

ESHB 1597 - S COMM AMD

By Committee on Labor, Commerce, Research & Development

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

3 "NEW SECTION. **Sec. 1.** The legislature finds that dishonest
4 construction contractors sometimes hire workers without proper
5 licenses, certificates, and permits to do electrical, plumbing, and
6 conveyance work. This practice gives these contractors an unfair
7 competitive advantage and leaves workers and customers vulnerable.
8 Requiring workers to have their licenses, certificates, and permits in
9 their possession while doing such work will help address the problems
10 of the underground economy in the construction industry, level the
11 playing field for honest contractors, and protect workers and
12 consumers.

13 **Sec. 2.** RCW 18.106.020 and 2006 c 185 s 11 are each amended to
14 read as follows:

15 (1) No person may engage in or offer to engage in the trade of
16 plumbing without having a journeyman certificate, specialty
17 certificate, temporary permit, or trainee certificate in his or her
18 possession. A trainee must be supervised by a person who has a
19 journeyman certificate, specialty certificate, or temporary permit, as
20 specified in RCW 18.106.070. No contractor may employ a person to
21 engage in or offer to engage in the trade of plumbing unless the person
22 employed has a journeyman certificate, specialty certificate, temporary
23 permit, or trainee certificate. This section does not apply to a
24 contractor who is contracting for work on his or her own residence.
25 Until July 1, 2007, the department shall issue a written warning to any
26 specialty plumber defined by RCW 18.106.010(10)(c) not having a valid
27 plumber certification. The warning will state that the individual must
28 apply for a plumber training certificate or be qualified for and apply
29 for plumber certification under the requirements in RCW 18.106.040

1 within thirty calendar days of the warning. Only one warning will be
2 issued to any individual. If the individual fails to comply with this
3 section, the department shall issue a penalty or penalties as
4 authorized by this chapter.

5 (2) No person may engage in or offer to engage in medical gas
6 piping installation without having a certificate of competency as a
7 journeyman plumber and a medical gas piping installer endorsement in
8 his or her possession. A trainee may engage in medical gas piping
9 installation if he or she has a training certificate and is supervised
10 by a person with a medical gas piping installer endorsement. No
11 contractor may employ a person to engage in or offer to engage in
12 medical gas piping installation unless the person employed has a
13 certificate of competency as a journeyman plumber and a medical gas
14 piping installer endorsement.

15 (3) No contractor may advertise, offer to do work, submit a bid, or
16 perform any work under this chapter without being registered as a
17 contractor under chapter 18.27 RCW.

18 (4) Violation of this section is an infraction. Each day in which
19 a person engages in the trade of plumbing in violation of this section
20 or employs a person in violation of this section is a separate
21 infraction. Each worksite at which a person engages in the trade of
22 plumbing in violation of this section or at which a person is employed
23 in violation of this section is a separate infraction.

24 (5) Notices of infractions for violations of this section may be
25 issued to:

- 26 (a) The person engaging in or offering to engage in the trade of
27 plumbing in violation of this section;
- 28 (b) The contractor in violation of this section; and
- 29 (c) The contractor's employee who authorized the work assignment of
30 the person employed in violation of this section.

31 **Sec. 3.** RCW 18.106.070 and 2006 c 185 s 10 are each amended to
32 read as follows:

33 (1) The department shall issue a certificate of competency to all
34 applicants who have passed the examination and have paid the fee for
35 the certificate. The certificate shall be wallet size, made of a
36 durable material, and include a photograph of the holder. The
37 certificate shall bear the date of issuance, and shall expire on the

1 birthdate of the holder immediately following the date of issuance.
2 The certificate shall be renewable every other year, upon application,
3 on or before the birthdate of the holder, except for specialty plumbers
4 defined by RCW 18.106.010(10)(c) who also have an electrical
5 certification issued jointly as provided by RCW 18.106.050(3) in which
6 case their certificate shall be renewable every three years on or
7 before the birthdate of the holder. The department shall renew a
8 certificate of competency if the applicant: (a) Pays the renewal fee
9 assessed by the department; and (b) during the past two years has
10 completed sixteen hours of continuing education approved by the
11 department with the advice of the advisory board, including four hours
12 related to electrical safety. For holders of the specialty plumber
13 certificate under RCW 18.106.010(10)(c), the continuing education may
14 comprise both electrical and plumbing education with a minimum of
15 twelve of the required twenty-four hours of continuing education in
16 plumbing. If a person fails to renew the certificate by the renewal
17 date, he or she must pay a doubled fee. If the person does not renew
18 the certificate within ninety days of the renewal date, he or she must
19 retake the examination and pay the examination fee.

