

(d) On the following routes all vehicles and combinations of vehicles over 10,000 pounds shall carry sufficient tire chains to meet the requirements of this chapter from November 1 to April 1 of each year or at other times when chains are required for such vehicles:

- (i) I-90 - from North Bend to Cle Elum.
- (ii) SR-97 - from SR-2 to I-90.
- (iii) SR-2 - from Index to Leavenworth.
- (iv) SR-12 - from Packwood to Naches.
- (v) SR-97 - from the Columbia River to Toppenish.
- (vi) SR-410 - from Enumclaw to Naches.

Vehicles making local deliveries as indicated on bills of lading and not crossing the mountain pass are exempt from this requirement if operating outside of a chain required area.

(3) The Washington state department of transportation or Washington state patrol may prohibit any vehicle from entering a chain/snow tire control area when it is determined that the vehicle will experience difficulty in safely traveling the area.

[Statutory Authority: RCW 46.37.005. 91-14-004 (Order 91-003), § 204-24-050, filed 6/21/91, effective 7/22/91. Statutory Authority: RCW 46.37.420. 83-21-080 (Order 83-10-01), § 204-24-050, filed 10/19/83. Statutory Authority: RCW 46.37.005. 82-11-045 (Order 82-05-01), § 204-24-050, filed 5/12/82. Statutory Authority: RCW 46.37.005 and 46.37.420. 81-10-038 (Order 81-04-01), § 204-24-050, filed 4/30/81; 78-02-091 (Order 7607A), § 204-24-050, filed 1/30/78; Order 7607, § 204-24-050, filed 9/14/76; Order 6902, § 204-24-050, filed 2/17/70.]

Chapter 204-53 WAC

HELMET EXEMPTION--ANTIQUÉ MOTOR-DRIVEN CYCLE

WAC
204-53-010 Helmet exemption--Antique motor-driven cycle.

WAC 204-53-010 **Helmet exemption--Antique motor-driven cycle.** As provided by RCW 46.37.530 (1)(c), a person operating or riding upon an antique motor-driven cycle is not required to use a protective helmet. As the term is used in RCW 46.37.530 (1)(c) and this section, an antique motor-driven cycle is a motor-driven cycle not less than forty years old which has been restored to its original condition and which is being ridden to or from or otherwise in conjunction with an antique or classic motorcycle contest, show, or other such assemblage. Further, an antique motor-driven cycle shall not be powered by a motor which produces more than five brake horsepower as defined in RCW 46.04.332.

[Statutory Authority: RCW 46.37.530(2). 91-05-019 (Order 90-004), § 204-53-010, filed 2/11/91, effective 3/14/91.]

Chapter 204-88 WAC

EMERGENCY VEHICLE LIGHTING

WAC
204-88-030 Definitions.

WAC 204-88-030 **Definitions.** (1) "Authorized emergency vehicle" shall mean any vehicle of any fire department, police department, sheriff's office, coroner, prosecuting attorney, Washington state patrol, ambulance service public or private licensed by the department of social and health services or operated by any of the agencies named above, or any other vehicle authorized in writing by the state patrol.

(2) "Law enforcement vehicle" shall mean a publicly owned or leased vehicle operated by a law enforcement agency and which is used for the law enforcement functions of the agency.

(3) "Law enforcement agency" shall mean any municipal, port district or tribal police department, county police department or sheriff's office, the Washington state patrol, or any other state or federal agency which is publicly authorized to carry out law enforcement duties which include the authority to stop and detain motor vehicles on the public highways of this state.

(4) "Flashing" lamps shall mean those lamps which emit a beam of light which is broken intermittently and regularly by use of an electronic or electric switch, or a lamp which emits a steady beam of light which is intermittently and regularly directed away from any viewer by means of a rotating or oscillating reflector or lamp assembly. Flashing lamps are not to be confused with modulated lamps which intermittently and regularly decrease the power to the lamp filament so as to dim the light output but do not cause a total break in the light beam.

(5) "Emergency tow truck" shall mean a motor vehicle that is especially designed and constructed principally for the purpose of recovery and/or towing of disabled, abandoned or damaged vehicles and not otherwise generally used in transporting goods or persons.

[Statutory Authority: RCW 46.37.194. 91-14-003 (Order 91-002), § 204-88-030, filed 6/21/91, effective 7/22/91. Statutory Authority: RCW 46.37.005, 46.37.190, 46.37.194 and 46.37.280. 90-06-056, § 204-88-030, filed 3/5/90, effective 4/5/90. Statutory Authority: RCW 46.37.190. 88-15-053 (Order 88-07-ESR), § 204-88-030, filed 7/18/88. Statutory Authority: RCW 46.37.420, 46.37.190, 46.37.194 and 46.37.280. 82-16-047 (Order 82-07-01), § 204-88-030, filed 7/29/82.]

Title 212 WAC

FIRE PROTECTION

(Formerly: Fire Marshal)

Chapters	
212-54	Day care centers and day treatment centers, standards for fire protection.
212-55	Mini day care centers, standards for fire protection.
212-56A	Child day care centers and family child day care homes--Standards for fire protection.
212-80	Fire sprinkler system contractors.

Chapter 212-54 WAC

DAY CARE CENTERS AND DAY TREATMENT CENTERS, STANDARDS FOR FIRE PROTECTION

WAC

212-54-001 through 212-54-100 Repealed.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

- 212-54-001 Purpose. [Statutory Authority: RCW 74.15.050. 81-22-003 (Order FM 81-4), § 212-54-001, filed 10/22/81. Formerly chapters 212-59, 212-60, 212-61 and 212-62 WAC (part).] Repealed by 91-11-001 (Order 91-05), filed 5/2/91, effective 6/2/91. Statutory Authority: Chapters 48.48 and 43.63A RCW.
- 212-54-005 Definitions. [Statutory Authority: RCW 74.15.050. 81-22-003 (Order FM 81-4), § 212-54-005, filed 10/22/81.] Repealed by 91-11-001 (Order 91-05), filed 5/2/91, effective 6/2/91. Statutory Authority: Chapters 48.48 and 43.63A RCW.
- 212-54-010 Compliance required. [Statutory Authority: RCW 74.15.050. 81-22-003 (Order FM 81-4), § 212-54-010, filed 10/22/81.] Repealed by 91-11-001 (Order 91-05), filed 5/2/91, effective 6/2/91. Statutory Authority: Chapters 48.48 and 43.63A RCW.
- 212-54-015 Inspections and approval. [Statutory Authority: RCW 74.15.050. 81-22-003 (Order FM 81-4), § 212-54-015, filed 10/22/81.] Repealed by 91-11-001 (Order 91-05), filed 5/2/91, effective 6/2/91. Statutory Authority: Chapters 48.48 and 43.63A RCW.
- 212-54-020 Right of appeal. [Statutory Authority: RCW 74.15.050. 81-22-003 (Order FM 81-4), § 212-54-020, filed 10/22/81.] Repealed by 91-11-001 (Order 91-05), filed 5/2/91, effective 6/2/91. Statutory Authority: Chapters 48.48 and 43.63A RCW.
- 212-54-025 Contact with local building and fire officials. [Statutory Authority: RCW 74.15.050. 81-22-003 (Order FM 81-4), § 212-54-025, filed 10/22/81.] Repealed by 91-11-001 (Order 91-05), filed 5/2/91, effective 6/2/91. Statutory Authority: Chapters 48.48 and 43.63A RCW.
- 212-54-030 Occupancy restrictions. [Statutory Authority: RCW 74.15.050. 81-22-003 (Order FM 81-4), § 212-54-030, filed 10/22/81.] Repealed by 91-11-001 (Order 91-05), filed 5/2/91, effective 6/2/91. Statutory Authority: Chapters 48.48 and 43.63A RCW.
- 212-54-035 Hazardous areas. [Statutory Authority: RCW 74.15.050. 81-22-003 (Order FM 81-4), § 212-54-035, filed 10/22/81.] Repealed by 91-11-001 (Order 91-05), filed 5/2/91, effective 6/2/91. Statutory Authority: Chapters 48.48 and 43.63A RCW.
- 212-54-040 Exits. [Statutory Authority: RCW 74.15.050. 81-22-003 (Order FM 81-4), § 212-54-040, filed 10/22/81.] Repealed by 91-11-001 (Order 91-05), filed 5/2/91, effective 6/2/91. Statutory Authority: Chapters 48.48 and 43.63A RCW.
- 212-54-045 Sleeping and napping rooms. [Statutory Authority: RCW 74.15.050. 81-22-003 (Order FM 81-4), § 212-54-045, filed 10/22/81.] Repealed by 91-11-001 (Order 91-05), filed 5/2/91, effective 6/2/91. Statutory Authority: Chapters 48.48 and 43.63A RCW.
- 212-54-050 Single station smoke detectors. [Statutory Authority: RCW 74.15.050. 81-22-003 (Order FM 81-4), § 212-54-050, filed 10/22/81.] Repealed by 91-11-001 (Order 91-05), filed 5/2/91, effective 6/2/91. Statutory Authority: Chapters 48.48 and 43.63A RCW.
- 212-54-055 Alternate method for alarm. [Statutory Authority: RCW 74.15.050. 81-22-003 (Order FM 81-4), § 212-54-055, filed 10/22/81.] Repealed by 91-11-001 (Order 91-05), filed 5/2/91, effective 6/2/91.

Statutory Authority: Chapters 48.48 and 43.63A RCW.

