

HOUSE BILL REPORT

ESHB 1968

As Passed Legislature

Title: An act relating to sprinkler fitters.

Brief Description: Requiring certification for sprinkler fitters.

Sponsors: By House Committee on Commerce & Labor (originally sponsored by Representatives Simpson, Conway and Ormsby).

Brief History:

Committee Activity:

Commerce & Labor: 2/16/07, 2/26/07 [DPS].

Floor Activity:

Passed House: 3/14/07, 74-21.

Passed Senate: 4/11/07, 34-13.

Passed Legislature.

Brief Summary of Engrossed Substitute Bill

- Establishes a certification requirement for sprinkler fitters to be administered by the state Director of Fire Protection.
- Specifies qualifications for certification of journey-level and residential sprinkler fitters with and without examination.

HOUSE COMMITTEE ON COMMERCE & LABOR

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 5 members: Representatives Conway, Chair; Wood, Vice Chair; Green, Moeller and Williams.

Minority Report: Do not pass. Signed by 2 members: Representatives Condotta, Ranking Minority Member and Chandler, Assistant Ranking Minority Member.

Staff: Jill Reinmuth (786-7134).

Background:

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

The state Director of Fire Protection (Director) administers state laws relating to licensing of fire protection sprinkler system contractors and certification of persons designing and installing certain sprinkler systems.

Licensing and Certification Requirement

To construct, install, or maintain a fire protection sprinkler system in an occupancy, a person must be licensed as a fire protection sprinkler system contractor. This requirement does not apply to owners/occupiers of single-family dwellings installing a sprinkler system in those dwellings, government employees acting in their official capacities, and certain other persons. A municipality may not require a contractor to obtain a license from the municipality to install sprinkler systems. A licensed fire protection sprinkler system contractor is qualified to install, inspect, maintain, or service a fire protection sprinkler system. To become a licensed fire protection sprinkler system contractor, a person or firm must:

- employ a certificate holder;
- comply with minimum surety bond requirements;
- apply for a license; and
- pay required fees.

To become a certificate holder, a person must satisfy criteria established by the Director, and pass an examination. The Director may accept equivalent proof of qualification in lieu of examination. The Director is authorized to refuse or revoke licenses and certificates for reasons including fraud, dishonest practices, felony convictions, and gross incompetence or negligence. Licensing decisions may be appealed as provided in the state Administrative Procedure Act.

Administration

As noted above, the Director administers the licensing and certification requirements. The Director must adopt rules necessary for the administration of these requirements, administer examinations, set reasonable fees for licenses and certificates, investigate complaints, and take other actions necessary to enforce these provisions.

Dedicated Account

The Fire Protection Contractor License Fund (Fund) exists in the custody of the State Treasurer. License and certificate fees are deposited into the Fund. No appropriation is required for expenditures.

Summary of Engrossed Substitute Bill:

In addition to licensing and certification requirements applicable to fire protection sprinkler system contractors, the state Director of Fire Protection (Director) must administer certification requirements applicable to sprinkler fitters.

Certification Requirement

A certification requirement for sprinkler fitters is established. A person may not engage in the sprinkler fitting trade without having a journey-level or residential certificate, trainee certificate, or temporary permit. Similarly, a contractor may not employ a person to perform sprinkler fitting work who does not have such a certificate or permit. An exception to the certification requirement allows a plumber to install a residential sprinkler system connected to potable water.

Certification With Examination

To obtain a certificate, a person must submit an application, pass the appropriate examination, and pay application and examination fees. In addition, for a journey-level sprinkle fitter certificate, the person must have 8,000 hours of trade-related sprinkler fitting experience. For a residential sprinkler fitter certificate, the person must have 4,000 hours of trade-related sprinkler fitting or residential sprinkler fitting experience. For a trainee certificate, the person must have trade-related employment with a licensed fire protection sprinkler system contractor.

Certification Without Examination

A grandfather clause allows a person to obtain a certificate without examination. The person must have 8,000 hours of employment as a journey-level sprinkler fitter for a journey-level certificate, or 4,000 hours of employment as a journey-level or residential sprinkler fitter for a residential certificate. The person must apply for the certificate within 90 days of the act's effective date.

A reciprocity clause allows a person who is a journey-level or residential sprinkler fitter in another state to become certified without examination. The certification requirements in the other state must be substantially equivalent to the requirements in Washington. The other state must extend the same privilege to a person who is a certified journey-level or residential sprinkler fitter in Washington.

Administration and Enforcement

The Director is authorized to investigate alleged violations of the certification requirement. A person wishing to appeal an infraction must file an appeal within 20 days of the notice of infraction in accordance with the Administrative Procedures Act.

Monetary penalties are set by rule. All receipts from fees and penalties are deposited in the Fire Protection Contractor License Fund.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect January 1, 2009.

Staff Summary of Public Testimony:

(In support) This year's bill is slightly different than last year's bill. It clarifies that the requirement applies only to sprinkler fitting within the building.

This bill does not require any particular sprinkler fitter system. Instead, if you are going to install sprinkler fitter systems, you must do so with trained personnel. Just because a system is designed perfectly does not mean that it will be installed perfectly. There should be assurances that systems that are properly designed and engineered will be installed by someone who can read those blueprints.

This industry has experienced many changes in recent years. There used to be just 12 types of sprinkler heads, and there are now 2,000 types. Installers need education to do their jobs.

The designers and the contractors are licensed. The installers should be too.

A technical correction is needed on page 4, line 29. The reference should be to section 3 instead of section 2.

(Opposed) None.

Persons Testifying: (In support) Pete Crow, Washington State Association of Plumbers and Pipefitters; John Brooks, Darrin Parsons, Rick Toland, and Mike Dahl, Sprinkler Fitters Local 669; and Larry Stevens, National Electrical Contractors Association and Mechanical Contractors Association.

Persons Signed In To Testify But Not Testifying: None.