20 The journeyman plumber and specialty plumber certificates of
21 competency, the medical gas piping installer endorsement, and the
22 temporary permit provided for in this chapter grant the holder the
23 right to engage in the work of plumbing as a journeyman plumber,
24 specialty plumber, or medical gas piping installer, in accordance with
25 their provisions throughout the state and within any of its political
26 subdivisions on any job or any employment without additional proof of
27 competency or any other license or permit or fee to engage in the work.
28 This section does not preclude employees from adhering to a union
29 security clause in any employment where such a requirement exists.

30 (2) A person who is indentured in an apprenticeship program
31 approved under chapter 49.04 RCW for the plumbing construction trade or
32 who is learning the plumbing construction trade may work in the
33 plumbing construction trade if supervised by a certified journeyman
34 plumber or a certified specialty plumber in that plumber's specialty.
35 All apprentices and individuals learning the plumbing construction
36 trade shall obtain a plumbing training certificate from the department.
37 The certificate shall authorize the holder to learn the plumbing
38 construction trade while under the direct supervision of a journeyman

1 plumber or a specialty plumber working in his or her specialty. The
2 certificate shall be wallet size, made of a durable material, and
3 include a photograph of the holder. The holder of the plumbing
4 training certificate shall renew the certificate annually. At the time
5 of renewal, the holder shall provide the department with an accurate
6 list of the holder's employers in the plumbing construction industry
7 for the previous year and the number of hours worked for each employer.
8 An annual fee shall be charged for the issuance or renewal of the
9 certificate. The department shall set the fee by rule. The fee shall
10 cover but not exceed the cost of administering and enforcing the
11 trainee certification and supervision requirements of this chapter.
12 (~~Apprentices and individuals learning the plumbing construction trade~~
13 ~~shall have their plumbing training certificates in their possession at~~
14 ~~all times that they are performing plumbing work. They shall show~~
15 ~~their certificates to an authorized representative of the department at~~
16 ~~the representative's request.))~~

17 (3) Any person who has been issued a plumbing training certificate
18 under this chapter may work if that person is under supervision.
19 Supervision shall consist of a person being on the same job site and
20 under the control of either a journeyman plumber or an appropriate
21 specialty plumber who has an applicable certificate of competency
22 issued under this chapter. Either a journeyman plumber or an
23 appropriate specialty plumber shall be on the same job site as the
24 noncertified individual for a minimum of seventy-five percent of each
25 working day unless otherwise provided in this chapter. The ratio of
26 noncertified individuals to certified journeymen or specialty plumbers
27 working on a job site shall be: (a) Not more than two noncertified
28 plumbers working on any one job site for every certified specialty
29 plumber or journeyman plumber working as a specialty plumber; and (b)
30 not more than one noncertified plumber working on any one job site for
31 every certified journeyman plumber working as a journeyman plumber.

32 An individual who has a current training certificate and who has
33 successfully completed or is currently enrolled in an approved
34 apprenticeship program or in a technical school program in the plumbing
35 construction trade in a school approved by the work force training and
36 education coordinating board, may work without direct on-site
37 supervision during the last six months of meeting the practical
38 experience requirements of this chapter.

1 (4) An individual who has a current training certificate and who
2 has successfully completed or is currently enrolled in a medical gas
3 piping installer training course approved by the department may work on
4 medical gas piping systems if the individual is under the direct
5 supervision of a certified medical gas piping installer who holds a
6 medical gas piping installer endorsement one hundred percent of a
7 working day on a one-to-one ratio.

