project with a registered  
19 contractor, except that this exemption shall not deprive the owner of  
20 the protections of this chapter against registered and unregistered  
21 contractors;

22 (12) Any person working on his or her own property, whether  
23 occupied by him or her or not, and any person working on his or her  
24 personal residence, whether owned by him or her or not but this  
25 exemption shall not apply to any person otherwise covered by this  
26 chapter who constructs an improvement on his or her own property with  
27 the intention and for the purpose of selling the improved property;

28 (13) Owners of commercial properties who use their own employees to  
29 do maintenance, repair, and alteration work in or upon their own  
30 properties;

31 (14) A licensed architect or civil or professional engineer acting  
32 solely in his or her professional capacity, an electrician licensed  
33 under the laws of the state of Washington, or a plumber licensed under  
34 the laws of the state of Washington or licensed by a political  
35 subdivision of the state of Washington while operating within the  
36 boundaries of such political subdivision. The exemption provided in

1 this subsection is applicable only when the licensee is operating  
2 within the scope of his or her license;

3 (15) Any person who engages in the activities herein regulated as  
4 an employee of a registered contractor with wages as his or her sole  
5 compensation or as an employee with wages as his or her sole  
6 compensation;

7 (16) Contractors on highway projects who have been prequalified as  
8 required by RCW 47.28.070, with the department of transportation to  
9 perform highway construction, reconstruction, or maintenance work;

10 (17) A mobile/manufactured home dealer or manufacturer who  
11 subcontracts the installation, set-up, or repair work to actively  
12 registered contractors. This exemption only applies to the  
13 installation, set-up, or repair of the mobile/manufactured homes that  
14 were manufactured or sold by the mobile/manufactured home dealer or  
15 manufacturer;

16 (18) An entity who holds a valid electrical contractor's license  
17 under chapter 19.28 RCW that employs a certified journeyman  
18 electrician, a certified residential specialty electrician, or an  
19 electrical trainee meeting the requirements of chapter 19.28 RCW to  
20 perform plumbing work that is incidentally, directly, and immediately  
21 appropriate to the like-in-kind replacement of a household appliance or  
22 other small household utilization equipment that requires limited  
23 electric power and limited waste and/or water connections. An  
24 electrical trainee must be supervised by a certified electrician while  
25 performing plumbing work.

26 **Sec. 402.** RCW 18.106.150 and 1973 1st ex.s. c 175 s 15 are each  
27 amended to read as follows:

28 (1) Nothing in this chapter shall be construed to require that a  
29 person obtain a license or a certified plumber in order to do plumbing  
30 work at his or her residence or farm or place of business or on other  
31 property owned by him or her. (~~Any person performing plumbing work on~~  
32 ~~a farm may do so without having~~))

33 (2) A current certificate of competency or apprentice permit is not  
34 required for: ((PROVIDED, HOWEVER, That))

35 (a) Persons performing plumbing work on a farm; or

1 (b) Certified journeyman electricians, certified residential  
2 specialty electricians, or electrical trainees working for an  
3 electrical contractor and performing exempt work under RCW  
4 18.27.090(18).

5 (3) Nothing in this chapter shall be intended to derogate from or  
6 dispense with the requirements of any valid plumbing code enacted by a  
7 political subdivision of the state, except that no code shall require  
8 the holder of a certificate of competency to demonstrate any additional  
9 proof of competency or obtain any other license or pay any fee in order  
10 to engage in the trade of plumbing(~~(: AND PROVIDED FURTHER, That)~~).

11 (4) This chapter shall not apply to common carriers subject to Part  
12 I of the Interstate Commerce Act, nor to their officers and  
13 employees(~~(: AND PROVIDED FURTHER, That)~~).

14 (5) Nothing in this chapter shall be construed to apply to any  
15 farm, business, industrial plant, or corporation doing plumbing work on  
16 premises it owns or operates(~~(: AND PROVIDED FURTHER, That)~~).

17 (6) Nothing in this chapter shall be construed to restrict the  
18 right of any householder to assist or receive assistance from a friend,  
19 neighbor, relative or other person when none of the individuals doing  
20 such plumbing hold themselves out as engaged in the trade or business  
21 of plumbing.