- 212-54-060 Fire alarm system. [Statutory Authority: RCW 74.15.050. 81-22-003 (Order FM 81-4), § 212-54-060, filed 10/22/81.] Repealed by 91-11-001 (Order 91-05), filed 5/2/91, effective 6/2/91. Statutory Authority: Chapters 48.48 and 43.63A RCW.
- 212-54-065 Fire extinguisher. [Statutory Authority: RCW 74.15.050. 81-22-003 (Order FM 81-4), § 212-54-065, filed 10/22/81.] Repealed by 91-11-001 (Order 91-05), filed 5/2/91, effective 6/2/91. Statutory Authority: Chapters 48.48 and 43.63A RCW.
- 212-54-070 Fire prevention. [Statutory Authority: RCW 74.15.050. 81-22-003 (Order FM 81-4), § 212-54-070, filed 10/22/81.] Repealed by 91-11-001 (Order 91-05), filed 5/2/91, effective 6/2/91. Statutory Authority: Chapters 48.48 and 43.63A RCW.
- 212-54-075 Maintenance. [Statutory Authority: RCW 74.15.050. 81-22-003 (Order FM 81-4), § 212-54-075, filed 10/22/81.] Repealed by 91-11-001 (Order 91-05), filed 5/2/91, effective 6/2/91. Statutory Authority: Chapters 48.48 and 43.63A RCW.
- 212-54-080 Fire evacuation plan. [Statutory Authority: RCW 74.15.050. 81-22-003 (Order FM 81-4), § 212-54-080, filed 10/22/81.] Repealed by 91-11-001 (Order 91-05), filed 5/2/91, effective 6/2/91. Statutory Authority: Chapters 48.48 and 43.63A RCW.
- 212-54-085 Fire evacuation drill. [Statutory Authority: RCW 74.15.050. 81-22-003 (Order FM 81-4), § 212-54-085, filed 10/22/81.] Repealed by 91-11-001 (Order 91-05), filed 5/2/91, effective 6/2/91. Statutory Authority: Chapters 48.48 and 43.63A RCW.
- 212-54-090 Staff training. [Statutory Authority: RCW 74.15.050. 81-22-003 (Order FM 81-4), § 212-54-090, filed 10/22/81.] Repealed by 91-11-001 (Order 91-05), filed 5/2/91, effective 6/2/91. Statutory Authority: Chapters 48.48 and 43.63A RCW.
- 212-54-095 Alternate methods. [Statutory Authority: RCW 74.15.050. 81-22-003 (Order FM 81-4), § 212-54-095, filed 10/22/81.] Repealed by 91-11-001 (Order 91-05), filed 5/2/91, effective 6/2/91. Statutory Authority: Chapters 48.48 and 43.63A RCW.
- 212-54-100 Severability. [Statutory Authority: RCW 74.15.050. 81-22-003 (Order FM 81-4), § 212-54-100, filed 10/22/81.] Repealed by 91-11-001 (Order 91-05), filed 5/2/91, effective 6/2/91. Statutory Authority: Chapters 48.48 and 43.63A RCW.

WAC 212-54-001 through 212-54-100 Repealed.
See Disposition Table at beginning of this chapter.

Chapter 212-55 WAC

MINI DAY CARE CENTERS, STANDARDS FOR FIRE PROTECTION

WAC

212-55-001 through 212-55-095 Repealed.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

- 212-55-001 Purpose. [Statutory Authority: RCW 74.15.050. 82-22-025 (Order FM 82-9), § 212-55-001, filed 10/26/82; 81-22-003 (Order FM 81-4), § 212-55-001, filed 10/22/81. Formerly chapters 212-59, 212-60, 212-61 and 212-62 WAC (part).] Repealed by 91-11-001 (Order 91-05), filed 5/2/91, effective 6/2/91. Statutory Authority: Chapters 48.48 and 43.63A RCW.
- 212-55-005 Definitions. [Statutory Authority: RCW 74.15.050. 82-22-025 (Order FM 82-9), § 212-55-005, filed 10/26/82; 81-22-003 (Order FM 81-4), § 212-55-005, filed 10/22/81.] Repealed by 91-11-001 (Order

- 171-05), filed 5/2/91, effective 6/2/91. Statutory Authority: Chapters 48.48 and 43.63A RCW.
- 212-55-010 Compliance required. [Statutory Authority: RCW 74.15.050. 82-22-025 (Order FM 82-9), § 212-55-010, filed 10/26/82; 81-22-003 (Order FM 81-4), § 212-55-010, filed 10/22/81.] Repealed by 91-11-001 (Order 91-05), filed 5/2/91, effective 6/2/91. Statutory Authority: Chapters 48.48 and 43.63A RCW.
- 212-55-015 Inspections and approval. [Statutory Authority: RCW 74.15.050. 81-22-003 (Order FM 81-4), § 212-55-015, filed 10/22/81.] Repealed by 91-11-001 (Order 91-05), filed 5/2/91, effective 6/2/91. Statutory Authority: Chapters 48.48 and 43.63A RCW.
- 212-55-020 Right of appeal. [Statutory Authority: RCW 74.15.050. 81-22-003 (Order FM 81-4), § 212-55-020, filed 10/22/81.] Repealed by 91-11-001 (Order 91-05), filed 5/2/91, effective 6/2/91. Statutory Authority: Chapters 48.48 and 43.63A RCW.
- 212-55-025 Contact with local building and fire officials. [Statutory Authority: RCW 74.15.050. 82-22-025 (Order FM 82-9), § 212-55-025, filed 10/26/82; 81-22-003 (Order FM 81-4), § 212-55-025, filed 10/22/81.] Repealed by 91-11-001 (Order 91-05), filed 5/2/91, effective 6/2/91. Statutory Authority: Chapters 48.48 and 43.63A RCW.
- 212-55-030 Occupancy restrictions. [Statutory Authority: RCW 74.15.050. 82-22-025 (Order FM 82-9), § 212-55-030, filed 10/26/82; 81-22-003 (Order FM 81-4), § 212-55-030, filed 10/22/81.] Repealed by 91-11-001 (Order 91-05), filed 5/2/91, effective 6/2/91. Statutory Authority: Chapters 48.48 and 43.63A RCW.
- 212-55-035 Hazardous areas. [Statutory Authority: RCW 74.15.050. 82-22-025 (Order FM 82-9), § 212-55-035, filed 10/26/82; 81-22-003 (Order FM 81-4), § 212-55-035, filed 10/22/81.] Repealed by 91-11-001 (Order 91-05), filed 5/2/91, effective 6/2/91. Statutory Authority: Chapters 48.48 and 43.63A RCW.
- 212-55-040 Exits. [Statutory Authority: RCW 74.15.050. 82-22-025 (Order FM 82-9), § 212-55-040, filed 10/26/82; 81-22-003 (Order FM 81-4), § 212-55-040, filed 10/22/81.] Repealed by 91-11-001 (Order 91-05), filed 5/2/91, effective 6/2/91. Statutory Authority: Chapters 48.48 and 43.63A RCW.
- 212-55-045 Sleeping and napping rooms. [Statutory Authority: RCW 74.15.050. 81-22-003 (Order FM 81-4), § 212-55-045, filed 10/22/81.] Repealed by 91-11-001 (Order 91-05), filed 5/2/91, effective 6/2/91. Statutory Authority: Chapters 48.48 and 43.63A RCW.
- 212-55-050 Automatic smoke detection. [Statutory Authority: RCW 74.15.050. 81-22-003 (Order FM 81-4), § 212-55-050, filed 10/22/81.] Repealed by 91-11-001 (Order 91-05), filed 5/2/91, effective 6/2/91. Statutory Authority: Chapters 48.48 and 43.63A RCW.
- 212-55-055 Alarm in case of fire. [Statutory Authority: RCW 74.15.050. 82-22-025 (Order FM 82-9), § 212-55-055, filed 10/26/82; 81-22-003 (Order FM 81-4), § 212-55-055, filed 10/22/81.] Repealed by 91-11-001 (Order 91-05), filed 5/2/91, effective 6/2/91. Statutory Authority: Chapters 48.48 and 43.63A RCW.
- 212-55-060 Fire extinguishers. [Statutory Authority: RCW 74.15.050. 81-22-003 (Order FM 81-4), § 212-55-060, filed 10/22/81.] Repealed by 91-11-001 (Order 91-05), filed 5/2/91, effective 6/2/91. Statutory Authority: Chapters 48.48 and 43.63A RCW.
- 212-55-065 Fire prevention. [Statutory Authority: RCW 74.15.050. 82-22-025 (Order FM 82-9), § 212-55-065, filed 10/26/82; 81-22-003 (Order FM 81-4), § 212-55-065, filed 10/22/81.] Repealed by 91-11-001 (Order 91-05), filed 5/2/91, effective 6/2/91. Statutory Authority: Chapters 48.48 and 43.63A RCW.
- 212-55-070 Maintenance. [Statutory Authority: RCW 74.15.050. 81-22-003 (Order FM 81-4), § 212-55-070, filed 10/22/81.] Repealed by 91-11-001 (Order 91-05), filed 5/2/91, effective 6/2/91. Statutory Authority: Chapters 48.48 and 43.63A RCW.
- 212-55-075 Fire evacuation plan. [Statutory Authority: RCW 74.15.050. 82-22-025 (Order FM 82-9), § 212-55-075, filed 10/26/82; 81-22-003 (Order FM 81-4), § 212-55-075, filed 10/22/81.] Repealed by 91-11-001 (Order 91-05), filed 5/2/91, effective 6/2/91. Statutory Authority: Chapters 48.48 and 43.63A RCW.
- 212-55-080 Fire evacuation drill. [Statutory Authority: RCW 74.15.050. 81-22-003 (Order FM 81-4), § 212-55-080, filed 10/22/81.] Repealed by 91-11-001 (Order 91-05), filed 5/2/91, effective 6/2/91. Statutory Authority: Chapters 48.48 and 43.63A RCW.
- 212-55-085 Staff training. [Statutory Authority: RCW 74.15.050. 82-22-025 (Order FM 82-9), § 212-55-085, filed 10/26/82; 81-22-003 (Order FM 81-4), § 212-55-085, filed 10/22/81.] Repealed by 91-11-001 (Order 91-05), filed 5/2/91, effective 6/2/91. Statutory Authority: Chapters 48.48 and 43.63A RCW.
- 212-55-090 Alternate methods. [Statutory Authority: RCW 74.15.050. 81-22-003 (Order FM 81-4), § 212-55-090, filed 10/22/81.] Repealed by 91-11-001 (Order 91-05), filed 5/2/91, effective 6/2/91. Statutory Authority: Chapters 48.48 and 43.63A RCW.
- 212-55-095 Severability. [Statutory Authority: RCW 74.15.050. 81-22-003 (Order FM 81-4), § 212-55-095, filed 10/22/81.] Repealed by 91-11-001 (Order 91-05), filed 5/2/91, effective 6/2/91. Statutory Authority: Chapters 48.48 and 43.63A RCW.

WAC 212-55-001 through 212-55-095 Repealed.
See Disposition Table at beginning of this chapter.