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

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

17 **Sec. 4.** RCW 18.106.090 and 1985 c 7 s 78 are each amended to read
18 as follows:

19 The department is authorized to grant and issue temporary permits
20 in lieu of certificates of competency whenever a plumber coming into
21 the state of Washington from another state requests the department for
22 a temporary permit to engage in the trade of plumbing as a journeyman
23 plumber or as a specialty plumber during the period of time between
24 filing of an application for a certificate as provided in RCW
25 18.106.030 as now or hereafter amended and taking the examination
26 provided for in RCW 18.106.050(~~(:—PROVIDED, That))~~). The temporary
27 permit shall be wallet size, made of a durable material, and include a
28 photograph of the plumber. No temporary permit shall be issued to:

29 (1) Any person who has failed to pass the examination for a
30 certificate of competency;

31 (2) Any applicant under this section who has not furnished the
32 department with such evidence required under RCW 18.106.030;

33 (3) To any apprentice plumber.

34 **Sec. 5.** RCW 18.106.170 and 1983 c 124 s 6 are each amended to read
35 as follows:

36 An authorized representative of the department may investigate

1 alleged or apparent violations of this chapter. An authorized
2 representative of the department upon presentation of credentials may
3 inspect sites at which a person is doing plumbing work for the purpose
4 of determining whether that person has a certificate or permit issued
5 by the department in accordance with this chapter or is supervised by
6 a person who has such a certificate or permit. Upon request of the
7 authorized representative of the department, a person doing plumbing
8 work shall produce (~~evidence that the person has a~~) his or her
9 certificate or permit (~~issued by the department in accordance with~~
10 ~~this chapter~~) or, if required by this chapter, evidence that he or she
11 is supervised by a person who has such a certificate or permit.

12 **Sec. 6.** RCW 18.106.270 and 1994 c 174 s 8 are each amended to read
13 as follows:

14 (1)(a) Except as provided in (b) of this subsection, a person found
15 to have committed an infraction under RCW 18.106.020 shall be assessed
16 a monetary penalty of two hundred fifty dollars for the first
17 infraction, and not more than one thousand dollars for a second or
18 subsequent infraction. The department shall set by rule a schedule of
19 penalties for infractions imposed under this chapter.

20 (b) The penalty assessed against a properly certified person who
21 fails to produce his or her certificate upon request shall not exceed
22 fifty dollars.

23 (2) The administrative law judge may waive, reduce, or suspend the
24 monetary penalty imposed for the infraction for good cause shown.

25 (3) Monetary penalties collected under this chapter shall be
26 deposited in the plumbing certificate fund.

27 **Sec. 7.** RCW 19.28.271 and 2001 c 211 s 20 are each amended to read
28 as follows:

29 (1) It is unlawful for any person, firm, partnership, corporation,
30 or other entity to employ an individual for purposes of RCW 19.28.161
31 through 19.28.271 who has not been issued a certificate of competency,
32 a temporary permit, or a training certificate. It is unlawful for any
33 individual to engage in the electrical construction trade or to
34 maintain or install any electrical equipment or conductors without
35 having in his or her possession a certificate of competency, a
36 temporary permit, or a training certificate under RCW 19.28.161 through

1 19.28.271. The individual shall produce the certificate of competency,
2 temporary permit, or training certificate upon request of an authorized
3 representative of the department.

4 (2) Any person, firm, partnership, corporation, or other entity
5 found in violation of RCW 19.28.161 through 19.28.271 shall be assessed
6 a penalty of not less than fifty dollars or more than five hundred
7 dollars. The department shall set by rule a schedule of penalties for
8 violating RCW 19.28.161 through 19.28.271 provided that the penalty for
9 a properly certified person who fails to produce his or her certificate
10 or permit upon request shall not exceed fifty dollars. An appeal may
11 be made to the board as is provided in RCW 19.28.131. The appeal shall
12 be filed within twenty days after the notice of the penalty is given to
13 the assessed party by certified mail, return receipt requested, sent to
14 the last known address of the assessed party and shall be made by
15 filing a written notice of appeal with the department. Any equipment
16 maintained or installed by any person who does not possess a
17 certificate of competency under RCW 19.28.161 through 19.28.271 shall
18 not receive an electrical work permit and electrical service shall not
19 be connected or maintained to operate the equipment. Each day that a
20 person, firm, partnership, corporation, or other entity violates RCW
21 19.28.161 through 19.28.271 is a separate violation.