## 22 PART 5 - ELECTRIC APPLIANCE REPAIR

23 NEW SECTION. Sec. 501. A new section is added to chapter 19.28  
24 RCW under the subchapter heading "provisions applicable to electrical  
25 installations" to read as follows:

26 (1) The repair, maintenance, or replacement of an electric  
27 appliance, if performed by an employee of a manufacturer-authorized  
28 dealer or service company, is exempt from licensing and certification  
29 requirements under RCW 19.28.091 and 19.28.161.

30 (2) A joint legislative task force is created to review licensing  
31 and certification requirements under RCW 19.28.091 and 19.28.161 as  
32 they pertain to the repair, maintenance, or replacement of an electric  
33 appliance, and as they compare to licensing and certification  
34 requirements in other states. The task force membership shall consist  
35 of: (a) One member from each caucus of the senate commerce and trade

1 committee, appointed by the president of the senate; (b) one member  
2 from each caucus of the house of representatives commerce and labor  
3 committee, appointed by the speaker of the house of representatives;  
4 and (c) representatives of electrical contractors, journey level  
5 electrical workers, appliance repair businesses, appliance repair  
6 technicians, and residential consumers, appointed jointly by the  
7 president of the senate and the speaker of the house of  
8 representatives. The department of labor and industries shall  
9 cooperate with the task force and provide such technical expertise as  
10 the task force cochairs may reasonably require. The task force shall  
11 choose its cochairs from among its membership. The task force shall  
12 use legislative facilities and staff from senate committee services and  
13 the office of program research. Legislative members of the task force  
14 shall be reimbursed for travel expenses in accordance with RCW  
15 44.04.120. Nonlegislative members, except those representing an  
16 employer or organization, are entitled to be reimbursed in accordance  
17 with RCW 43.03.050 and 43.03.060, such reimbursement to be paid jointly  
18 by the senate and the house of representatives. The task force shall  
19 report its findings and recommendations for legislation or rule making,  
20 if any, to the legislature by December 1, 2003.

21 (3) For the purposes of this section, "repair, maintenance, or  
22 replacement of an electric appliance" means servicing, maintaining,  
23 repairing, or replacing household appliances and similar utilization  
24 equipment, other than space heating equipment, in a residential  
25 occupancy. The appliance or utilization equipment must be self-  
26 contained and built to standardized sizes or types. The appliance or  
27 utilization equipment must be connected as a single unit to a single  
28 source of electrical power limited to a maximum of two hundred fifty  
29 volts, sixty amperes, single phase.

30 (a) "Repair, maintenance, or replacement of an electric appliance"  
31 includes the like-in-kind replacement of the appliance or utilization  
32 equipment if the same unmodified electrical circuit is used to supply  
33 the equipment being replaced. It also includes:

34 (i) The like-in-kind replacement of electrical components within  
35 the appliance or equipment;

36 (ii) The disconnection and reconnection of low-voltage control and

1 line voltage supply whips not over six feet in length provided there  
2 are no modifications to the characteristics of the branch circuit; and  
3 (iii) The installation of an outlet box and outlet at an existing  
4 appliance or equipment location when converting the appliance from a  
5 permanent electrical connection to a plug and cord connection. Other  
6 than the installation of the outlet box and outlet, there can be no  
7 modification to the existing branch circuit supplying the appliance or  
8 equipment.

9 (b) "Repair, maintenance, or replacement of an electric appliance"  
10 does not include:

11 (i) The installation, repair, or modification of branch circuits  
12 conductors, services, feeders, panelboards, disconnect switches, or  
13 raceway/conductor systems interconnecting multiple appliances,  
14 equipment, or other electrical components; or

15 (ii) Any work governed under article(s) 500, 501, 502, 503, 504,  
16 505, 510, 511, 513, 514, 515, or 516 NEC (i.e., classified locations).

17 (4)(a) For the purposes of this section, "electric appliance" means  
18 appliances and utilization equipment including, but not limited to,  
19 dishwashers, ovens, water heating equipment, cook tops, ranges, instant  
20 hot water dispensers, garbage disposers, vent hoods, warming drawers,  
21 and grills.

22 (b) "Electric appliance" does not include systems and equipment  
23 such as office equipment, vehicle repair equipment, commercial kitchen  
24 equipment, self-contained hot tubs and spas, grinders, scales,  
25 alarm/energy management/similar systems, luminaires,  
26 furnaces/heaters/air conditioners/heat pumps, sewage disposal  
27 equipment, door/gate/similar equipment, or individual components  
28 installed so as to create a system (e.g., pumps, switches, controllers,  
29 etc.).