Chapter 212-56A WAC

CHILD DAY CARE CENTERS AND FAMILY CHILD DAY CARE HOMES--STANDARDS FOR FIRE PROTECTION

WAC

- 212-56A-001 Purpose.
- 212-56A-005 Definitions.
- 212-56A-010 Compliance required.
- 212-56A-015 Inspections and approval.
- 212-56A-020 Right of appeal.
- 212-56A-030 Occupancy restrictions.
- 212-56A-035 Hazardous areas.
- 212-56A-040 Single station smoke detectors.
- 212-56A-045 Alternate means of sounding a fire alarm.
- 212-56A-050 Fire extinguisher.
- 212-56A-055 Fire prevention.
- 212-56A-060 Sprinkler system maintenance.
- 212-56A-065 Fire evacuation plan.
- 212-56A-070 Fire evacuation drill.
- 212-56A-075 Staff training.
- 212-56A-080 Occupancy restrictions.
- 212-56A-085 Hazardous areas.
- 212-56A-090 Sleeping and napping rooms.
- 212-56A-095 Single station smoke detectors.
- 212-56A-100 Alternate method for alarm.
- 212-56A-105 Fire alarm system.
- 212-56A-110 Fire extinguisher.
- 212-56A-115 Fire prevention.
- 212-56A-120 Sprinkler system maintenance.
- 212-56A-125 Fire evacuation plan.
- 212-56A-130 Fire evacuation drill.
- 212-56A-135 Staff training.
- 212-56A-140 Alternate methods.

WAC 212-56A-001 Purpose. The purpose of this regulation is to implement minimum requirements for fire and life safety for child day care centers and family child day care homes, requiring state fire marshal approval under chapter 74.15 RCW.

[Statutory Authority: Chapters 48.48 and 43.63A RCW. 91-11-001 (Order 91-05), § 212-56A-001, filed 5/2/91, effective 6/2/91.]

WAC 212-56A-005 Definitions. The following definitions shall apply when used in this regulation. When terms are not defined, they shall have their ordinary accepted meanings within the context with which they are used.

(1) "Approved" as to fire protection systems, assemblies, and devices means approved by the state fire marshal as the result of tests conducted by him; or by reason of accepted principles or tests by national authorities, technical or scientific organizations.

(2) "Building official" is the designated authority charged with the administration and enforcement of the Uniform Building Code, or his duly authorized representative.

(3) "Child" means a person eighteen years of age and under.

(4) "Exit" is a continuous and unobstructed means of egress to a public way and shall include intervening aisles, doors, doorways, corridors, exterior exit balconies, ramps, stairways, smokeproof enclosures, horizontal exits, exit passageways, exit courts, and yards.

(5) "Family abode" means a single dwelling unit and accessory buildings occupied for living purposes by a family which provides permanent provisions for living, sleeping, eating, cooking, and sanitation.

(6) "Family child day care home" is a child day care facility, licensed by the state, located in the family abode of the person or persons under whose direct care and supervision the child is placed, for the care of twelve or fewer children, including children who reside at the home.

(7) "Fire official" means the person or agency appointed by the governing body of each city, town, or county for the administration and enforcement of the Uniform Fire Code.

(8) "Heat detector" means an approved device which detects abnormally high temperatures or rate of temperature rise.

(9) "Infant" means a child under the age of one year.

(10) "Licensing agency" means the Washington state department of social and health services.

(11) "Child day care," for the purposes of these regulations, means the care of children during any period of a twenty-four-hour day.

(12) "Child day care center" means an agency which provides care for any number of children outside the abode of the licensee or for thirteen or more children in the abode of the licensee.

(13) "Smoke detector" is an approved device that senses visible or invisible particles of combustion. The detector shall bear a label or other identification issued

by an approved testing agency having a service for inspection of materials and workmanship at the factory during fabrication and assembly.

(14) "State Building Code" means the State Building Code as adopted by the state building code council.

(15) "State fire marshal" means the director of fire protection services division or his/her authorized representative.

[Statutory Authority: Chapters 48.48 and 43.63A RCW. 91-11-001 (Order 91-05), § 212-56A-005, filed 5/2/91, effective 6/2/91.]

WAC 212-56A-010 Compliance required. All child day care centers and family child day care homes, licensed previous to final adoption of this section, may have their use continued without compliance with this regulation, provided that such continued use is not dangerous to life, as determined by the state fire marshal.

[Statutory Authority: Chapters 48.48 and 43.63A RCW. 91-11-001 (Order 91-05), § 212-56A-010, filed 5/2/91, effective 6/2/91.]

WAC 212-56A-015 Inspections and approval. (1) Facilities with six or fewer children. The office of state fire marshal will not inspect facilities with six or fewer children.

(2) Family child day care homes and facilities with seven to twelve children. Family child day care homes and facilities with seven to twelve children will be inspected prior to initial licensure. No other inspections will be scheduled except for compliance to the initial inspection, complaints, or on request of the licensing agency.

(3) Facilities with more than twelve children. Upon receipt of an application for a new license, or at least ninety days prior to the expiration date of a current license for a facility which has not been previously inspected by the state fire marshal, the licensing agency shall submit a written request for inspection to the state fire marshal for facilities with over twelve children. The state fire marshal or his/her designated representative shall inspect the facility. If the facility fails to meet the requirements contained in this regulation, a written report shall be made to the applicant or licensee, indicating the violations noted, corrective action required, and a reasonable time schedule for correcting the violations noted. Upon expiration of the time specified for correction of the violations, the state fire marshal shall ensure that a reinspection is made to determine whether violations have been corrected.

(4) Upon completion of the inspection if facility is found to be in compliance with this regulation, notification of approval shall be forwarded to the licensing agency, and a copy of the inspection report shall be forwarded to the applicant or licensee.

(5) The state fire marshal may designate another person or agency to conduct the inspection.

[Statutory Authority: Chapters 48.48 and 43.63A RCW. 91-11-001 (Order 91-05), § 212-56A-015, filed 5/2/91, effective 6/2/91.]

WAC 212-56A-020 Right of appeal. Any person who may be aggrieved by the application of these rules

may seek a review within thirty days of such action under the following procedure:

(1) The first level of evaluation is to the deputy state fire marshal who issued the order. This evaluation may be verbal or in writing. However, the results of the communications and the determination must be in writing, with copies provided to the aggrieved person and the fire protection services division. If the aggrieved person is aggrieved by the results of the evaluation, a reevaluation may be addressed to the chief deputy state fire marshal. If, within five days of receipt of the evaluation findings, no written request is addressed to the chief deputy state fire marshal, the order shall remain in force.

(2) The second level of evaluation is to the chief deputy state fire marshal of the technical services unit. If, within five days of receipt of the written response of the evaluation by the chief deputy state fire marshal, no further appeal is addressed to the state fire marshal, the order shall remain in force.

(3) If the aggrieved person is not satisfied with the determination of the chief deputy state fire marshal, he or she may appeal to the state fire marshal within five days of receipt of the written response of the evaluation by the chief deputy state fire marshal.

(4) Should the above informal appeals process leave the aggrieved person aggrieved, he or she may further appeal per chapter 34.05 RCW.

[Statutory Authority: Chapters 48.48 and 43.63A RCW. 91-11-001 (Order 91-05), § 212-56A-020, filed 5/2/91, effective 6/2/91.]

WAC 212-56A-030 Occupancy restrictions. (1) Any family abode used for child day care purposes for fewer than thirteen children shall be considered a Group R Division 3 Occupancy per the State Building Code. For occupancy separation see Table No. 5-B, State Building Code.

(2) Stairs, exits, and smokeproof enclosures shall be as specified in chapter 33, State Building Code.

Exception: Only one exit door per floor from a family child day care home need be of the pivoted or side hinged swinging type. Approved sliding doors may be used for other exits.

(3) For family child day care homes with more than six children, each floor level used for family child day care purposes shall be served by two separate exits. Outside exit doors shall be operable from the inside without the use of keys or any special knowledge or effort.

(4) Basements located more than four feet below grade level shall not be used for family child day care homes unless one of the following conditions exists:

(a) Exit stairways from the basement open directly to the exterior of the building without entering the first floor; or

(b) One of the two required exits discharges directly to the exterior from the basement level, and a self-closing door is installed at the top or bottom of the interior stair leading to the floor above; or

(c) One of the two required exits is an operable window or door, approved for emergency escape or rescue, that opens directly to a public street, public alley, yard, or exit court; or

(d) A residential sprinkler system is provided throughout the entire building in accordance with National Fire Protection Association Standard 13D and two exits are provided.

(5) Floors located more than four feet above grade level shall not be occupied by children in family child day care homes.

Exception #1: Use of toilet facilities while under supervision of a staff person.

Exception #2: Family child day care homes may be allowed on the second story if one of the following conditions exists:

(a) Two exit stairways from the second story open directly to the exterior of the building without entering the first floor; or

(b) One of the two required exits discharges directly to the exterior from the second story level, and a self-closing door is installed at the top or bottom of the interior stair leading to the floor below; or

(c) A residential sprinkler system is provided throughout the entire building in accordance with National Fire Protection Association Standard 13D and two exits.

(6) Distance to exits shall not exceed those per section 3303(d), State Building Code.

(7) Sleeping or napping rooms shall have doors leading to two separate exit ways, or a door leading directly to the exterior of the building.

(8) Basements in dwelling units and every sleeping or napping room shall have at least one operable window or door approved for emergency escape or rescue which shall open directly into a public street, public alley, yard, or exit court. The units shall be operable from the inside to provide a full clear opening without the use of separate tools.

All escape or rescue windows shall have a minimum net clear openable area of 5.7 square feet. The minimum net clear openable height dimension shall be twenty-four inches. The minimum net clear openable width dimension shall be twenty inches. When windows are provided as a means of escape or rescue they shall have a finished sill height not more than forty-four inches above the floor.

Bars, grilles, grates, or similar devices may be installed on an emergency escape or rescue windows or doors, provided:

(a) Such devices are equipped with approved release mechanisms which are operable from the inside without the use of a key or special knowledge or effort; and

(b) The building is equipped with smoke detectors installed in accordance with section 1210, State Building Code.

(9) The swing and opening force of exit doors shall be in accordance with section 3304(b), State Building Code. The door latch shall release when subjected to a fifteen-pound force, and the door shall be set in motion when subjected to a thirty-pound force. The door shall swing to full open position when subjected to fifteen-pound force. Forces shall be applied to the latch side.

(10) Exit doors shall be operable from the inside without the use of keys or any special knowledge or effort.

(11) Obstructions shall not be placed in the required width of an exit except in corridors, handrails and doors, when fully opened, shall not reduce the required width by more than seven inches. Doors in any position shall not reduce the required width by more than one-half. Other nonstructural projections such as trim and similar decorative features may project into the required width one and one-half inches on each side.