22 ((+2)) (3) A civil penalty shall be collected in a civil action
23 brought by the attorney general in the county wherein the alleged
24 violation arose at the request of the department if any of RCW
25 19.28.161 through 19.28.271 or any rules adopted under RCW 19.28.161
26 through 19.28.271 are violated.

27 **Sec. 8.** RCW 19.28.161 and 2006 c 224 s 2 and 2006 c 185 s 6 are
28 each reenacted and amended to read as follows:

29 (1) No person may engage in the electrical construction trade
30 without having a valid master journeyman electrician certificate of
31 competency, journeyman electrician certificate of competency, master
32 specialty electrician certificate of competency, or specialty
33 electrician certificate of competency issued by the department in
34 accordance with this chapter. Electrician certificate of competency
35 specialties include, but are not limited to: Residential, pump and
36 irrigation, limited energy system, signs, nonresidential maintenance,
37 restricted nonresidential maintenance, and appliance repair. Until

1 July 1, 2007, the department of labor and industries shall issue a
2 written warning to any specialty pump and irrigation or domestic pump
3 electrician not having a valid electrician certification. The warning
4 will state that the individual must apply for an electrical training
5 certificate or be qualified for and apply for electrician certification
6 under the requirements in RCW 19.28.191(1)(g) within thirty calendar
7 days of the warning. Only one warning will be issued to any
8 individual. If the individual fails to comply with this section, the
9 department shall issue a penalty as defined in RCW 19.28.271 to the
10 individual.

11 (2) A person who is indentured in an apprenticeship program
12 approved under chapter 49.04 RCW for the electrical construction trade
13 or who is learning the electrical construction trade may work in the
14 electrical construction trade if supervised by a certified master
15 journeyman electrician, journeyman electrician, master specialty
16 electrician in that electrician's specialty, or specialty electrician
17 in that electrician's specialty. All apprentices and individuals
18 learning the electrical construction trade shall obtain an electrical
19 training certificate from the department. The certificate shall
20 authorize the holder to learn the electrical construction trade while
21 under the direct supervision of a master journeyman electrician,
22 journeyman electrician, master specialty electrician working in that
23 electrician's specialty, or specialty electrician working in that
24 electrician's specialty. The certificate shall be wallet size, made of
25 a durable material, and include a photograph of the holder. The holder
26 of the electrical training certificate shall renew the certificate
27 biennially. At the time of renewal, the holder shall provide the
28 department with an accurate list of the holder's employers in the
29 electrical construction industry for the previous biennial period and
30 the number of hours worked for each employer, and proof of sixteen
31 hours of approved classroom electrical continuing education courses
32 covering this chapter, the national electrical code, or electrical
33 theory, or the equivalent electrical training courses taken as part of
34 an approved apprenticeship program under chapter 49.04 RCW or an
35 approved electrical training program under RCW 19.28.191(1)(h). This
36 education requirement is effective July 1, 2007. A biennial fee shall
37 be charged for the issuance or renewal of the certificate. The
38 department shall set the fee by rule. The fee shall cover but not

1 exceed the cost of administering and enforcing the trainee
2 certification and supervision requirements of this chapter.
3 Apprentices and individuals learning the electrical construction trade
4 shall have their electrical training certificates in their possession
5 at all times that they are performing electrical work. They shall show
6 their certificates to an authorized representative of the department at
7 the representative's request.

8 (3) Any person who has been issued an electrical training
9 certificate under this chapter may work if that person is under
10 supervision. Supervision shall consist of a person being on the same
11 job site and under the control of either a certified master journeyman
12 electrician, journeyman electrician, master specialty electrician
13 working in that electrician's specialty, or specialty electrician
14 working in that electrician's specialty. Either a certified master
15 journeyman electrician, journeyman electrician, master specialty
16 electrician working in that electrician's specialty, or specialty
17 electrician working in that electrician's specialty shall be on the
18 same job site as the noncertified individual for a minimum of seventy-
19 five percent of each working day unless otherwise provided in this
20 chapter.