30 **PART 6 - ELECTRIC EQUIPMENT REPAIR**

31 **Sec. 601.** RCW 19.28.191 and 2002 c 249 s 5 are each amended to  
32 read as follows:

33 (1) Upon receipt of the application, the department shall review  
34 the application and determine whether the applicant is eligible to take



1 an examination for the master journeyman electrician, journeyman  
2 electrician, master specialty electrician, or specialty electrician  
3 certificate of competency.

4 (a) Before July 1, 2005, an applicant who possesses a valid  
5 journeyman electrician certificate of competency in effect for the  
6 previous four years and a valid general administrator's certificate may  
7 apply for a master journeyman electrician certificate of competency  
8 without examination.

9 (b) Before July 1, 2005, an applicant who possesses a valid  
10 specialty electrician certificate of competency, in the specialty  
11 applied for, for the previous two years and a valid specialty  
12 administrator's certificate, in the specialty applied for, may apply  
13 for a master specialty electrician certificate of competency without  
14 examination.

15 (c) Before December 1, 2003, the following persons may obtain an  
16 equipment repair specialty electrician certificate of competency  
17 without examination:

18 (i) A person who has successfully completed an apprenticeship  
19 program approved under chapter 49.04 RCW for the machinist trade; and

20 (ii) A person who provides evidence in a form prescribed by the  
21 department affirming that: (A) He or she was employed as of April 1,  
22 2003, by a factory-authorized equipment dealer or service company; and  
23 (B) he or she has worked in equipment repair for a minimum of four  
24 thousand hours.

25 (d) To be eligible to take the examination for a master journeyman  
26 electrician certificate of competency the applicant must have possessed  
27 a valid journeyman electrician certificate of competency for four  
28 years.

29 ((+d)) (e) To be eligible to take the examination for a master  
30 specialty electrician certificate of competency the applicant must have  
31 possessed a valid specialty electrician certificate of competency, in  
32 the specialty applied for, for two years.

33 ((+e)) (f) To be eligible to take the examination for a journeyman  
34 certificate of competency the applicant must have:

35 (i) Worked in the electrical construction trade for a minimum of  
36 eight thousand hours, of which four thousand hours shall be in  
37 industrial or commercial electrical installation under the supervision

1 of a master journeyman electrician or journeyman electrician and not  
2 more than a total of four thousand hours in all specialties under the  
3 supervision of a master journeyman electrician, journeyman electrician,  
4 master specialty electrician working in that electrician's specialty,  
5 or specialty electrician working in that electrician's specialty.  
6 Speciality electricians with less than a four thousand hour work  
7 experience requirement cannot credit the time required to obtain that  
8 specialty towards qualifying to become a journeyman electrician; or

9 (ii) Successfully completed an apprenticeship program approved  
10 under chapter 49.04 RCW for the electrical construction trade.

11 (~~(f)~~) (g) To be eligible to take the examination for a specialty  
12 electrician certificate of competency the applicant must have:

13 (i) Worked in the residential (as specified in WAC 296-46A-  
14 930(2)(a)), pump and irrigation (as specified in WAC 296-46A-  
15 930(2)(b)(i)), sign (as specified in WAC 296-46A-930(2)(c)), limited  
16 energy (as specified in WAC 296-46A-930(2)(e)(i)), nonresidential  
17 maintenance (as specified in WAC 296-46A-930(2)(f)(i)), restricted  
18 nonresidential maintenance as determined by the department in rule, or  
19 other new nonresidential specialties as determined by the department in  
20 rule under the supervision of a master journeyman electrician,  
21 journeyman electrician, master specialty electrician working in that  
22 electrician's specialty, or specialty electrician working in that  
23 electrician's specialty for a minimum of four thousand hours; or

24 (ii) Worked in the appliance repair specialty as determined by the  
25 department in rule, the equipment repair specialty as determined by the  
26 department in rule, or a specialty other than the designated  
27 specialties in (~~(f)~~) (g)(i) of this subsection for a minimum of the  
28 initial ninety days, or longer if set by rule by the department. The  
29 initial period must be spent under one hundred percent supervision of  
30 a master journeyman electrician, journeyman electrician, master  
31 specialty electrician working in that electrician's specialty, or  
32 specialty electrician working in that electrician's specialty. After  
33 this initial period, a person may take the specialty examination. If  
34 the person passes the examination, the person may work unsupervised for  
35 the balance of the minimum hours required for certification. A person  
36 may not be certified as a specialty electrician in the appliance repair  
37 specialty or in a specialty other than the designated specialities in

1    (~~(f)~~) (g)(i) of this subsection, however, until the person has worked  
2 a minimum of two thousand hours in that specialty, or longer if set by  
3 rule by the department; or

4       (iii) Successfully completed an approved apprenticeship program  
5 under chapter 49.04 RCW for the applicant's specialty in the electrical  
6 construction trade.

