

WAC 296-400A-005 What definitions do I need to know to understand these rules? Unless a different meaning is clearly required by the context, the following terms and definitions are important:

"Administrative law judge (ALJ)" is a person appointed by the chief administrative law judge pursuant to chapter 34.12 RCW to conduct or preside over hearings convened under chapter 18.106 RCW and this chapter.

"Advisory board" is the state advisory board of plumbers.

"Appeal bond" is a certified check in the amount prescribed under RCW 18.106.200 made payable to the Washington state department of labor and industries.

"Appeal hearing" is any proceeding in which an administrative law judge is empowered to determine legal rights, duties, or privileges of specific parties on behalf of the director.

"Applicant" is any person, firm, corporation or other entity applying to become a licensed plumbing contractor according to chapter 18.106 RCW and this chapter. Applicant includes all principal officer(s), members, partners of a partnership, firm, corporation, or other entity named on the application.

"Assist" means a friend, neighbor, or other person (including a certified plumber) may assist a householder, at his or her residence, in the performance of plumbing work on the condition that the householder is present when the work is performed and the person assisting the householder does not accept money or other forms of compensation for the volunteer work. For the purposes of this subsection, a residence is a single-family residence.

"Audit" means an assessment, evaluation, examination or investigation of, plumbing contractor's accounts, books and records for the purpose of verifying the plumbing contractor's compliance with RCW 18.106.320.

"Backflow assembly" or "backflow prevention assembly" or "backflow preventer" is a device as described in the *Uniform Plumbing Code* used to prevent the undesired reversal of flow of water or other substances through a cross-connection into the public water system or consumer's potable water system.

"Backflow assembly tester" is an individual certified by the department of health to perform tests to backflow assemblies.

"Calendar day" means each day of the week, including weekends and holidays.

"Continuing education" is approved plumbing and electrical courses for journey level, domestic pump specialty plumbers, and residential specialty plumbers, to meet the requirements to maintain their plumbing certification and for trainees or individuals to become certified plumbers in Washington.

"Continuing education course provider" is an entity approved by the department, in consultation with the state advisory board of plumbers, to provide continuing education training for journey level, domestic pump specialty plumbers, residential specialty plumbers, and trainees. All training course providers must comply with the requirements in WAC 296-400A-028.

"Continuity affidavit" is a form developed by the department that is used to verify whether medical gas pipe installation work (brazing process) has been performed biannually. This form is provided to the department at the time of renewal by the person holding the medical gas piping installer endorsement and requires the notarized signature of the employer of the medical gas piping installer or another qualified verifier as determined by the department. Continuity is a visual

examination by the employer of the brazing that was performed. The medical gas installer must also review the current medical gas code and sign the affidavit stating that they have done so.

"Control" means that the journey level plumber, specialty plumber, or temporary permit plumber is physically on-site at the start of each day and each and every job site to diagnose, direct, and lay out the plumbing work the trainee is to perform.

"Course of study" means classroom training and practical work experience in the plumbing industry as defined in WAC 296-400A-100.

"Department" is the department of labor and industries.

"Director" is the director of the department of labor and industries or designee.

"Dispatcher" means the contractor's employee who authorized the work assignment of the person employed in violation of chapter 18.106 RCW.

"Final judgment" means any money that is owed to a claimant as a result of court action against or settlement with a plumbing contractor and/or plumbing contractor's bond or assigned savings account with the department or any money that is owed the department as a result of a plumbing contractor's unsuccessful appeal of an infraction. Final judgment also includes any penalties assessed against the plumbing contractor and owed the department as a result of an infraction or notice of correction that has not been appealed, final tax warrants or any delinquent fees or penalties due.

"Journey level plumber" is anyone who has learned the commercial plumbing trade and has been issued a journey level certificate of competency by the department. A journey level plumber may work on plumbing projects including residential, commercial and industrial worksite locations.

"Medical gas piping installer" is anyone who has been issued a medical gas piping installer endorsement of competency by the department.

"Medical gas piping systems" are piping systems that convey or involve oxygen, nitrous oxide, high pressure nitrogen, medical compressed air, and other medical gas or equipment including, but not limited to, medical vacuum systems.

"Multiunit" is a multi-single family residence contained in a building or group of buildings that do not exceed three stories on any portion of the building.

"Plumbing" is that craft involved in installing, altering, repairing and renovating potable water systems, liquid waste systems and medical gas piping systems in the footprint of a building. Potable water systems, liquid waste systems, and medical gas piping systems are defined by the current *Uniform Plumbing Code* (UPC) and amendments adopted by the state building code council. All piping, fixtures, pumps and plumbing appurtenances that are used for rain water catchment and a reclaimed water system are included in the definition of liquid waste systems.

"Plumbing contractor" means any person, corporate or otherwise, who engages in, or offers or advertises to engage in, any plumbing work covered by the provisions of this chapter by way of trade or business, or any person, corporate or otherwise, who employs anyone, or offers or advertises to employ anyone, to engage in any plumbing work as defined in this section. The plumbing contractor is responsible for ensuring the plumbing business is operated in accordance with rules adopted under this chapter.

"Records" include, but are not limited to, all bids, invoices, billing receipts, time cards and payroll records that show the work was performed, advertised, or bid.