(12) No space which is accessible only by ladder, folding stairs or trap doors, shall be used for family child day care purposes.

(13) Every bathroom door lock shall be designed to permit the opening of the locked door from the outside in an emergency, and the opening device shall be readily accessible to the staff.

(14) Every closet door latch shall be such that children can open the door from inside the closet.

(15) Exits shall be provided and maintained as per the State Building Code and this regulation.

[Statutory Authority: Chapters 48.48 and 43.63A RCW. 91-11-001 (Order 91-05), § 212-56A-030, filed 5/2/91, effective 6/2/91.]

WAC 212-56A-035 Hazardous areas. Rooms or spaces containing a commercial-type kitchen, boiler, maintenance shop, janitor closet, laundry, woodworking shop, flammable or combustible storage, painting operation, or parking garage shall be separated from the family child day care home or means of egress by an occupancy separation wall per section 503, the State Building Code.

Exception: An occupancy separation wall shall not be required where the food preparation kitchen contains only a domestic cooking range and the preparation of food does not result in the production of smoke or grease laden vapors. Cooking must be limited to the warming of food.

[Statutory Authority: Chapters 48.48 and 43.63A RCW. 91-11-001 (Order 91-05), § 212-56A-035, filed 5/2/91, effective 6/2/91.]

WAC 212-56A-040 Single station smoke detectors.

(1) In family child day care homes detectors shall be located in all sleeping and napping areas.

(2) In family child day care homes with more than one story, and in family child day care homes with basements, a detector shall be installed on each story and in the basement in addition to sleeping and napping rooms.

(3) In family child day care homes where a story or basement is split into two or more levels, the smoke detector shall be installed in the upper level, except that when the lower level contains a sleeping or napping area, a detector shall be located on each level in addition to sleeping and napping rooms.

(4) When sleeping rooms are on an upper level, the detector shall be placed at the ceiling of the upper level in close proximity to the stairway in addition to sleeping and napping rooms.

(5) In family child day care homes where the ceiling height of a room open to the hallway serving the sleeping or napping rooms exceeds that of the hallway by twenty-four inches or more, smoke detectors shall be installed in the hallway and the adjacent room.

(6) Detectors shall sound an alarm audible in all areas of the building.

(7) In new construction, required smoke detectors shall receive their primary power from the building wiring when such wiring is served from a commercial source. Wiring shall be permanent and without a disconnecting switch other than those required for overcurrent protection.

(8) Smoke detectors may be battery operated when installed in existing buildings, or in buildings without commercial power.

(9) Where battery operated smoke detectors are installed, at least one extra battery of the type and size specified for the battery operated smoke detector shall be maintained upon the premises.

(10) Single station smoke detectors shall be tested at monthly intervals or in a manner specified by the manufacturer. Records of such testing shall be maintained upon the premises.

[Statutory Authority: Chapters 48.48 and 43.63A RCW. 91-11-001 (Order 91-05), § 212-56A-040, filed 5/2/91, effective 6/2/91.]

WAC 212-56A-045 Alternate means of sounding a fire alarm. In addition to single station smoke detectors, family child day care homes shall provide an alternate means for sounding a fire alarm. A police type whistle or similar device is adequate for meeting this requirement: *Provided*, That whatever method is selected shall be limited to an evacuation emergency only.

[Statutory Authority: Chapters 48.48 and 43.63A RCW. 91-11-001 (Order 91-05), § 212-56A-045, filed 5/2/91, effective 6/2/91.]

WAC 212-56A-050 Fire extinguisher. (1) At least one approved 2A, 10B:C rated fire extinguisher shall be provided on each occupied floor level. Such extinguishers shall be located in the normal path of egress. The maximum travel distance to an extinguisher shall not exceed seventy-five feet.

(2) Portable fire extinguishers shall be installed and maintained as per section 10.301(a) and 10.303, the State Building Code.

(3) Fire extinguishers shall be operationally ready for use at all times.

(4) Fire extinguishers shall be mounted in the bracket provided for this purpose so that the top of the extinguisher is not more than five feet above the floor.

(5) Fire extinguishers shall receive annual maintenance certification by a firm specializing in such work and licensed to do business in the state of Washington. Maintenance means a thorough check of the extinguisher to include examination of (a) mechanical parts, (b) extinguishing agent, and (c) expelling means.

[Statutory Authority: Chapters 48.48 and 43.63A RCW. 91-11-001 (Order 91-05), § 212-56A-050, filed 5/2/91, effective 6/2/91.]

WAC 212-56A-055 Fire prevention. (1) Furnace rooms shall be maintained free of lint, grease and rubbish accumulations and suitably isolated, enclosed, or protected.

(2) Flammable or combustible materials shall be stored away from exits and in areas which are not accessible to children. Combustible rubbish shall not be allowed to accumulate and shall be removed from the building or stored in closed, metal containers.

(3) Open-flame devices capable of igniting clothing shall not be left on, unattended, or used in a manner which could result in an accidental ignition of children's clothing. Candles shall not be used.

(4) All electrical circuits, devices, and appliances shall be properly maintained. Circuits shall not be overloaded. Extension cords and multiplug adapters shall not be used in lieu of permanent wiring and proper receptacles.

(5) The use of portable space heaters of any kind is prohibited.

(6) A poster, obtained from the department of community development, fire protection services division, life safety unit, shall be posted where visible to parents when dropping off and picking up children. The purpose of this poster is to involve parents in the fire and life safety of their children when at the facility.

(7) All waste generated shall be removed from the building daily, and disposed of in a safe manner outside the building. All containers used for the disposal of waste material shall be of noncombustible or other approved materials with tops.

(8) Electrical motors shall be kept dust free.

(9) A flashlight shall be available for use as an emergency power source.

(10) Approved numbers or addresses shall be placed on all new and existing homes in such a position as to be plainly visible and legible from the street or road fronting the property. Said numbers shall contrast with their background.

(11) Fireplaces, woodstoves, similar devices, and their connections shall be approved by the local building official. Such devices shall be cleaned, maintained, and inspected on at least an annual basis by a person or firm specializing in such work and licensed to do business in the state of Washington.

(12) Where open flames and/or hot surfaces are accessible, approved barriers shall be erected to prevent children from coming in contact with the open flames and/or hot surfaces.

(13) Electrical outlets shall be protected to prevent accidental shock hazards to children.

[Statutory Authority: Chapters 48.48 and 43.63A RCW. 91-11-001 (Order 91-05), § 212-56A-055, filed 5/2/91, effective 6/2/91.]

WAC 212-56A-060 Sprinkler system maintenance. Sprinkler systems, if installed, shall be tested on an annual basis by a person or agency qualified by licensure. The results of the system test shall be documented on forms provided by the state fire marshal and submitted to the state fire marshal prior to the licensing date.

[Statutory Authority: Chapters 48.48 and 43.63A RCW. 91-11-001 (Order 91-05), § 212-56A-060, filed 5/2/91, effective 6/2/91.]

WAC 212-56A-065 Fire evacuation plan. Each facility shall develop a written fire evacuation plan. The plan shall include the following:

(1) Action to take by the person discovering a fire.

(2) Method of sounding an alarm on the premises.

(3) Action to take for evacuation of the building and assuring accountability of the children.

(4) Action to take pending arrival of the fire department.

(5) An evacuation floor plan, identifying exit doors and windows.

[Statutory Authority: Chapters 48.48 and 43.63A RCW. 91-11-001 (Order 91-05), § 212-56A-065, filed 5/2/91, effective 6/2/91.]

WAC 212-56A-070 Fire evacuation drill. A fire evacuation drill shall be conducted at least once each month. A written record shall be maintained on the premises indicating the date, time, and other required entries on the form. Such forms are available from the state fire marshal and the department of social and health services.

[Statutory Authority: Chapters 48.48 and 43.63A RCW. 91-11-001 (Order 91-05), § 212-56A-070, filed 5/2/91, effective 6/2/91.]

WAC 212-56A-075 Staff training. The licensee and each member of the staff, employee, or assistant shall be familiar with all elements of the fire evacuation plan and must be capable of accomplishing the following:

(1) Operation of fire extinguishers installed on the premises.

(2) Testing smoke detectors (single station types).

(3) Conducting frequent inspections of the home to identify fire hazards, and taking remedial action to correct any hazards noted during the inspection. Inspection forms are available from the state fire marshal. Such inspections should be conducted on a monthly basis and records kept on the premises for review by the licensure and/or deputy state fire marshal.

[Statutory Authority: Chapters 48.48 and 43.63A RCW. 91-11-001 (Order 91-05), § 212-56A-075, filed 5/2/91, effective 6/2/91.]

WAC 212-56A-080 Occupancy restrictions. (1) Child day care centers shall not be located above or below the first story.

Exception: (a) Rooms on floors which have exits to the exterior of the building no more than four feet of vertical travel from the floor level to the level of the exterior finished surface of the ground, paving, or sidewalk.

(b) In buildings equipped with an automatic sprinkler system throughout, rooms used for child day care purposes may be located on the second story, provided there are at least two exits directly into separate exiting systems as defined in section 3319(a), the State Building Code.

(c) Child day care centers may be located above the second story provided:

(i) They shall be in buildings equipped with an automatic sprinkler system throughout; and

(ii) They shall be in buildings of Type I or Type II fire-resistive construction; and

(iii) Child day care centers above the fourth floor shall not have more than twelve children per floor; and

(iv) The entire story on which the child day care facility is located is equipped with an approved fire alarm and smoke detection system as set forth in the State

Building Code. Actuation of the system shall sound an alarm audible throughout the entire story; and

(v) The child day care facility is divided into not less than two areas of approximately the same size, separated from each other by not less than one-hour fire-resistive construction. Openings between the two areas shall be protected by automatic-closing fire assemblies, having a fire-protection rating of not less than twenty minutes, which will close automatically upon activation of the fire alarm or detection systems; and

(vi) Each area is provided with air-moving equipment independent of that serving the other; and

(vii) Each area has not less than two exits, one of which is permitted to be through the adjoining area; and

(viii) The exits from the child day care facility shall be into separate exiting systems as defined in section 3319, the State Building Code.

(3) Child day care facilities shall be considered a Group E Division 3 Occupancy. For occupancy separation see Table No. 5-B, the State Building Code.

(4) Each floor level used for a child day care center shall be served by at least two separate exits. Distance to exits shall not exceed those per section 3303(d), the State Building Code.