7       (~~(g)~~) (h) Any applicant for a journeyman electrician certificate  
8 of competency who has successfully completed a two-year program in the  
9 electrical construction trade at public community or technical  
10 colleges, or not-for-profit nationally accredited technical or trade  
11 schools licensed by the work force training and education coordinating  
12 board under chapter 28C.10 RCW may substitute up to two years of the  
13 technical or trade school program for two years of work experience  
14 under a master journeyman electrician or journeyman electrician. The  
15 applicant shall obtain the additional two years of work experience  
16 required in industrial or commercial electrical installation prior to  
17 the beginning, or after the completion, of the technical school  
18 program. Any applicant who has received training in the electrical  
19 construction trade in the armed service of the United States may be  
20 eligible to apply armed service work experience towards qualification  
21 to take the examination for the journeyman electrician certificate of  
22 competency.

23       (~~(h)~~) (i) An applicant for a specialty electrician certificate of  
24 competency who, after January 1, 2000, has successfully completed a  
25 two-year program in the electrical construction trade at a public  
26 community or technical college, or a not-for-profit nationally  
27 accredited technical or trade school licensed by the work force  
28 training and education coordinating board under chapter 28C.10 RCW, may  
29 substitute up to one year of the technical or trade school program for  
30 one year of work experience under a master journeyman electrician,  
31 journeyman electrician, master specialty electrician working in that  
32 electrician's specialty, or specialty electrician working in that  
33 electrician's specialty. Any applicant who has received training in  
34 the electrical construction trade in the armed services of the United  
35 States may be eligible to apply armed service work experience towards  
36 qualification to take the examination for an appropriate specialty  
37 electrician certificate of competency.

1       (~~(i)~~) (j) The department must determine whether hours of training  
2 and experience in the armed services or school program are in the  
3 electrical construction trade and appropriate as a substitute for hours  
4 of work experience. The department must use the following criteria for  
5 evaluating the equivalence of classroom electrical training programs  
6 and work in the electrical construction trade:

7       (i) A two-year electrical training program must consist of three  
8 thousand or more hours.

9       (ii) In a two-year electrical training program, a minimum of two  
10 thousand four hundred hours of student/instructor contact time must be  
11 technical electrical instruction directly related to the scope of work  
12 of the electrical specialty. Student/instructor contact time includes  
13 lecture and in-school lab.

14       (iii) The department may not allow credit for a program that  
15 accepts more than one thousand hours transferred from another school's  
16 program.

17       (iv) Electrical specialty training school programs of less than two  
18 years will have all of the above student/instructor contact time hours  
19 proportionately reduced. Such programs may not apply to more than  
20 fifty percent of the work experience required to attain certification.

21       (v) Electrical training programs of less than two years may not be  
22 credited towards qualification for journeyman electrician unless the  
23 training program is used to gain qualification for a four thousand hour  
24 electrical specialty.

25       (~~(j)~~) (k) No other requirement for eligibility may be imposed.

26       (2) The department shall establish reasonable rules for the  
27 examinations to be given applicants for certificates of competency. In  
28 establishing the rules, the department shall consult with the board.  
29 Upon determination that the applicant is eligible to take the  
30 examination, the department shall so notify the applicant, indicating  
31 the time and place for taking the examination.

32       (3) No noncertified individual may work unsupervised more than one  
33 year beyond the date when the trainee would be eligible to test for a  
34 certificate of competency if working on a full-time basis after  
35 original application for the trainee certificate. For the purposes of  
36 this section, full-time basis means two thousand hours.

1        NEW SECTION.    **Sec. 602.**    A new section is added to chapter 19.28  
2 RCW under the subchapter heading "provisions applicable to electrical  
3 installations" to read as follows:

4        (1) The scope of work for the equipment repair specialty involves  
5 servicing, maintaining, repairing, or replacing utilization equipment.

