
**Labor & Workplace Standards
Committee**

HB 1890

Brief Description: Concerning the plumbing industry.

Sponsors: Representatives Robinson, Cody, Ormsby, Fitzgibbon, Riccelli and Haler.

Brief Summary of Bill

- Modifies the penalties for doing plumbing work without a certificate and other violations of the plumbing provisions.
- Adds two members to the State Advisory Board of Plumbers.

Hearing Date: 2/7/17

Staff: Joan Elgee (786-7106).

Background:

The Department of Labor and Industries (Department) administers and enforces the plumbing trade laws. Plumbing contractors must register as a contractor under laws applicable to construction generally, and plumbers must be certified as either a journey level or specialty plumber. Plumbing trainees must be supervised by a certified plumber.

Infractions.

The Department may issue a notice of infraction to a person: (1) who is doing plumbing work or offering to do plumbing work without a plumbing certificate or being supervised by a certified plumber, and without being registered as a contractor or being employed by a registered contractor; and (2) to a person for employing anyone, or offering or advertising to employ anyone, to do plumbing work without being registered as a contractor. The infraction may be issued to the person engaging or offering to engage in plumbing, the contractor who is in violation, or the contractor's employee who authorized work in violation. For these infractions,

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the Department must issue a \$250 penalty for the first infraction and not more than \$1,000 for a subsequent infraction. Each day in which a person is in violation and each job site at which a person is in violation are separate violations. Appeals of infractions are heard by an administrative law judge (ALJ) and the ALJ may waive, reduce, or suspend the penalty for good cause.

Advisory Board.

A State Advisory Board of Plumbers (Board) conducts hearings on revocation and suspension of certificates, must consent to any contract the Department enters into for the development and administration of required examinations, and otherwise advises the Department on all matters relative to the plumbing provisions. The Board consists of seven members: two journey level plumbers, one specialty plumber, three members conducting a plumbing business, and one public member familiar with the business and trade of plumbing. The Director of the Department appoints the members.

Summary of Bill:

Penalties for plumbing infractions are modified. The penalty is changed from a mandatory to a discretionary penalty and the penalty amounts are raised to \$500 for a first infraction and not more than \$5,000 for a subsequent infraction. The discretion of the ALJ to waive, reduce, or suspend the penalty is removed but the director of the Department may waive or reduce the collection of the penalty.

The composition of the Board is expanded to include one member from the plumbing code body, appointed by the director of the Department and one member from the Department of Health, appointed by the Secretary of the Department of Health. The Board's responsibility to advise the Department is made specific to enforcement and is to include plumbing industry promotion, standards of plumbing installations, consumer protection, and standards for the protection of the public health.

Appropriation: None.

Fiscal Note: Requested on February 2, 2017.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.