

CERTIFICATION OF ENROLLMENT

ENGROSSED SUBSTITUTE SENATE BILL 5713

Chapter 399, Laws of 2003

(partial veto)

58th Legislature
2003 Regular Session

ELECTRICAL WORK

EFFECTIVE DATE: 7/27/03 - Except sections 601 and 701, which become effective 5/20/03.

Passed by the Senate April 23, 2003
YEAS 48 NAYS 0

BRAD OWEN

President of the Senate

Passed by the House April 18, 2003
YEAS 97 NAYS 1

FRANK CHOPP

Speaker of the House of Representatives

Approved May 20, 2003, with the exception of section 501, which is vetoed.

GARY LOCKE

Governor of the State of Washington

CERTIFICATE

I, Milton H. Doumit, Jr., Secretary of the Senate of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE SENATE BILL 5713** as passed by the Senate and the House of Representatives on the dates hereon set forth.

MILTON H. DOUMIT JR.

Secretary

FILED

May 20, 2003 - 3:51 p.m.

**Secretary of State
State of Washington**

ENGROSSED SUBSTITUTE SENATE BILL 5713

AS AMENDED BY THE HOUSE

Passed Legislature - 2003 Regular Session

State of Washington

58th Legislature

2003 Regular Session

By Senate Committee on Commerce & Trade (originally sponsored by Senators Honeyford, Prentice, Hewitt, Rasmussen, Mulliken, Sheahan and Oke)

READ FIRST TIME 02/27/03.

1 AN ACT Relating to electrical work; amending RCW 19.28.006,
2 18.106.010, 19.28.101, 19.28.141, 19.28.091, 19.28.261, 18.27.090,
3 18.106.150, 19.28.191, and 18.106.070; adding new sections to chapter
4 19.28 RCW; creating new sections; providing an expiration date; and
5 declaring an emergency.

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

7 **PART 1 - DEFINITIONS**

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

10 The definitions in this section apply throughout this subchapter.

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

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

16 (a) "Class A basic electrical work" means the like-in-kind
17 replacement of a: Contactor, relay, timer, starter, circuit board, or
18 similar control component; household appliance; circuit breaker; fuse;

1 residential luminaire; lamp; snap switch; dimmer; receptacle outlet;
2 thermostat; heating element; luminaire ballast with an exact same
3 ballast; ten horsepower or smaller motor; or wiring, appliances,
4 devices, or equipment as specified by rule.

5 (b) "Class B basic electrical work" means work other than class A
6 basic electrical work that requires minimal electrical circuit
7 modifications and has limited exposure hazards. Class B basic
8 electrical work includes the following:

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

11 (A) No cover inspection is necessary; and

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

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

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

17 (iv) The following low voltage systems:

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

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

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

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

28 ((+3+)) (4) "Chapter" or "subchapter" means the subchapter, if no
29 chapter number is referenced.

30 ((+4+)) (5) "Department" means the department of labor and
31 industries.

32 ((+5+)) (6) "Director" means the director of the department or the
33 director's designee.

34 ((+6+)) (7) "Electrical construction trade" includes but is not
35 limited to installing or maintaining electrical wires and equipment
36 that are used for light, heat, or power and installing and maintaining
37 remote control, signaling, power limited, or communication circuits or
38 systems.

1 ~~((7))~~ (8) "Electrical contractor" means a person, firm,
2 partnership, corporation, or other entity that offers to undertake,
3 undertakes, submits a bid for, or does the work of installing or
4 maintaining wires or equipment that convey electrical current.

5 ~~((8))~~ (9) "Equipment" means any equipment or apparatus that
6 directly uses, conducts, insulates, or is operated by electricity but
7 does not mean: Plug-in appliances; or plug-in equipment as determined
8 by the department by rule.

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

14 ~~((10))~~ (11) "Journeyman electrician" means a person who has been
15 issued a journeyman electrician certificate of competency by the
16 department.

17 ~~((11))~~ (12) "Like-in-kind" means having similar characteristics
18 such as voltage requirements, current draw, and function, and being in
19 the same location.

20 (13) "Master electrician" means either a master journeyman
21 electrician or master specialty electrician.

22 ~~((12))~~ (14) "Master journeyman electrician" means a person who
23 has been issued a master journeyman electrician certificate of
24 competency by the department and who may be designated by an electrical
25 contractor to supervise electrical work and electricians in accordance
26 with rules adopted under this chapter.

27 ~~((13))~~ (15) "Master specialty electrician" means a person who has
28 been issued a specialty electrician certificate of competency by the
29 department and who may be designated by an electrical contractor to
30 supervise electrical work and electricians in accordance with rules
31 adopted under this chapter.