(5) The swing and opening force of exit doors shall be as per section 3304(b), the State Building Code. The door latch shall release when subjected to a fifteen-pound force, and the door shall be set in motion when subjected to a thirty-pound force. The door shall swing to full open position when subjected to fifteen-pound force. Forces shall be applied to the latch side.

(6) Exit doors from rooms having an occupant load of fifty or more and from corridors shall be equipped with panic hardware. Other exit doors shall be openable from the inside without the use of keys or any special knowledge or effort.

(7) Basements shall not be used for child day care centers unless:

(a) Exit stairways from the basement open directly to the exterior of the building without entering the first floor; or

(b) One of the two required exits discharges directly to the exterior from the basement level, and a self-closing door is installed at the top or bottom of the interior stair leading to the floor above; or

(c) One operable window or door, approved for emergency escape or rescue, opens directly to a public street, public alley, yard, or exit court; or

(d) An approved sprinkler system, not otherwise required, is provided throughout the entire building.

(8) Obstructions shall not be placed in the required width of an exit.

Exception: Corridors, handrails and doors, when fully opened, shall not reduce the required width by more than seven inches. Doors in any position shall not reduce the required width by more than one-half. Other nonstructural projections such as trim and similar decorative features may project into the required width one and one-half inches on each side.

(9) No space shall be used which is accessible only by ladder, folding stairs, or trap doors.

(10) Every closet door latch shall be such that children can open the door from inside the closet.

(11) Every bathroom door lock shall be designed to permit the opening of the locked door from the outside in an emergency, and the opening device shall be readily accessible to the staff.

(12) Emergency lighting shall be provided in child day care centers in the following areas:

(a) In all interior stairs and corridors.

(b) In all normally occupied spaces, except for administrative areas, mechanical rooms, and storage areas.

(c) In flexible and open plan buildings or areas.

(d) In all portions of buildings that are interior or windowless.

(13) Exits shall be provided and maintained as per the State Building Code, and this regulation. Fire doors, exit lights, corridor lighting, door latches, and exit hardware shall be maintained operationally ready for use at all times.

[Statutory Authority: Chapters 48.48 and 43.63A RCW. 91-11-001 (Order 91-05), § 212-56A-080, filed 5/2/91, effective 6/2/91.]

WAC 212-56A-085 Hazardous areas. Rooms or spaces containing a commercial-type kitchen, boiler, maintenance shop, janitor closet, laundry, woodworking shop, flammable or combustible storage, parking garage, or painting operation shall be separated from the child day care center or means of egress by an occupancy separation wall per section 503, the State Building Code.

Exception: An occupancy separation wall shall not be required where the food preparation kitchen contains only a domestic cooking range and the preparation of food does not result in the production of smoke or grease laden vapors. Cooking must be limited to the warming of food.

[Statutory Authority: Chapters 48.48 and 43.63A RCW. 91-11-001 (Order 91-05), § 212-56A-085, filed 5/2/91, effective 6/2/91.]

WAC 212-56A-090 Sleeping and napping rooms.

(1) Basements and every sleeping or napping room below the fourth story shall have at least one operable window or door approved for emergency escape or rescue which shall open directly into a public street, public alley, yard, or exit court. The units shall be operable from the inside to provide a full clear opening without the use of separate tools.

(2) All escape or rescue windows shall have a minimum net clear openable area of 5.7 square feet. The minimum net clear openable height dimension shall be twenty-four inches. The minimum net clear openable width dimension shall be twenty inches. When windows are provided as a means of escape or rescue they shall have a finished sill height not more than forty-four inches above the floor.

(3) Bars, grilles, grates, or similar devices may be installed on an emergency escape or rescue windows or doors, provided:

(a) Such devices are equipped with approved release mechanisms which are openable from the inside without the use of a key or special knowledge or effort; and

(b) The building is equipped with smoke detectors installed in accordance with section 1210, State Building Code.

[Statutory Authority: Chapters 48.48 and 43.63A RCW. 91-11-001 (Order 91-05), § 212-56A-090, filed 5/2/91, effective 6/2/91.]

WAC 212-56A-095 Single station smoke detectors.

(1) Child day care centers not required to have an electrically supervised fire alarm system, shall be provided with at least one approved single station smoke detector installed and maintained as per Section 1210, the State Building Code. Additional detectors are required in the corridor or passageway providing access to sleeping or napping rooms and shall be required at other locations as determined by the state fire marshal.

(2) Detectors shall be located in all sleeping and napping areas.

(3) When the child day care center has more than one story, and in child day care centers with basements, a detector shall be installed on each story and in the basement in addition to sleeping and napping areas.

(4) Where a story or basement is split into two or more levels, the smoke detector shall be installed in the upper level in addition to sleeping and napping areas.

Exception: When the lower level contains a sleeping or napping area, a detector shall be located on each level.

(5) When sleeping rooms are on an upper level, the detector shall be placed at the ceiling of the upper level in close proximity to the stairway in addition to sleeping and napping areas.

(6) Where the ceiling height of a room open to the hallway serving the sleeping or napping rooms exceeds that of the hallway by twenty-four inches or more, smoke detectors shall be installed in the hallway and the adjacent room.

(7) Detectors shall sound an alarm audible in all areas of the building.

(8) In new construction, required smoke detectors shall receive their primary power from the building wiring when such wiring is served from a commercial source. Wiring shall be permanent and without a disconnecting switch other than those required for overcurrent protection.

(9) Smoke detectors may be battery operated when installed in existing buildings, or in buildings without commercial power.

(10) Where battery operated smoke detectors are installed, at least one extra battery of the type and size specified for the battery operated smoke detector shall be maintained upon the premises.

(11) Single station smoke detectors shall be tested at monthly intervals or in a manner specified by the manufacturer. Records of such testing shall be maintained upon the premises.

[Statutory Authority: Chapters 48.48 and 43.63A RCW. 91-11-001 (Order 91-05), § 212-56A-095, filed 5/2/91, effective 6/2/91.]

WAC 212-56A-100 Alternate method for alarm.

Child day care centers not otherwise required to have an electrically supervised fire alarm system shall provide, in addition to single station smoke detectors, an alternate means for sounding a fire alarm. A police type whistle or similar device is adequate for meeting this requirement:

Provided, That whatever method is selected shall be limited to an evacuation emergency only.

[Statutory Authority: Chapters 48.48 and 43.63A RCW. 91-11-001 (Order 91-05), § 212-56A-100, filed 5/2/91, effective 6/2/91.]

WAC 212-56A-105 Fire alarm system. (1) An approved electrically supervised fire alarm system shall be installed in each child day care center having an occupant load of fifty or more, or where the child day care center is located within a building of another occupancy, or where the day care center, or any portion thereof, is located above or below the grade level.

(2) Smoke detectors shall be installed in corridors or passageways providing access to rooms used for sleeping or napping purposes. Heat detectors may be required by the state fire marshal in hazardous areas which enter upon the means of egress. Smoke detectors and heat detectors shall be electrically interconnected to the fire alarm system.

(3) Sprinkler systems shall be electrically interconnected with the fire alarm system.

(4) The fire alarm system shall include an alarm mounted on the exterior of the building.

(5) The fire alarm system control panel shall be equipped with an approved secondary power supply.

(6) Fire alarm systems shall be tested at monthly intervals. Automatic fire detectors shall be inspected annually. The inspection shall be conducted by a person or agency qualified by experience, training, or licensure. The results of the system test or inspections shall be maintained on the premises, preferably at the system control panel, or other location approved by the state fire marshal.

[Statutory Authority: Chapters 48.48 and 43.63A RCW. 91-11-001 (Order 91-05), § 212-56A-105, filed 5/2/91, effective 6/2/91.]

WAC 212-56A-110 Fire extinguisher. (1) At least one approved 2A, 10B:C rated fire extinguisher shall be provided on each occupied floor level.

(2) Such extinguishers shall be located in the normal path of egress.

(3) The maximum travel distance to an extinguisher shall not exceed seventy-five feet.

(4) Portable fire extinguishers shall be installed and maintained as per section 10.301(a) and 10.303, State Building Code.

(5) Fire extinguishers shall be operationally ready for use at all times.

(6) Fire extinguishers shall be mounted in the bracket provided for this purpose so that the top of the extinguisher is not more than five feet above the floor.

(7) Fire extinguishers shall receive annual maintenance certification by a firm specializing in such work and licensed to do business in the state of Washington. Maintenance means a thorough check of the extinguisher to include examination of (a) mechanical parts, (b) extinguishing agent, and (c) expelling means.

[Statutory Authority: Chapters 48.48 and 43.63A RCW. 91-11-001 (Order 91-05), § 212-56A-110, filed 5/2/91, effective 6/2/91.]

WAC 212-56A-115 Fire prevention. (1) Furnace rooms shall be maintained free of lint, grease, and rubbish accumulations; and suitably isolated, enclosed, or protected.

(2) Flammable or combustible materials shall be stored away from exits and in areas which are not accessible to children. Combustible rubbish shall not be allowed to accumulate and shall be removed from the building or stored in closed, metal containers.

(3) Open-flame devices capable of igniting clothing shall not be left on, unattended, or used in a manner which could result in an accidental ignition of children's clothing. Candles shall not be used.

(4) All electrical circuits, devices, and appliances shall be properly maintained. Circuits shall not be overloaded. Extension cords and multiplug adapters shall not be used in lieu of permanent wiring and proper receptacles.

(5) The use of portable space heaters of any kind is prohibited.

(6) A poster, obtained from the department of community development, fire protection services division, life safety unit, shall be posted where visible to parents when dropping off and picking up children. The purpose of this poster is to involve parents in the fire and life safety of their children when at the facility.

(7) All waste generated shall be removed from the building daily, and disposed of in a safe manner outside the building. All containers used for the disposal of waste material shall be of noncombustible or other approved materials with tops.

(8) Electrical motors shall be kept dust free.

(9) A flashlight shall be available for use as an emergency power source.

(10) Approved numbers or addresses shall be placed on all new and existing homes in such a position as to be plainly visible and legible from the street or road fronting the property. Said numbers shall contrast with their background.

(11) Fireplaces, woodstoves, similar devices, and their connections shall be approved by the local building official. Such devices shall be cleaned, maintained, and inspected on at least an annual basis by a person or firm specializing in such work and licensed to do business in the state of Washington.

