

ESSB 5713 - H AMD 456

By Representative Conway

ADOPTED 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) Until July 1, 2004, the repair, maintenance, or replacement of
27 an electric appliance is exempt from licensing and certification
28 requirements under RCW 19.28.091 and 19.28.161.

29 (2) For the purposes of this section, "repair, maintenance, or
30 replacement of an electric appliance" means servicing, maintaining,
31 repairing, or replacing household appliances, small commercial/
32 industrial appliances, and other small utilization equipment. The
33 appliance or utilization equipment must be self-contained and built to
34 standardized sizes or types. The appliance or utilization equipment

1 must be connected as a single unit to a single source of electrical
2 power limited to a maximum of two hundred fifty volts, sixty amperes,
3 single phase.

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

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

10 (ii) The disconnection and reconnection of low-voltage control and
11 line voltage supply whips not over six feet in length provided there
12 are no modifications to the characteristics of the branch circuit; and

13 (iii) The installation of an outlet box and outlet at an existing
14 appliance or equipment location when converting the appliance from a
15 permanent electrical connection to a plug and cord connection. Other
16 than the installation of the outlet box and outlet, there can be no
17 modification to the existing branch circuit supplying the appliance or
18 equipment.

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

21 (i) The installation, repair, or modification of branch circuits
22 conductors, services, feeders, panelboards, disconnect switches, or
23 raceway/conductor systems interconnecting multiple appliances,
24 equipment, or other electrical components; or

25 (ii) Any work governed under article(s) 500, 501, 502, 503, 504,
26 505, 510, 511, 513, 514, 515, or 516 NEC (i.e., classified locations).

27 (3) For the purposes of this section, "appliances and utilization
28 equipment" include, but are not limited to: Dishwashers, ovens, water
29 heating equipment, office equipment, vehicle repair equipment,
30 commercial kitchen equipment, self-contained hot tubs and spas,
31 grinders, and scales. "Appliances and utilization equipment" do not
32 include systems and equipment such as: Alarm/energy management/similar
33 systems, luminaires, furnaces/heaters/air conditioners/heat pumps,
34 sewage disposal equipment, door/gate/similar equipment, or individual
35 components installed so as to create a system (e.g., pumps, switches,
36 controllers, etc.).

1 NEW SECTION. **Sec. 502.** (1) A joint legislative task force is
2 created to review licensing and certification requirements under RCW
3 19.28.091 and 19.28.161 as they pertain to the repair, maintenance, or
4 replacement of an electric appliance, and as they compare to licensing
5 and certification requirements in other states. The task force
6 membership consists of: (a) One member from each caucus of the senate
7 commerce and trade committee, appointed by the president of the senate;
8 (b) one member from each caucus of the house of representatives
9 commerce and labor committee, appointed by the speaker of the house of
10 representatives; and (c) representatives of electrical contractors,
11 journey level electrical workers, appliance repair businesses,
12 appliance repair technicians, and residential consumers, appointed
13 jointly by the president of the senate and the speaker of the house of
14 representatives. The department of labor and industries shall
15 cooperate with the task force and provide such technical expertise as
16 the task force cochairs may reasonably require. The task force shall
17 choose its cochairs from among its membership. The task force shall
18 use legislative facilities and staff from senate committee services and
19 the office of program research. Legislative members of the task force
20 shall be reimbursed for travel expenses in accordance with RCW
21 44.04.120. Nonlegislative members, except those representing an
22 employer or organization, are entitled to be reimbursed in accordance
23 with RCW 43.03.050 and 43.03.060, such reimbursement to be paid jointly
24 by the senate and the house of representatives. The task force shall
25 report its findings and recommendations for legislation or rule making,
26 if any, to the legislature by December 1, 2003.

27 (2) This section expires July 1, 2004.

28 **PART 6 - ELECTRIC EQUIPMENT REPAIR**

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

31 (1) Upon receipt of the application, the department shall review
32 the application and determine whether the applicant is eligible to take
33 an examination for the master journeyman electrician, journeyman
34 electrician, master specialty electrician, or specialty electrician
35 certificate of competency.

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

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

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

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

17 (ii) A person who provides evidence in a form prescribed by the
18 department affirming that: (A) He or she was employed as of April 1,
19 2003, by a factory-authorized equipment dealer or service company; and
20 (B) he or she has worked in equipment repair for a minimum of four
21 thousand hours.

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

26 (~~(d)~~) (e) To be eligible to take the examination for a master
27 specialty electrician certificate of competency the applicant must have
28 possessed a valid specialty electrician certificate of competency, in
29 the specialty applied for, for two years.