32 ~~((14))~~ (16) "Specialty electrician" means a person who has been
33 issued a specialty electrician certificate of competency by the
34 department.

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

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

4 (1) "Advisory board" means the state advisory board of plumbers;

5 (2) "Contractor" means any person, corporate or otherwise, who
6 engages in, or offers or advertises to engage in, any work covered by
7 the provisions of this chapter by way of trade or business, or any
8 person, corporate or otherwise, who employs anyone, or offers or
9 advertises to employ anyone, to engage in any work covered by the
10 provisions of this chapter;

11 (3) "Department" means the department of labor and industries;

12 (4) "Director" means the director of department of labor and
13 industries;

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

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

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

21 ~~((7))~~ (8) "Medical gas piping installer" means a journeyman
22 plumber who has been issued a medical gas piping installer endorsement;

23 ~~((8))~~ (9) "Plumbing" means that craft involved in installing,
24 altering, repairing and renovating potable water systems, liquid waste
25 systems, and medical gas piping systems within a building.
26 Installation in a water system of water softening or water treatment
27 equipment is not within the meaning of plumbing as used in this
28 chapter;

29 ~~((9))~~ (10) "Specialty plumber" means anyone who has been issued
30 a specialty certificate of competency limited to:

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

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

35 **PART 2 - BASIC ELECTRICAL WORK**

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

3 (1) The director shall cause an inspector to inspect all wiring,
4 appliances, devices, and equipment to which this chapter applies except
5 for basic electrical work as defined in this chapter. The department
6 may not require an electrical work permit for class A basic electrical
7 work unless deficiencies in the installation or repair require
8 inspection. The department may inspect class B basic electrical work
9 on a random basis as specified by the department in rule. Nothing
10 contained in this chapter may be construed as providing any authority
11 for any subdivision of government to adopt by ordinance any provisions
12 contained or provided for in this chapter except those pertaining to
13 cities and towns pursuant to RCW 19.28.010(3).

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

25 (3) Whenever the installation of any wiring, device, appliance, or
26 equipment is not in accordance with this chapter, or is in such a
27 condition as to be dangerous to life or property, the person, firm,
28 partnership, corporation, or other entity owning, using, or operating
29 it shall be notified by the department and shall within fifteen days,
30 or such further reasonable time as may upon request be granted, make
31 such repairs and changes as are required to remove the danger to life
32 or property and to make it conform to this chapter. The director,
33 through the inspector, is hereby empowered to disconnect or order the
34 discontinuance of electrical service to conductors or equipment that
35 are found to be in a dangerous or unsafe condition and not in
36 accordance with this chapter. Upon making a disconnection the
37 inspector shall attach a notice stating that the conductors have been
38 found dangerous to life or property and are not in accordance with this

1 chapter. It is unlawful for any person to reconnect such defective
2 conductors or equipment without the approval of the department, and
3 until the conductors and equipment have been placed in a safe and
4 secure condition, and in a condition that complies with this chapter.

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

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

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

35 (7) Nothing in this chapter shall authorize the inspection of any
36 wiring, appliance, device, or equipment, or installations thereof, by
37 any utility or by any person, firm, partnership, corporation, or other
38 entity employed by a utility in connection with the installation,

1 repair, or maintenance of lines, wires, apparatus, or equipment owned
2 by or under the control of the utility. All work covered by the
3 national electric code not exempted by the 1981 edition of the national
4 electric code 90-2(B)(5) shall be inspected by the department.

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

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

9 ~~((1))~~ (a) Within the corporate limits of any incorporated city or
10 town which has heretofore adopted and enforced or subsequently adopts
11 and enforces an ordinance requiring an equal, higher or better standard
12 of construction and of materials, devices, appliances and equipment
13 than is required by this chapter.

14 ~~((2))~~ (b) Within the service area of an electricity supply agency
15 owned and operated by a city or town which is supplying electricity and
16 enforcing a standard of construction and materials outside its
17 corporate limits at the time this act takes effect ~~((:—PROVIDED, That~~
18 ~~such)).~~ The city, town, or agency shall ((henceforth)) enforce by
19 inspection within its service area outside its corporate limits the
20 same standards of construction and of materials, devices, appliances
21 and equipment as ((is)) are enforced by the department of labor and
22 industries under ((the authority of)) this chapter((:—PROVIDED
23 FURTHER, That)). Fees charged ((henceforth)) in connection with such
24 enforcement shall not exceed those established in RCW 19.28.101.

25 ~~((3))~~ (c) Within the rights of way of state highways, provided
26 the state department of transportation maintains and enforces an equal,
27 higher or better standard of construction and of materials, devices,
28 appliances and equipment than is required by RCW 19.28.010 through
29 19.28.141 and 19.28.311 through 19.28.361.