(12) Where open flames and/or hot surfaces are accessible, approved barriers shall be erected to prevent children from coming in contact with the open flames and/or hot surfaces.

(13) Electrical outlets shall be protected to prevent accidental shock hazards to children.

[Statutory Authority: Chapters 48.48 and 43.63A RCW. 91-11-001 (Order 91-05), § 212-56A-115, filed 5/2/91, effective 6/2/91.]

WAC 212-56A-120 Sprinkler system maintenance. Sprinkler systems, if installed, shall be tested on an annual basis by a person or agency qualified by licensure. The results of the system test shall be documented on forms provided by the state fire marshal and submitted to the state fire marshal prior to the licensing date.

[Statutory Authority: Chapters 48.48 and 43.63A RCW. 91-11-001 (Order 91-05), § 212-56A-120, filed 5/2/91, effective 6/2/91.]

WAC 212-56A-125 Fire evacuation plan. Each facility shall develop a written fire evacuation plan. The plan shall include the following:

(1) Action to take by the person discovering a fire.

(2) Method of sounding an alarm on the premises.

(3) Action to take for evacuation of the building and assuring accountability of the children.

(4) Action to take pending arrival of the fire department.

(5) An evacuation floor plan, identifying exit doors and windows.

[Statutory Authority: Chapters 48.48 and 43.63A RCW. 91-11-001 (Order 91-05), § 212-56A-125, filed 5/2/91, effective 6/2/91.]

WAC 212-56A-130 Fire evacuation drill. A fire evacuation drill shall be conducted at least once each month. A written record shall be maintained on the premises indicating the date, time, and other required entries on the form. Such forms are available from the state fire marshal and the department of social and health services.

[Statutory Authority: Chapters 48.48 and 43.63A RCW. 91-11-001 (Order 91-05), § 212-56A-130, filed 5/2/91, effective 6/2/91.]

WAC 212-56A-135 Staff training. The licensee and each member of the staff, employee, or assistant shall be familiar with all elements of the fire evacuation plan and must be capable of accomplishing the following:

(1) Operation of fire extinguishers installed on the premises.

(2) Resetting the fire alarm system (if installed).

Note: The fire alarm system should not be reset without the permission of the fire department.

(3) Testing smoke detectors (single station types).

(4) Conducting frequent inspections of the facility to identify fire hazards, and taking remedial action to correct any hazards noted during the inspection. Inspection forms are available from the state fire marshal. Such inspections should be conducted on a monthly basis and records kept on the premises for review by the licensure and/or deputy state fire marshal.

[Statutory Authority: Chapters 48.48 and 43.63A RCW. 91-11-001 (Order 91-05), § 212-56A-135, filed 5/2/91, effective 6/2/91.]

WAC 212-56A-140 Alternate methods. The state fire marshal may modify any of the provisions of this regulation upon application in writing by the owner or licensee or his duly authorized representative, where there are practical difficulties in carrying out the strict letter of this regulation. The particulars of such modification may be granted or allowed: *Provided*, That it does not create a condition that is dangerous to life. The decision of the state fire marshal shall be entered upon the record, and a signed copy shall be furnished the owner or licensee.

[Statutory Authority: Chapters 48.48 and 43.63A RCW. 91-11-001 (Order 91-05), § 212-56A-140, filed 5/2/91, effective 6/2/91.]

Chapter 212-80 WAC
FIRE SPRINKLER SYSTEM CONTRACTORS

WAC

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212-80-120	Prorated license fees.
212-80-130	Municipality, county, or state regulations.
212-80-135	Suspension or revocation of licenses.

WAC 212-80-001 Purpose. The purpose of this regulation is to adopt rules for the licensing of fire protection sprinkler system contractors and for the issuance of certificates of competency as defined in chapter 18.160 RCW.

[Statutory Authority: Chapters 43.63A and 18.160 RCW. 91-14-086 (Order 91-06), § 212-80-001, filed 7/1/91, effective 8/1/91.]

WAC 212-80-005 Applicability. This regulation applies to fire protection sprinkler contractors and certificate of competency holders as defined in chapter 18.160 RCW.

[Statutory Authority: Chapters 43.63A and 18.160 RCW. 91-14-086 (Order 91-06), § 212-80-005, filed 7/1/91, effective 8/1/91.]

WAC 212-80-010 Definitions. The following definitions shall apply to this regulation:

(1) "Authority having jurisdiction (AHJ)" means the organization, office, or individual responsible for approving layout drawings, equipment, an installation or a procedure. Usually the AHJ is the building and/or fire official of the city or county in which the job site is located. In certain cases, such as health care facilities, transient accommodations and day care facilities, the AHJ is the city or county building and/or fire official and the director of fire protection.

(2) "Director of fire protection" means the state fire marshal or his/her authorized representative.

(3) "NFPA" means the National Fire Protection Association.

(4) "NFPA 13D" means, in addition to the definition contained in chapter 18.160 RCW, the inclusion of minor accessory uses such as garages normally found in residential occupancies.

(5) "NICET" means the National Institute for Certification in Engineering Technologies.

(6) "State fire marshal" means the director of fire protection or his/her authorized representative.

(7) "State Level I certification" means a certificate of competency holder who is qualified to prepare layout drawings, install, inspect, maintain, or service an NFPA 13D fire protection sprinkler system or any part of such a system.

(8) "State Level II certification" means a certificate of competency holder who is qualified to prepare layout drawings, install, inspect, maintain, or service an NFPA 13D and/or NFPA 13R fire protection sprinkler system or any part of such a system.

(9) "State Level III certification" means a certificate of competency holder who is qualified to prepare layout drawings, install, inspect, maintain, or service an NFPA 13D, NFPA 13R, NFPA 13, or all other systems per the definition of fire protection sprinkler system in chapter 18.160 RCW.

[Statutory Authority: Chapters 43.63A and 18.160 RCW. 91-14-086 (Order 91-06), § 212-80-010, filed 7/1/91, effective 8/1/91.]

WAC 212-80-015 Compliance. All fire sprinkler system contractors, certificate of competency holders, and persons installing, inspecting, maintaining, or servicing fire protection sprinkler systems or any part of such a system shall comply with the provisions of this regulation.

EXCEPTIONS:

(1) Federal, state, and local government employees, or insurance inspectors when acting in their official capacities.

(2) A person or organization acting under court order.

(3) A person or organization that sells or supplies products or materials to a licensed fire protection sprinkler system contractor.

(4) A registered professional fire protection engineer acting solely in a professional capacity.

(5) An employee of a licensed fire protection sprinkler system contractor performing duties for the contractor.

(6) An owner/occupier of a single-family residence performing his or her own installation in that residence. It is the intent of this subsection that builders or contractors will not install their own sprinkler systems in single-family residences under their ownership for which they plan to sell, lease, or rent.

[Statutory Authority: Chapters 43.63A and 18.160 RCW. 91-14-086 (Order 91-06), § 212-80-015, filed 7/1/91, effective 8/1/91.]

WAC 212-80-020 Right of appeal. Any person who is aggrieved by the director of fire protection suspending or revoking the privilege of a licensed fire protection sprinkler system contractor or the certificate of a certificate of competency holder to engage in fire protection sprinkler system business, may appeal to the director within thirty days of the date of the order.

[Statutory Authority: Chapters 43.63A and 18.160 RCW. 91-14-086 (Order 91-06), § 212-80-020, filed 7/1/91, effective 8/1/91.]

WAC 212-80-025 Authority having jurisdiction. (1) Fire protection sprinkler systems shall meet the approval of the authority having jurisdiction. This includes plans, specifications, calculations, contractor's materials and test certificates, and final approval.

(2) In certain types of occupancies the authority having jurisdiction may be the director of fire protection and the building and/or fire official of the city or county in which the installation is located. Generally these dual responsibilities occur in health care facilities, transient accommodations, and day care facilities.

(3) It is the responsibility of the certificate of competency holder to ascertain which agency or agencies have jurisdiction. If there is a question, the certificate of competency holder should contact the director of fire protection.

[Statutory Authority: Chapters 43.63A and 18.160 RCW. 91-14-086 (Order 91-06), § 212-80-025, filed 7/1/91, effective 8/1/91.]

WAC 212-80-030 Qualifications for preparation of layout drawings, installations, inspections, maintenance, or servicing. (1) Only licensed fire protection sprinkler system contractors shall execute contracts for layout drawings, installation, inspection, maintenance, or servicing of fire protection sprinkler systems or any part of such a system in the state of Washington.

EXCEPTIONS:

(a) Other persons may prepare layout drawings, install, inspect, maintain, or service fire protection sprinkler systems or any part of such a system to the level which they are certified, provided such work is encompassed by a licensed fire protection sprinkler contractor's permit.

(b) Those organizations and persons specifically exempted by chapter 18.160 RCW.

(c) Individuals or organizations may conduct subcontract work for licensed fire protection sprinkler system contractors, such as installations, preparation of layout drawings, underground or pump installations, provided sprinkler system plans, calculations, and contractor's materials and test certificates submitted to the authority having jurisdiction shall be stamped (sealed) pursuant to WAC 212-80-035.

(2) Only licensed fire protection sprinkler contractors who have achieved at least State Level I licensure shall prepare layout drawings, install, inspect, maintain, or service NFPA 13D fire protection sprinkler systems or any part of such a system in the state of Washington.

EXCEPTIONS:

(a) Other persons may prepare layout drawings, install, inspect, maintain, or service NFPA 13D fire protection sprinkler systems or any part of such a system provided their work is supervised by a level I certificate of competency holder and all approvals, seals, and contractor's material and test certificate certifications are signed and sealed by level I certificate of competency holder(s).

(b) Those organizations and persons specifically exempted by chapter 18.160 RCW.

(c) Individuals or organizations may conduct subcontract work for licensed fire protection sprinkler system contractors, such as installations, preparation of layout drawings, underground or pump installations, provided sprinkler system plans, calculations, and contractor's materials and test certificates submitted to the authority having jurisdiction shall be stamped (sealed) pursuant to WAC 212-80-035.

(3) Only licensed fire protection sprinkler contractors who have achieved at least State Level II licensure shall prepare layout drawings, install, inspect, maintain, or service NFPA 13D or NFPA 13R fire protection sprinkler systems or any part of such a system in the state of Washington.

EXCEPTIONS:

(a) Other persons may prepare layout drawings, install, inspect, maintain, or service NFPA 13D or NFPA 13R fire protection sprinkler systems for any part of such a system provided their work is supervised by a level II certificate of competency holder and all approval, seals, and contractor's material and test certificate certifications are signed and sealed by level II certificate of competency holder(s).