21 (4) The ratio of noncertified individuals to certified master
22 journeymen electricians, journeymen electricians, master specialty
23 electricians, or specialty electricians on any one job site is as
24 follows:

25 (a) When working as a specialty electrician, not more than two
26 noncertified individuals for every certified master specialty
27 electrician working in that electrician's specialty, specialty
28 electrician working in that electrician's specialty, master journeyman
29 electrician, or journeyman electrician, except that the ratio
30 requirements are one certified master specialty electrician working in
31 that electrician's specialty, specialty electrician working in that
32 electrician's specialty, master journeyman electrician, or journeyman
33 electrician working as a specialty electrician to no more than four
34 students enrolled in and working as part of an electrical construction
35 program at public community or technical colleges, or not-for-profit
36 nationally accredited trade or technical schools licensed by the work
37 force training and education coordinating board under chapter 28C.10

1 RCW. In meeting the ratio requirements for students enrolled in an
2 electrical construction program at a trade school, a trade school may
3 receive input and advice from the electrical board; and

4 (b) When working as a journeyman electrician, not more than one
5 noncertified individual for every certified master journeyman
6 electrician or journeyman electrician, except that the ratio
7 requirements shall be one certified master journeyman electrician or
8 journeyman electrician to no more than four students enrolled in and
9 working as part of an electrical construction program at public
10 community or technical colleges, or not-for-profit nationally
11 accredited trade or technical schools licensed by the work force
12 training and education coordinating board under chapter 28C.10 RCW. In
13 meeting the ratio requirements for students enrolled in an electrical
14 construction program at a trade school, a trade school may receive
15 input and advice from the electrical board.

16 An individual who has a current training certificate and who has
17 successfully completed or is currently enrolled in an approved
18 apprenticeship program or in an electrical construction program at
19 public community or technical colleges, or not-for-profit nationally
20 accredited technical or trade schools licensed by the work force
21 training and education coordinating board under chapter 28C.10 RCW, may
22 work without direct on-site supervision during the last six months of
23 meeting the practical experience requirements of this chapter.

24 (5) For the residential (as specified in WAC 296-46B-920(2)(a)),
25 pump and irrigation (as specified in WAC 296-46B-920(2)(b)), sign (as
26 specified in WAC 296-46B-920(2)(d)), limited energy (as specified in
27 WAC 296-46B-920(2)(e)), nonresidential maintenance (as specified in WAC
28 296-46B-920(2)(g)), restricted nonresidential maintenance as determined
29 by the department in rule, or other new nonresidential specialties, not
30 including appliance repair, as determined by the department in rule,
31 either a master journeyman electrician, journeyman electrician, master
32 specialty electrician working in that electrician's specialty, or
33 specialty electrician working in that electrician's specialty must be
34 on the same job site as the noncertified individual for a minimum of
35 seventy-five percent of each working day. Other specialties must meet
36 the requirements specified in RCW 19.28.191 (1)(g)(ii). When the ratio
37 of certified electricians to noncertified individuals on a job site is

1 one certified electrician to three or four noncertified individuals,
2 the certified electrician must:

3 (a) Directly supervise and instruct the noncertified individuals
4 and the certified electrician may not directly make or engage in an
5 electrical installation; and

6 (b) Be on the same job site as the noncertified individual for a
7 minimum of one hundred percent of each working day.

8 (6) The electrical contractor shall accurately verify and attest to
9 the electrical trainee hours worked by electrical trainees on behalf of
10 the electrical contractor.

11 **Sec. 9.** RCW 19.28.211 and 2006 c 185 s 12 are each amended to read
12 as follows:

13 (1) The department shall issue a certificate of competency to all
14 applicants who have passed the examination provided in RCW 19.28.201,
15 and who have complied with RCW 19.28.161 through 19.28.271 and the
16 rules adopted under this chapter. The certificate shall be wallet
17 size, made of a durable material, and include a photograph of the
18 holder. The certificate shall bear the date of issuance, and shall
19 expire on the holder's birthday. The certificate shall be renewed
20 every three years, upon application, on or before the holder's
21 birthdate. A fee shall be assessed for each certificate and for each
22 annual renewal.