6        (2) "Utilization equipment" means equipment that is: (a) Self-  
7 contained on a single skid or frame; (b) factory built to standardized  
8 sizes or types; (c) listed or field evaluated by a laboratory or  
9 approved by the department under WAC 296-46B-030; and (d) connected as  
10 a single unit to a single source of electrical power limited to a  
11 maximum of six hundred volts. The equipment may also be connected to  
12 a separate single source of electrical control power limited to a  
13 maximum of two hundred fifty volts. Utilization equipment does not  
14 include devices used for occupant space heating by industrial,  
15 commercial, hospital, educational, public, and private commercial  
16 buildings, and other end users.

17        (3) "Servicing, maintaining, repairing, or replacing utilization  
18 equipment" includes:

19        (a) The like-in-kind replacement of the equipment if the same  
20 unmodified electrical circuit is used to supply the equipment being  
21 replaced;

22        (b) The like-in-kind replacement or repair of remote control  
23 components that are integral to the operation of the equipment;

24        (c) The like-in-kind replacement or repair of electrical components  
25 within the equipment; and

26        (d) The disconnection, replacement, and reconnection of low-voltage  
27 control and line voltage supply whips not over six feet in length  
28 provided there are no modifications to the characteristics of the  
29 branch circuit.

30        (4) "Servicing, maintaining, repairing, or replacing utilization  
31 equipment" does not include:

32        (a) The installation, repair, or modification of wiring that  
33 interconnects equipment and/or remote components, branch circuit  
34 conductors, services, feeders, panelboards, disconnect switches, motor  
35 control centers, remote magnetic starters/contactors, or  
36 raceway/conductor systems interconnecting multiple equipment or other  
37 electrical components;

1 (b) Any work providing electrical feeds into the power distribution  
2 unit or installation of conduits and raceways; or

3 (c) Any electrical work governed under article(s) 500, 501, 502,  
4 503, 504, 505, 510, 511, 513, 514, 515, or 516 NEC (i.e., classified  
5 locations), except for electrical work in sewage pumping stations.

6 **PART 7 - BOILER REPAIR**

7 NEW SECTION. **Sec. 701.** (1) Until July 1, 2004, the department of  
8 labor and industries shall cease to administer and enforce licensing  
9 requirements under RCW 19.28.091, certification requirements under RCW  
10 19.28.161, and inspection and permitting requirements under RCW  
11 19.28.101, as applied only to maintenance work on the electrical  
12 controls of a boiler performed by an employee of a service company.

13 (2) The electrical board and the board of boiler rules shall  
14 jointly evaluate whether electrical licensing, certification,  
15 inspection, and permitting requirements should apply to maintenance  
16 work on the electrical controls of a boiler performed by an employee of  
17 a service company. The electrical board shall report their joint  
18 findings and recommendations for legislation or rule making, if any, to  
19 the commerce and labor committee of the house of representatives and  
20 the commerce and trade committee of the senate by December 1, 2003.

21 (3) This section expires July 1, 2004.

22 **PART 8 - PLUMBING CONTINUING EDUCATION**

23 **Sec. 801.** RCW 18.106.070 and 1997 c 326 s 6 are each amended to  
24 read as follows:

25 (1) The department shall issue a certificate of competency to all  
26 applicants who have passed the examination and have paid the fee for  
27 the certificate. The certificate shall bear the date of issuance, and  
28 shall expire on the birthdate of the holder immediately following the  
29 date of issuance. The certificate shall be renewable every other year,  
30 upon application, on or before the birthdate of the holder. ((A  
31 ~~renewal fee shall be assessed for each certificate.~~) The department  
32 shall renew a certificate of competency if the applicant: (a) Pays the  
33 renewal fee assessed by the department; and (b) during the past two

1 years has completed sixteen hours of continuing education approved by  
2 the department with the advice of the advisory board, including four  
3 hours related to electrical safety. If a person fails to renew the  
4 certificate by the renewal date, he or she must pay a doubled fee. If  
5 the person does not renew the certificate within ninety days of the  
6 renewal date, he or she must retake the examination and pay the  
7 examination fee.

8 The journeyman plumber and specialty plumber certificates of  
9 competency, the medical gas piping installer endorsement, and the  
10 temporary permit provided for in this chapter grant the holder the  
11 right to engage in the work of plumbing as a journeyman plumber,  
12 specialty plumber, or medical gas piping installer, in accordance with  
13 their provisions throughout the state and within any of its political  
14 subdivisions on any job or any employment without additional proof of  
15 competency or any other license or permit or fee to engage in the work.  
16 This section does not preclude employees from adhering to a union  
17 security clause in any employment where such a requirement exists.