(b) Those organizations and persons specifically exempted by chapter 18.160 RCW.

(c) Individuals or organizations may conduct subcontract work for licensed fire protection sprinkler system contractors, such as installations, preparation of layout drawings, underground or pump installations, provided sprinkler system plans, calculations, and contractor's materials and test certificates submitted to the authority having jurisdiction shall be stamped (sealed) pursuant to WAC 212-80-035.

(4) Only licensed fire protection sprinkler contractors who have achieved at least State Level III licensure shall prepare layout drawings, install, inspect, maintain, or service NFPA 13D, NFPA 13R, NFPA 13, and all other systems per the definition of fire protection sprinkler system in chapter 18.160 RCW or any part of such a system in the state of Washington.

EXCEPTIONS:

(a) Other persons may prepare layout drawings, install, inspect, maintain, or service NFPA 13D, NFPA 13R, NFPA 13, and all other systems per the definition of fire protection sprinkler system in chapter 18.160 RCW or any part of such a system provided their work is supervised by a level III certificate of competency holder and all approvals, seals, and contractor's material and test certificate certifications are signed and sealed by level III certificate of competency holder(s).

(b) Those organizations and persons specifically exempted by chapter 18.160 RCW.

(c) Individuals or organizations may conduct subcontract work for licensed fire protection sprinkler system contractors, such as installations, preparation of layout drawings, underground or pump installations, provided sprinkler system plans, calculations, and contractor's materials and test certificates submitted to the authority

having jurisdiction shall be stamped (sealed) pursuant to WAC 212-80-035.

(5) Only those certificate of competency holders who have achieved at least State Level I certification shall supervise and/or certify the preparation of layout drawings, installation, inspection, maintenance, or servicing of NFPA 13D fire protection sprinkler systems or any part thereof. To achieve State Level I certification, persons shall hold a current NICET Level 2 classification or satisfactorily complete an examination administered by the director of fire protection.

(6) Only those certificate of competency holders who have achieved at least State Level II certification shall supervise and/or certify the preparation of layout drawings, installation, inspection, maintenance, or servicing of NFPA 13D and NFPA 13R fire protection sprinkler systems or any part thereof. To achieve State Level II certification, persons shall hold a current NICET Level 2 classification or satisfactorily complete an examination administered by the director of fire protection.

(7) Only those certificate of competency holders who have achieved at least State Level III certification shall supervise and/or certify the preparation of layout drawings, installation, inspection, maintenance, or servicing NFPA 13D, NFPA 13R, NFPA 13, and all other systems per the definition of fire protection sprinkler system in chapter 18.160 RCW or any part thereof. To achieve State Level III certification, persons shall hold a current NICET Level 3 or 4 or satisfactorily complete an examination administered by the director of fire protection.

[Statutory Authority: Chapters 43.63A and 18.160 RCW. 91-14-086 (Order 91-06), § 212-80-030, filed 7/1/91, effective 8/1/91.]

WAC 212-80-035 Seals for NFPA 13D, 13R, and 13 systems. (1) Sprinkler system plans, calculations, and contractors' materials and test certificates submitted to the authority having jurisdiction shall be stamped (sealed) pursuant to subsection (3) of this section.

(2) At least one set of approved plans, containing information as specified in subsection (3) of this section, and calculations shall be maintained on the job site while the work is being performed.

(3) Seals shall contain the name and certificate number of the certificate of competency holder, a place for the signature of the certificate of competency holder and the date of the signature. On all plans the seal shall be easily recognizable and visible. The seal shall be of the design provided by the director of fire protection.

[Statutory Authority: Chapters 43.63A and 18.160 RCW. 91-14-086 (Order 91-06), § 212-80-035, filed 7/1/91, effective 8/1/91.]

WAC 212-80-040 Contractor's materials and test certificates. (1) The certificate of competency holder shall complete the contractor's material and test certificate(s) and forward the certificate(s) to the authority having jurisdiction.

(2) Contractor's material and test certificate forms shall be of such form as accepted or approved by the director of fire protection.

(3) The authority having jurisdiction may require a flow test of heads as part of the approval of NFPA 13R and NFPA 13D fire protection sprinkler systems.

(4) The authority having jurisdiction and the building owner shall retain copies of the contractor's materials and test certificate for a minimum of five years.

[Statutory Authority: Chapters 43.63A and 18.160 RCW. 91-14-086 (Order 91-06), § 212-80-040, filed 7/1/91, effective 8/1/91.]

WAC 212-80-045 Certificate of competency testing. To become a certificate of competency holder under this regulation, an applicant must:

(1) Have satisfactorily passed an examination administered by the director of fire protection; or

(2) Be a registered professional fire protection engineer acting solely in a professional capacity. Such engineer shall comply with all other requirements of this regulation including payment of fees, completion of the application process, and supplying the director of fire protection with proof that the applicant holds a current, valid state of Washington registration as a professional fire protection engineer. Upon completion of the above requirements, the engineer will be granted an equivalency certificate to that of State Level III; or

(3) By presenting a copy of a current certificate from the National Institute for Certification in Engineering Technologies showing that the applicant has achieved the classification of Engineering Technician, Level 3 or Senior Engineering Technician, Level 4 in the field of fire protection automatic sprinkler system layout; or

(4) Provided the application for the certificate of competency is made prior to ninety days after May 1, 1991, the director of fire protection, in lieu of the examination requirements of the applicant for a certificate of competency, may accept as satisfactory evidence of competency and qualification, affidavits attesting that the applicant has had a minimum of three years' experience. In addition to the affidavits and application form, the applicant shall provide the following information:

(a) Copies of approved plans and calculations, if applicable, for systems installed in the last three years.

(b) Evidence of installation of sprinkler systems.

(c) Evidence of acceptance of the systems by the authority having jurisdiction.

(d) References from an authority having jurisdiction.

(e) The number of fire protection sprinkler system installations completed within the last three years.

(f) Other information as directed and accepted by the director of fire protection.

(5) The director of fire protection may accept equivalent proof of qualification in lieu of examination, as recommended by the fire sprinkler advisory board.

(6) Examination requirements are mandatory except as otherwise provided in this regulation.

(7) Every applicant for a certificate of competency shall fulfill the requirements established by the director of fire protection under chapter 18.160 RCW.

[Statutory Authority: Chapters 43.63A and 18.160 RCW. 91-14-086 (Order 91-06), § 212-80-045, filed 7/1/91, effective 8/1/91.]

WAC 212-80-050 Applications/fees for certificate of competency. Every applicant for a certificate of competency shall apply to the director of fire protection on application forms provided and pay the fees required.

[Statutory Authority: Chapters 43.63A and 18.160 RCW. 91-14-086 (Order 91-06), § 212-80-050, filed 7/1/91, effective 8/1/91.]

WAC 212-80-055 Temporary certificate of competency. (1) The director of fire protection may issue a temporary certificate of competency to an applicant who, in his or her judgment, will satisfactorily perform as a certificate of competency holder under the provisions of this regulation.

(2) The temporary certificate of competency shall remain in effect for a period of one year and may be renewed two times.

(3) In no case shall a person hold a temporary certificate of competency for more than three years.

(4) To convert from a temporary certificate of competency to a regular certificate of competency, a person shall:

(a) Within three years from the initial issuance of the temporary certificate of competency, apply for a regular certificate of competency; and

(b) Complete the requirements specified in this regulation and chapter 18.160 RCW.

(5) An individual having a temporary certificate of competency shall not be exempt from taking an examination to acquire a regular certificate of competency.

(6) Prior to the expiration of the temporary certificate of competency at the end of the three-year period, the temporary certificate of competency holder shall make application for a regular certificate of competency. Upon expiration of the temporary certificate of competency at the end of the three-year period, if the holder has not met the requirements of subsection (4) of this section, the holder shall cease all activities associated with the holding of a temporary certificate of competency.

(7) The procedures and qualifications for issuance of a regular certificate of competency shall be applicable to the temporary certificate of competency holder.

[Statutory Authority: Chapters 43.63A and 18.160 RCW. 91-14-086 (Order 91-06), § 212-80-055, filed 7/1/91, effective 8/1/91.]

WAC 212-80-060 Certificate of competency not transferable. A certificate of competency issued under this regulation is not transferable.

[Statutory Authority: Chapters 43.63A and 18.160 RCW. 91-14-086 (Order 91-06), § 212-80-060, filed 7/1/91, effective 8/1/91.]

WAC 212-80-065 Suspension or revocation of certificates. (1) The director of fire protection may refuse to issue or renew or may suspend or revoke the privilege of a certificate of competency holder or an applicant to engage in the fire protection sprinkler system business or may establish penalties as prescribed by Washington state law for any of the following reasons:

(a) Gross incompetency or gross negligence in the preparation of layout drawings, installation, repair, alteration, maintenance, inspection, service, or addition to fire protection sprinkler systems.

(b) Conviction of a felony.

(c) Fraudulent or dishonest practices while engaging in the fire protection sprinkler systems business.

(d) Use of false evidence or misrepresentation in an application for a certificate of competency.

(e) Permitting his or her certificate to be used in connection with the preparation of any layout drawings which have not been prepared by him or her personally, or under his or her supervision, or in violation of this regulation.

(2) The director of fire protection shall revoke the certificate of a certificate of competency holder who engages in the fire protection sprinkler system business while the certificate of competency is suspended.

[Statutory Authority: Chapters 43.63A and 18.160 RCW. 91-14-086 (Order 91-06), § 212-80-065, filed 7/1/91, effective 8/1/91.]

WAC 212-80-070 Certificate of competency employment. (1) In no case shall a certificate of competency holder be employed full time by more than one fire protection sprinkler system contractor at the same time.

(2) If the certificate of competency holder should leave the employment of the fire protection sprinkler system contractor, he or she shall notify the director of fire protection within thirty days of the last day of employment.

[Statutory Authority: Chapters 43.63A and 18.160 RCW. 91-14-086 (Order 91-06), § 212-80-070, filed 7/1/91, effective 8/1/91.]

WAC 212-80-075 Renewal certificates. (1) All certificate of competency holders who desire to maintain a current certificate shall, prior to January 1 of each year, apply for renewal to the director of fire protection on the appropriate form along with the required fee as prescribed by the director of fire protection.