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

34 **PART 3 - INCIDENTAL ELECTRICAL WORK**

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

3 (1) No license under the provision of this chapter shall be
4 required from any utility or any person, firm, partnership,
5 corporation, or other entity employed by a utility because of work in
6 connection with the installation, repair, or maintenance of lines,
7 wires, apparatus, or equipment owned by or under the control of a
8 utility and used for transmission or distribution of electricity from
9 the source of supply to the point of contact at the premises and/or
10 property to be supplied and service connections and meters and other
11 apparatus or appliances used in the measurement of the consumption of
12 electricity by the customer.

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

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

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

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

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

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

37 (5) No license under the provisions of this chapter shall be
38 required from any person, firm, partnership, corporation, or other

1 entity because of work in connection with the installation, repair, or
2 maintenance of wires and equipment, and installations thereof, exempted
3 in RCW 19.28.010.

4 (6) The department may by rule exempt from licensing requirements
5 under this chapter work performed on premanufactured electric power
6 generation equipment assemblies and control gear involving the testing,
7 repair, modification, maintenance, or installation of components
8 internal to the power generation equipment, the control gear, or the
9 transfer switch.

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

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

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

1 that the owner receiving this exemption shall occupy the unit as his or
2 her principal residence for twenty-four months after completion of the
3 units.

4 (2) Nothing in RCW 19.28.161 through 19.28.271 shall be intended to
5 derogate from or dispense with the requirements of any valid electrical
6 code enacted by a city or town pursuant to RCW 19.28.010(3), except
7 that no code shall require the holder of a certificate of competency to
8 demonstrate any additional proof of competency or obtain any other
9 license or pay any fee in order to engage in the electrical
10 construction trade.

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

14 (4) Nothing in RCW 19.28.161 through 19.28.271 shall be deemed to
15 apply to the installation or maintenance of telephone, telegraph,
16 radio, or television wires and equipment; nor to any electrical utility
17 or its employees in the installation, repair, and maintenance of
18 electrical wiring, circuits, and equipment by or for the utility, or
19 comprising a part of its plants, lines or systems.

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

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

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

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

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

36 (6) Nothing in RCW 19.28.161 through 19.28.271 shall be construed
37 to restrict the right of any householder to assist or receive

1 assistance from a friend, neighbor, relative or other person when none
2 of the individuals doing the electrical installation hold themselves
3 out as engaged in the trade or business of electrical installations.

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

8 **PART 4 - INCIDENTAL PLUMBING WORK**

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

11 The registration provisions of this chapter do not apply to:

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

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

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

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

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

29 (6) Any construction, alteration, improvement, or repair of
30 personal property performed by the registered or legal owner, or by a
31 mobile/manufactured home retail dealer or manufacturer licensed under
32 chapter 46.70 RCW who shall warranty service and repairs under chapter
33 46.70 RCW;

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

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

4 (9) Any work or operation on one undertaking or project by one or
5 more contracts, the aggregate contract price of which for labor and
6 materials and all other items is less than five hundred dollars, such
7 work or operations being considered as of a casual, minor, or
8 inconsequential nature. The exemption prescribed in this subsection
9 does not apply in any instance wherein the work or construction is only
10 a part of a larger or major operation, whether undertaken by the same
11 or a different contractor, or in which a division of the operation is
12 made into contracts of amounts less than five hundred dollars for the
13 purpose of evasion of this chapter or otherwise. The exemption
14 prescribed in this subsection does not apply to a person who advertises
15 or puts out any sign or card or other device which might indicate to
16 the public that he or she is a contractor, or that he or she is
17 qualified to engage in the business of contractor;

18 (10) Any construction or operation incidental to the construction
19 and repair of irrigation and drainage ditches of regularly constituted
20 irrigation districts or reclamation districts; or to farming, dairying,
21 agriculture, viticulture, horticulture, or stock or poultry raising; or
22 to clearing or other work upon land in rural districts for fire
23 prevention purposes; except when any of the above work is performed by
24 a registered contractor;

25 (11) An owner who contracts for a project with a registered
26 contractor, except that this exemption shall not deprive the owner of
27 the protections of this chapter against registered and unregistered
28 contractors;

29 (12) Any person working on his or her own property, whether
30 occupied by him or her or not, and any person working on his or her
31 personal residence, whether owned by him or her or not but this
32 exemption shall not apply to any person otherwise covered by this
33 chapter who constructs an improvement on his or her own property with
34 the intention and for the purpose of selling the improved property;