18 (2) A person who is indentured in an apprenticeship program  
19 approved under chapter 49.04 RCW for the plumbing construction trade or  
20 who is learning the plumbing construction trade may work in the  
21 plumbing construction trade if supervised by a certified journeyman  
22 plumber or a certified specialty plumber in that plumber's specialty.  
23 All apprentices and individuals learning the plumbing construction  
24 trade shall obtain a plumbing training certificate from the department.  
25 The certificate shall authorize the holder to learn the plumbing  
26 construction trade while under the direct supervision of a journeyman  
27 plumber or a specialty plumber working in his or her specialty. The  
28 holder of the plumbing training certificate shall renew the certificate  
29 annually. At the time of renewal, the holder shall provide the  
30 department with an accurate list of the holder's employers in the  
31 plumbing construction industry for the previous year and the number of  
32 hours worked for each employer. An annual fee shall be charged for the  
33 issuance or renewal of the certificate. The department shall set the  
34 fee by rule. The fee shall cover but not exceed the cost of  
35 administering and enforcing the trainee certification and supervision  
36 requirements of this chapter. Apprentices and individuals learning the  
37 plumbing construction trade shall have their plumbing training

1 certificates in their possession at all times that they are performing  
2 plumbing work. They shall show their certificates to an authorized  
3 representative of the department at the representative's request.

4 (3) Any person who has been issued a plumbing training certificate  
5 under this chapter may work if that person is under supervision.  
6 Supervision shall consist of a person being on the same job site and  
7 under the control of either a journeyman plumber or an appropriate  
8 specialty plumber who has an applicable certificate of competency  
9 issued under this chapter. Either a journeyman plumber or an  
10 appropriate specialty plumber shall be on the same job site as the  
11 noncertified individual for a minimum of seventy-five percent of each  
12 working day unless otherwise provided in this chapter. The ratio of  
13 noncertified individuals to certified journeymen or specialty plumbers  
14 working on a job site shall be: (a) ~~((From July 28, 1985, through June~~  
15 ~~30, 1988, not more than three noncertified plumbers working on any one~~  
16 ~~job site for every certified journeyman or specialty plumber; (b)~~  
17 ~~effective July 1, 1988,))~~ Not more than two noncertified plumbers  
18 working on any one job site for every certified specialty plumber or  
19 journeyman plumber working as a specialty plumber; and ~~((c) effective~~  
20 ~~July 1, 1988,))~~ (b) not more than one noncertified plumber working on  
21 any one job site for every certified journeyman plumber working as a  
22 journeyman plumber.

23 An individual who has a current training certificate and who has  
24 successfully completed or is currently enrolled in an approved  
25 apprenticeship program or in a technical school program in the plumbing  
26 construction trade in a school approved by the work force training and  
27 education coordinating board, may work without direct on-site  
28 supervision during the last six months of meeting the practical  
29 experience requirements of this chapter.

30 (4) An individual who has a current training certificate and who  
31 has successfully completed or is currently enrolled in a medical gas  
32 piping installer training course approved by the department may work on  
33 medical gas piping systems if the individual is under the direct  
34 supervision of a certified medical gas piping installer who holds a  
35 medical gas piping installer endorsement one hundred percent of a  
36 working day on a one-to-one ratio.



1       (5) The training to become a certified plumber must include not  
2 less than sixteen hours of classroom training established by the  
3 director with the advice of the advisory board. The classroom training  
4 must include, but not be limited to, electrical wiring safety,  
5 grounding, bonding, and other related items plumbers need to know to  
6 work under RCW 19.28.091.

7       (6) All persons who are certified plumbers before January 1, 2003,  
8 are deemed to have received the classroom training required in  
9 subsection (5) of this section.

10                                   **PART 9 - MISCELLANEOUS**

11       NEW SECTION. Sec. 901. Part headings used in this act are not any  
12 part of the law.

13       NEW SECTION. Sec. 902. Sections 501, 601, and 701 of this act are  
14 necessary for the immediate preservation of the public peace, health,  
15 or safety, or support of the state government and its existing public  
16 institutions, and take effect immediately."

17       Correct the title.

--- END ---