30 (~~(e)~~) (f) To be eligible to take the examination for a journeyman
31 certificate of competency the applicant must have:

32 (i) Worked in the electrical construction trade for a minimum of
33 eight thousand hours, of which four thousand hours shall be in
34 industrial or commercial electrical installation under the supervision
35 of a master journeyman electrician or journeyman electrician and not
36 more than a total of four thousand hours in all specialties under the
37 supervision of a master journeyman electrician, journeyman electrician,

1 master specialty electrician working in that electrician's specialty,
2 or specialty electrician working in that electrician's specialty.
3 Specialty electricians with less than a four thousand hour work
4 experience requirement cannot credit the time required to obtain that
5 specialty towards qualifying to become a journeyman electrician; or
6 (ii) Successfully completed an apprenticeship program approved
7 under chapter 49.04 RCW for the electrical construction trade.
8 ((+f+)) (g) To be eligible to take the examination for a specialty
9 electrician certificate of competency the applicant must have:
10 (i) Worked in the residential (as specified in WAC 296-46A-
11 930(2)(a)), pump and irrigation (as specified in WAC 296-46A-
12 930(2)(b)(i)), sign (as specified in WAC 296-46A-930(2)(c)), limited
13 energy (as specified in WAC 296-46A-930(2)(e)(i)), nonresidential
14 maintenance (as specified in WAC 296-46A-930(2)(f)(i)), restricted
15 nonresidential maintenance as determined by the department in rule, or
16 other new nonresidential specialties as determined by the department in
17 rule under the supervision of a master journeyman electrician,
18 journeyman electrician, master specialty electrician working in that
19 electrician's specialty, or specialty electrician working in that
20 electrician's specialty for a minimum of four thousand hours; or
21 (ii) Worked in the appliance repair specialty as determined by the
22 department in rule, the equipment repair specialty as determined by the
23 department in rule, or a specialty other than the designated
24 specialties in ((+f+)) (g)(i) of this subsection for a minimum of the
25 initial ninety days, or longer if set by rule by the department. The
26 initial period must be spent under one hundred percent supervision of
27 a master journeyman electrician, journeyman electrician, master
28 specialty electrician working in that electrician's specialty, or
29 specialty electrician working in that electrician's specialty. After
30 this initial period, a person may take the specialty examination. If
31 the person passes the examination, the person may work unsupervised for
32 the balance of the minimum hours required for certification. A person
33 may not be certified as a specialty electrician in the appliance repair
34 specialty or in a specialty other than the designated specialities in
35 ((+f+)) (g)(i) of this subsection, however, until the person has worked
36 a minimum of two thousand hours in that specialty, or longer if set by
37 rule by the department; or

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

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

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

35 (~~(i)~~) (j) The department must determine whether hours of training
36 and experience in the armed services or school program are in the
37 electrical construction trade and appropriate as a substitute for hours

1 of work experience. The department must use the following criteria for
2 evaluating the equivalence of classroom electrical training programs
3 and work in the electrical construction trade:

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

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

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

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

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

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

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

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

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

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

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

14 (3) "Servicing, maintaining, repairing, or replacing utilization
15 equipment" includes:

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

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

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

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

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

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

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

1 (c) Any electrical work governed under article(s) 500, 501, 502,
2 503, 504, 505, 510, 511, 513, 514, 515, or 516 NEC (i.e., classified
3 locations), except for electrical work in sewage pumping stations.

4 **PART 7 - BOILER REPAIR**

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

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

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

20 **PART 8 - PLUMBING CONTINUING EDUCATION**

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

23 (1) The department shall issue a certificate of competency to all
24 applicants who have passed the examination and have paid the fee for
25 the certificate. The certificate shall bear the date of issuance, and
26 shall expire on the birthdate of the holder immediately following the
27 date of issuance. The certificate shall be renewable every other year,
28 upon application, on or before the birthdate of the holder. ((A
29 renewal fee shall be assessed for each certificate.)) The department
30 shall renew a certificate of competency if the applicant: (a) Pays the
31 renewal fee assessed by the department; and (b) during the past two
32 years has completed sixteen hours of continuing education approved by
33 the department with the advice of the advisory board, including four

1 hours related to electrical safety. If a person fails to renew the
2 certificate by the renewal date, he or she must pay a doubled fee. If
3 the person does not renew the certificate within ninety days of the
4 renewal date, he or she must retake the examination and pay the
5 examination fee.

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

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

1 plumbing work. They shall show their certificates to an authorized
2 representative of the department at the representative's request.

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

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

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

36 (5) The training to become a certified plumber must include not
37 less than sixteen hours of classroom training established by the

1 director with the advice of the advisory board. The classroom training
2 must include, but not be limited to, electrical wiring safety,
3 grounding, bonding, and other related items plumbers need to know to
4 work under RCW 19.28.091.

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

8 **PART 9 - MISCELLANEOUS**

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

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

15 Correct the title.

--- END ---