(2) Application for renewal forms shall be provided by the director of fire protection, upon request, and the certificate holder shall furnish the information required by the director.

(3) The director of fire protection may suspend the certificate of competency for failure to apply for a renewal certificate of competency within sixty days after the expiration date.

(4) The director of fire protection may, upon the receipt of payment of all delinquent fees and a late charge, restore a certificate of competency that had been suspended.

[Statutory Authority: Chapters 43.63A and 18.160 RCW. 91-14-086 (Order 91-06), § 212-80-075, filed 7/1/91, effective 8/1/91.]

WAC 212-80-080 Voluntary relinquishment of certificates of competency. (1) A certificate of competency holder may voluntarily relinquish his or her certificate of competency to the director of fire protection.

(2) The relinquishment is effective when the certificate is received by the director of fire protection.

(3) After relinquishing the certificate of competency, he or she shall not be known as a certificate of competency holder and shall desist from the practice thereof.

(4) Within two years from the time of relinquishment of the certificate of competency, he or she may again qualify for a certificate of competency, with the approval of the director of fire protection, by the payment of the required fee.

(5) If two or more years have elapsed, he or she shall return to the status of a new applicant.

[Statutory Authority: Chapters 43.63A and 18.160 RCW. 91-14-086 (Order 91-06), § 212-80-080, filed 7/1/91, effective 8/1/91.]

WAC 212-80-085 Certificate of competency prorated fees. The initial certificate of competency fee shall be prorated based upon the portion of the year such certificate of competency is in effect, prior to renewal on January 1.

[Statutory Authority: Chapters 43.63A and 18.160 RCW. 91-14-086 (Order 91-06), § 212-80-085, filed 7/1/91, effective 8/1/91.]

WAC 212-80-090 Licensed fire protection sprinkler system contractor. To become a licensed fire protection sprinkler system contractor under this regulation, a person or firm must comply with the following:

(1) Must be or have in his or her full-time employ a holder of a valid certificate of competency consistent with the license level.

(2) Make application to the director of fire protection on forms provided and pay the fees required.

(3) Meet the bonding requirements of WAC 212-80-125.

[Statutory Authority: Chapters 43.63A and 18.160 RCW. 91-14-086 (Order 91-06), § 212-80-090, filed 7/1/91, effective 8/1/91.]

WAC 212-80-095 License and certificate posting. Each license and certificate of competency issued under this regulation must be posted in a conspicuous place in the fire protection sprinkler system contractor's place of business.

[Statutory Authority: Chapters 43.63A and 18.160 RCW. 91-14-086 (Order 91-06), § 212-80-095, filed 7/1/91, effective 8/1/91.]

WAC 212-80-100 Posting license number. All bids, advertisements, proposals, offers, and installation drawings for fire protection sprinkler systems must prominently display the fire protection sprinkler system contractor's license number.

[Statutory Authority: Chapters 43.63A and 18.160 RCW. 91-14-086 (Order 91-06), § 212-80-100, filed 7/1/91, effective 8/1/91.]

WAC 212-80-105 License not transferable. A license issued under this regulation is not transferable.

[Statutory Authority: Chapters 43.63A and 18.160 RCW. 91-14-086 (Order 91-06), § 212-80-105, filed 7/1/91, effective 8/1/91.]

WAC 212-80-110 Contractor responsibilities, certificate of competency holder employment. (1) A fire protection sprinkler system contractor shall have at least one full time certificate of competency holder, consistent with the license level, employed to conduct business.

(2) If a certificate of competency holder should leave the employment of the fire protection sprinkler system contractor, and the contractor has no other certificate of

competency holder on staff, the contractor shall have six months or until the expiration of the current license, whichever occurs last, to submit a new application. In order to be issued a new license, the contractor shall identify a new certificate of competency holder who, at the time of application, shall be either an owner or full-time employee of the fire protection sprinkler business.

(3) If such application is not received by the director of fire protection and a new license issued within the allotted time, the director of fire protection shall revoke the license of the fire protection sprinkler system contractor.

(4) The fire protection sprinkler system contractor may complete existing work in progress which has been approved by the authority having jurisdiction, but may not receive new approvals from the authority having jurisdiction without a certificate holder's number on the documents.

[Statutory Authority: Chapters 43.63A and 18.160 RCW. 91-14-086 (Order 91-06), § 212-80-110, filed 7/1/91, effective 8/1/91.]

WAC 212-80-115 License renewals. (1) All licensed fire protection sprinkler system contractors desiring to continue to be licensed shall secure from the director of fire protection prior to January 1 of each year a renewal license upon payment of the fee as prescribed by the director of fire protection.

(2) Application for renewal shall be upon a form prescribed by the director of fire protection, and the license holder shall furnish the information required by the director.

(3) Failure of any license holder to secure his or her renewal license within sixty days after the expiration date shall constitute sufficient cause for the director of fire protection services to suspend the license.

(4) The director of fire protection may restore a license that has been suspended. In addition to other provisions of this regulation, any of the following will constitute cause for the director of fire protection not to restore a license that has been suspended:

(a) Nonreceipt of payment of all delinquent fees; and

(b) Nonreceipt of a late charge and/or application fee.

[Statutory Authority: Chapters 43.63A and 18.160 RCW. 91-14-086 (Order 91-06), § 212-80-115, filed 7/1/91, effective 8/1/91.]

WAC 212-80-120 Prorated license fees. The initial license fee shall be prorated based upon the portion of the year such license is in effect, prior to renewal on January 1.

[Statutory Authority: Chapters 43.63A and 18.160 RCW. 91-14-086 (Order 91-06), § 212-80-120, filed 7/1/91, effective 8/1/91.]

WAC 212-80-130 Municipality, county, or state regulations. (1) Nothing in this regulation limits the power of a municipality, county, or state to regulate the quality and character of work performed by contractors through a system of permits, fees, and inspections which are designed to assure compliance with and aid in the implementation of state and local building laws or to

enforce other local laws for the protection of the public health and safety.

(2) Nothing in this regulation limits the power of the municipality, county, or the state to adopt any system of permits requiring submission to and approval by the municipality, county, or the state of layout drawings and specifications for work to be performed by contractors before commencement of the work.

(3) The official authorized to issue building or other related permits shall ascertain that the fire protection sprinkler system contractor is duly licensed by requiring evidence of a valid fire protection sprinkler system contractor's license.

(4) This regulation applies to any fire protection sprinkler system contractor performing work for any municipality, county, or the state.

(5) Officials of any municipality, county, or the state are required to determine compliance with this regulation before awarding any contracts for the installation, repair, service, alteration, fabrication, addition, or inspection of a fire protection sprinkler system.

[Statutory Authority: Chapters 43.63A and 18.160 RCW. 91-14-086 (Order 91-06), § 212-80-130, filed 7/1/91, effective 8/1/91.]

WAC 212-80-135 Suspension or revocation of licenses. (1) The director of fire protection may refuse to issue or renew or may suspend or revoke the privilege of a licensed fire protection sprinkler system contractor to engage in the fire protection sprinkler system business or may establish penalties as prescribed by Washington state law for any of the following reasons:

(a) Gross incompetency or gross negligence in the preparation of layout drawings, installation, repair, alteration, maintenance, inspection, service, or addition to fire protection sprinkler systems.

(b) Conviction of a felony.

(c) Fraudulent or dishonest practices while engaging in the fire protection sprinkler systems business.

(d) Use of false evidence or misrepresentation in an application for a license.

(e) Permitting his or her license to be used in connection with the preparation of any layout drawings which have not been prepared by him or her personally, or under his or her supervision, or in violation of this regulation.

(f) Knowingly violating any provisions of this regulation or chapter 18.160 RCW.

(2) The director of fire protection shall revoke the license of a licensed fire protection sprinkler system contractor who engages in the fire protection sprinkler system business while the license is suspended.

[Statutory Authority: Chapters 43.63A and 18.160 RCW. 91-14-086 (Order 91-06), § 212-80-135, filed 7/1/91, effective 8/1/91.]

Title 220 WAC FISHERIES, DEPARTMENT OF

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Chapter 220-12 WAC

FOOD FISH AND SHELLFISH--CLASSIFIED

WAC

220-12-020 Shellfish--Classification.

WAC 220-12-020 Shellfish--Classification. The following species are classified as shellfish under RCW 75.08.080 and are subject to the provisions of this title:

Abalone	
Red abalone	<i>Haliotis refescens</i>
Pinto abalone	<i>Haliotis kamschatkana</i>
Mussel	
Blue mussel	<i>Mytilus edulis</i>
California mussel	<i>Mytilus californianus</i>
Scallops	
Pacific pink scallop	<i>Chlamys rubida</i>
Rock scallop	<i>Crassadoma gigantea</i>
Spiny scallop	<i>Chlamys hastata</i>
Weathervane scallop	<i>Patinopecten caurinus</i>
Clams	
Bent nose clam	<i>Macoma secta</i>
All other macoma clams	<i>Macoma spp.</i>
Butter clam	<i>Saxidomus giganteus</i>
Common cockle	<i>Clinocardium nuttalli</i>
Geoduck	<i>Panope abrupta</i>
Horse or Gaper clam	<i>Tresus nuttalli,</i> <i>Tresus capax</i>
Mud or soft shell clam	<i>Mya arenaria</i>
Manila clam	<i>Tapes philippinarum</i>
Piddock	<i>Zirfaea pilsbryi</i>
Razor clam	<i>Siliqua patula</i>
Rock or native little neck clam	<i>Protothaca staminea</i>
Oysters	
Eastern oyster	<i>Crassostrea virginica</i>
Olympia or native oyster	<i>Ostrea lurida</i>
Pacific oyster	<i>Crassostrea gigas</i>
Kumamoto oyster	<i>Crassostrea gigas (kumamoto)</i>
European oyster	<i>Ostrea edulis</i>
All other oysters	(Ostreidae)
Squid	
Pacific Coast squid	<i>Loligo opalescens</i>
Nail squid	<i>Onychoteuthis borealijaponica</i>
Flying squid	<i>Ommastrephes bartramai</i>
All other squid	Sepioidea or Teuthoiden
Octopus	
Octopus	<i>Octopus dofieni</i>
Barnacles	
Goose barnacle	<i>Pollicipes polymerus</i>
Shrimp	
Coonstripe shrimp	<i>Pandalus danae</i>
Coonstripe shrimp	<i>Pandalus hypsinotus</i>
Ghost or sand shrimp	<i>Callinassa spp.</i>