23 (2) If the certificate holder demonstrates to the department that
24 he or she has satisfactorily completed an annual eight-hour continuing
25 education course, the certificate may be renewed without examination by
26 appropriate application unless the certificate has been revoked,
27 suspended, or not renewed within ninety days after the expiration date.
28 For pump and irrigation or domestic pump specialty electricians, the
29 continuing education course may combine both electrical and plumbing
30 education provided that there is a minimum of four hours of electrical
31 training in the course.

32 (a) The contents and requirements for satisfactory completion of
33 the continuing education course shall be determined by the director and
34 approved by the board.

35 (b) The department shall accept proof of a certificate holder's
36 satisfactory completion of a continuing education course offered in
37 another state as meeting the requirements for maintaining a current

1 Washington state certificate of competency if the department is
2 satisfied the course is comparable in nature to that required in
3 Washington state for maintaining a current certificate of competency.

4 (3) If the certificate is not renewed before the expiration date,
5 the individual shall pay twice the usual fee. The department shall set
6 the fees by rule for issuance and renewal of a certificate of
7 competency. The fees shall cover but not exceed the costs of issuing
8 the certificates and of administering and enforcing the electrician
9 certification requirements of this chapter.

10 (4) The certificates of competency and temporary permits provided
11 for in this chapter grant the holder the right to work in the
12 electrical construction trade as a master electrician, journeyman
13 electrician, or specialty electrician in accordance with their
14 provisions throughout the state and within any of its political
15 subdivisions without additional proof of competency or any other
16 license, permit, or fee to engage in such work.

17 **Sec. 10.** RCW 19.28.231 and 2001 c 211 s 16 are each amended to
18 read as follows:

19 The department is authorized to grant and issue temporary permits
20 in lieu of certificates of competency whenever an electrician coming
21 into the state of Washington from another state requests the department
22 for a temporary permit to engage in the electrical construction trade
23 as an electrician during the period of time between filing of an
24 application for a certificate as provided in RCW 19.28.181 and the date
25 the results of taking the examination provided for in RCW 19.28.201 are
26 furnished to the applicant. The temporary permit shall be wallet size,
27 made of a durable material, and include a photograph of the holder.

28 The department is authorized to enter into reciprocal agreements with
29 other states providing for the acceptance of such states' journeyman
30 and speciality electrician certificate of competency or its equivalent
31 when such states requirements are equal to the standards set by this
32 chapter. No temporary permit shall be issued to:

33 (1) Any person who has failed to pass the examination for a
34 certificate of competency, except that any person who has failed the
35 examination for competency under this section shall be entitled to
36 continue to work under a temporary permit for ninety days if the person
37 is enrolled in a journeyman electrician refresher course and shows

1 evidence to the department that he or she has not missed any classes.
2 The person, after completing the journeyman electrician refresher
3 course, shall be eligible to retake the examination for competency at
4 the next scheduled time.

5 (2) Any applicant under this section who has not furnished the
6 department with such evidence required under RCW 19.28.181.

7 (3) To any apprentice electrician.

8 **Sec. 11.** RCW 70.87.230 and 2003 c 143 s 1 are each amended to read
9 as follows:

10 (1) Except as provided in RCW 70.87.270, a person may not perform
11 conveyance work within the state unless he or she is an elevator
12 mechanic who is regularly employed by and is working: ~~((1))~~ (a) For
13 an owner exempt from licensing requirements under RCW 70.87.270 and
14 performing maintenance; ~~((2))~~ (b) for a public agency performing
15 maintenance; or ~~((3))~~ (c) under the direct supervision of an elevator
16 contractor. A person, firm, public agency, or company is not required
17 to be an elevator contractor for removing or dismantling conveyances
18 that are destroyed as a result of a complete demolition of a secured
19 building or structure or where the building is demolished back to the
20 basic support structure whereby no access is permitted therein to
21 endanger the safety and welfare of a person.

22 (2) When performing conveyance work, an elevator mechanic must have
23 his or her license in his or her possession. The elevator mechanic
24 must produce the license upon request of an authorized representative
25 of the department.