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

1 (14) A licensed architect or civil or professional engineer acting
2 solely in his or her professional capacity, an electrician licensed
3 under the laws of the state of Washington, or a plumber licensed under
4 the laws of the state of Washington or licensed by a political
5 subdivision of the state of Washington while operating within the
6 boundaries of such political subdivision. The exemption provided in
7 this subsection is applicable only when the licensee is operating
8 within the scope of his or her license;

9 (15) Any person who engages in the activities herein regulated as
10 an employee of a registered contractor with wages as his or her sole
11 compensation or as an employee with wages as his or her sole
12 compensation;

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

16 (17) A mobile/manufactured home dealer or manufacturer who
17 subcontracts the installation, set-up, or repair work to actively
18 registered contractors. This exemption only applies to the
19 installation, set-up, or repair of the mobile/manufactured homes that
20 were manufactured or sold by the mobile/manufactured home dealer or
21 manufacturer;

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

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

34 (1) Nothing in this chapter shall be construed to require that a
35 person obtain a license or a certified plumber in order to do plumbing
36 work at his or her residence or farm or place of business or on other

1 property owned by him or her. (~~Any person performing plumbing work on~~
2 ~~a farm may do so without having~~))

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

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

6 (b) Certified journeyman electricians, certified residential
7 specialty electricians, or electrical trainees working for an
8 electrical contractor and performing exempt work under RCW
9 18.27.090(18).

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

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

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

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

27 **PART 5 - ELECTRIC APPLIANCE REPAIR**

28 ****NEW SECTION. Sec. 501. A new section is added to chapter 19.28***
29 ***RCW under the subchapter heading "provisions applicable to electrical***
30 ***installations" to read as follows:***

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

35 ***(2) A joint legislative task force is created to review licensing***
36 ***and certification requirements under RCW 19.28.091 and 19.28.161 as***

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

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

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

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

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

6 (iii) The installation of an outlet box and outlet at an existing
7 appliance or equipment location when converting the appliance from a
8 permanent electrical connection to a plug and cord connection. Other
9 than the installation of the outlet box and outlet, there can be no
10 modification to the existing branch circuit supplying the appliance or
11 equipment.

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

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

18 (ii) Any work governed under article(s) 500, 501, 502, 503, 504,
19 505, 510, 511, 513, 514, 515, or 516 NEC (i.e., classified locations).

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

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

*Sec. 501 was vetoed. See message at end of chapter.

33 PART 6 - ELECTRIC EQUIPMENT REPAIR

34 Sec. 601. RCW 19.28.191 and 2002 c 249 s 5 are each amended to
35 read as follows:

36 (1) Upon receipt of the application, the department shall review

1 the application and determine whether the applicant is eligible to take
2 an examination for the master journeyman electrician, journeyman
3 electrician, master specialty electrician, or specialty electrician
4 certificate of competency.

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

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

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

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

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

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

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

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

36 (i) Worked in the electrical construction trade for a minimum of
37 eight thousand hours, of which four thousand hours shall be in
38 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
34 years has completed sixteen hours of continuing education approved by

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

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

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

1 must include, but not be limited to, electrical wiring safety,
2 grounding, bonding, and other related items plumbers need to know to
3 work under RCW 19.28.091.

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

7 **PART 9 - MISCELLANEOUS**

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

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

Passed by the Senate April 23, 2003.

Passed by the House April 18, 2003.

Approved by the Governor May 20, 2003, with the exception of
certain items that were vetoed.

Filed in Office of Secretary of State May 20, 2003.

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

"I am returning herewith, without my approval as to section 501,
Engrossed Substitute Senate Bill No. 5713 entitled:

"AN ACT Relating to electrical work;"

This bill modifies the state electrical and plumbing statutes in a
number of significant ways, including reducing the level of
government regulation currently borne by both businesses and workers.

Section 501 would have exempted the repair, maintenance, and
replacement of electrical appliances in residential settings from
electrical licensing and certification requirements.

Licensing and certification are the only means the state has to
ensure that well-trained and qualified individuals perform electrical
work. Exempting these requirements, coupled with the exemption from
inspection and permitting provided in other sections of this bill,
would remove all regulatory oversight of electrical appliance
replacement and repair work. This poses serious public policy
concerns and could expose workers, homeowners, and the general public
to hazards related to faulty electrical installations or repair.

Notwithstanding these concerns, I also want to ensure that the
current level of regulation is not an unnecessary burden on the
electrical appliance industry. Accordingly, after the first year of
administering this act, I am directing the Department of Labor and
Industries, to evaluate its impact and report its findings to me by
December 31, 2004.

For these reasons, I have vetoed section 501 of Engrossed Substitute
Senate Bill No. 5713.

With the exception of section 501, Engrossed Substitute Senate Bill No. 5713 is approved."