26 **Sec. 12.** RCW 70.87.250 and 2003 c 143 s 21 are each amended to
27 read as follows:

28 (1) Upon approval of an application, the department may issue a
29 license that is biennially renewable. Each license must include a
30 photograph of the licensee. The fee for the license and for any
31 renewal shall be set by the department in rule.

32 (2) The department may issue temporary elevator mechanic licenses.
33 These temporary elevator mechanic licenses will be issued to those
34 certified as qualified and competent by licensed elevator contractors.
35 The company shall furnish proof of competency as the department may
36 require. Each license must include a photograph of the licensee. Each

1 license must recite that it is valid for a period of thirty days from
2 the date of issuance and for such particular conveyance or geographical
3 areas as the department may designate, and otherwise entitles the
4 licensee to the rights and privileges of an elevator mechanic license
5 issued in this chapter. A temporary elevator mechanic license may be
6 renewed by the department and a fee as established in rule must be
7 charged for any temporary elevator mechanic license or renewal.

8 (3) The renewal of all licenses granted under this section is
9 conditioned upon the submission of a certificate of completion of a
10 course designed to ensure the continuing education of licensees on new
11 and existing rules of the department. The course must consist of not
12 less than eight hours of instruction that must be attended and
13 completed within one year immediately preceding any license renewal.

14 (4) The courses must be taught by instructors through continuing
15 education providers that may include, but are not limited to,
16 association seminars and labor training programs. The department must
17 approve the continuing education providers. All instructors must be
18 approved by the department and are exempt from the requirements of
19 subsection (3) of this section with regard to his or her application
20 for license renewal, provided that such applicant was qualified as an
21 instructor at any time during the one year immediately preceding the
22 scheduled date for such renewal.

23 (5) A licensee who is unable to complete the continuing education
24 course required under this section before the expiration of his or her
25 license due to a temporary disability may apply for a waiver from the
26 department. This will be on a form provided by the department and
27 signed under the pains and penalties of perjury and accompanied by a
28 certified statement from a competent physician attesting to the
29 temporary disability. Upon the termination of the temporary
30 disability, the licensee must submit to the department a certified
31 statement from the same physician, if practicable, attesting to the
32 termination of the temporary disability. At which time a waiver
33 sticker, valid for ninety days, must be issued to the licensee and
34 affixed to his or her license.

35 (6) Approved training providers must keep uniform records, for a
36 period of ten years, of attendance of licensees and these records must
37 be available for inspection by the department at its request. Approved
38 training providers are responsible for the security of all attendance

1 records and certificates of completion. However, falsifying or
2 knowingly allowing another to falsify attendance records or
3 certificates of completion constitutes grounds for suspension or
4 revocation of the approval required under this section.

5 **Sec. 13.** RCW 70.87.185 and 1983 c 123 s 18 are each amended to
6 read as follows:

7 (1) The department may assess a penalty against a person violating
8 a provision of this chapter. The penalty shall be not more than five
9 hundred dollars, except that the penalty assessed against a properly
10 licensed person who fails to produce his or her license upon request
11 shall not exceed fifty dollars. Each day that the violation continues
12 is a separate violation and is subject to a separate penalty.

13 (2) The department may not assess a penalty until it adopts rules
14 describing the method it will use to calculate penalties for various
15 violations.

16 (3) The department shall notify the violator of its action, and the
17 reasons for its action, in writing. The department shall send the
18 notice by certified mail to the violator's last known address. The
19 notice shall inform the violator that a hearing may be requested under
20 RCW 70.87.170. The hearing shall not stay the effect of the penalty.

21 NEW SECTION. **Sec. 14.** This act applies to individuals applying
22 for or renewing a license or certification after July 1, 2009."

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23 On page 1, line 3 of the title, after "work;" strike the remainder
24 of the title and insert "amending RCW 18.106.020, 18.106.070,
25 18.106.090, 18.106.170, 18.106.270, 19.28.271, 19.28.211, 19.28.231,
26 70.87.230, 70.87.250, and 70.87.185; reenacting and amending RCW
27 19.28.161; and creating new sections."

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