"Reinstatement" or **"reinstated"** means the reinstatement of a plumbing contractor's license after the license has expired, or has been suspended, or been revoked.

"Relicense" means an update to a plumbing contractor's license because of business structure change or name change.

"Renewal" or **"renewed"** means the renewal of a plumbing contractor's license before it expires.

"Residential service plumber" means anyone who has been issued a certificate of competency limited to performing residential service plumbing in an existing residential structure.

(a) In single-family dwellings and duplexes only, a residential service plumber may service, repair, or replace previously existing fixtures, piping, and fittings that are outside the interior wall or above the floor, often, but not necessarily in a like-in-kind manner. In any residential structure, a residential service plumber may perform plumbing work as needed to perform drain cleaning and may perform leak repairs on any pipe, fitting, or fixture from the leak to the next serviceable connection.

(b) A residential service plumber may directly supervise plumber trainees provided the trainees have been supervised by an appropriate journey level or specialty plumber for the trainees' first two thousand hours of training.

"Residential structure" means single-family dwellings, duplexes, and multiunit buildings that do not exceed three stories.

"Secured contractor" is a plumbing contractor who has complied with RCW 18.106.410 by assigning to the department a savings account held in a Washington state bank, or by filing with the department a surety bond.

"Security" is a savings account held in a Washington state branch of a financial institution and assigned to the department in lieu of a surety bond.

"Specialty plumber" is anyone who has been issued a specialty plumbers certificate of competency by the department limited to:

(a) Installation, maintenance and repair of plumbing for single-family dwellings, duplexes and apartment buildings which do not exceed three stories;

(b) Maintenance and repair of backflow assemblies located within a residential or commercial building or structure. For the purposes of this subsection, "maintenance and repair" includes cleaning and replacing internal parts of an assembly, but does not include installing or replacing backflow assemblies.

(c) "Domestic pump specialty" means the installation, maintenance, and repair of a domestic water pumping system consisting of the pressurization, treatment, and filtration components of a domestic water system consisting of: One or more pumps; pressure, storage, and other tanks; filtration and treatment equipment; if appropriate, a pitless adapter; along with valves, transducers, and other plumbing components that:

(i) Are used to acquire, treat, store, or move water suitable for either drinking or other domestic purposes, including irrigation, to:

(A) A single-family dwelling, duplex, or other similar place of residence;

(B) A public water system, as defined in RCW 70.119.020 and as limited under RCW 70.119.040; or

(C) A farm owned and operated by a person whose primary residence is located within thirty miles of any part of the farm;

(ii) Are located within the interior space including, but not limited to, an attic, basement, crawl space, or garage, of a residential structure, which space is separated from the living area of the residence by a lockable entrance and fixed walls, ceiling, or floor;

(iii) If located within the interior space of a residential structure, are connected to a plumbing distribution system supplied and installed into the interior space by either:

(A) A person who, pursuant to RCW 18.106.070 or 18.106.090, possesses a valid temporary permit or certificate of competency as a journey level plumber, specialty plumber, or trainee, as defined in this chapter; or

(B) A person exempt from the requirement to obtain a certified plumber to do such plumbing work under RCW 18.106.150.

For the purposes of the domestic pump specialty, residential structure includes any improvement to real property where that property is primarily used as a residence.

"Story" as defined by the Washington state adopted building codes and amendments. Also includes basements or garages.

"Supervision" for the purpose of these rules means within sight and sound. Supervision requirements are met when the supervising plumber is on the premises and within sight and sound of the individual who is being trained. **"Exception"** for remote service trainee supervision available via mobile phone or a similar device on a residential structure and meeting all other requirements under RCW 18.106.070 and the requirements for service plumbing under RCW 18.106.010.

"Trainee plumber" is anyone who has been issued a trainee certificate and is learning or being trained in the plumbing trade with direct supervision of either a journey level plumber or specialty plumber working in their specialty.

"Training course provider" is an entity approved by the department, in consultation with the state advisory board of plumbers, to provide medical gas piping installer training. All training course providers must comply with the requirements in WAC 296-400A-026.

[Statutory Authority: 2020 c 153. WSR 21-13-041, § 296-400A-005, filed 6/10/21, effective 7/1/21; WSR 20-16-141, § 296-400A-005, filed 8/4/20, effective 8/4/20. Statutory Authority: Chapter 18.106 RCW and Uniform Plumbing Code. WSR 16-08-100, § 296-400A-005, filed 4/5/16, effective 5/16/16. Statutory Authority: RCW 18.106.040 and 18.106.140. WSR 10-06-051, § 296-400A-005, filed 2/24/10, effective 4/1/10; WSR 09-10-080, § 296-400A-005, filed 5/5/09, effective 6/5/09; WSR 06-24-040, § 296-400A-005, filed 11/30/06, effective 12/31/06. Statutory Authority: RCW 19.103.040, 18.106.140, and chapter 18.106 RCW. WSR 05-11-061, § 296-400A-005, filed 5/17/05, effective 6/30/05. Statutory Authority: RCW 18.106.040, 18.106.140, 2002 c 82, and 2003 c 399. WSR 04-12-046, § 296-400A-005, filed 5/28/04, effective 6/30/04. Statutory Authority: RCW 18.106.040, 18.106.140, 2001 c 281, and chapter 18.106 RCW. WSR 02-14-074, § 296-400A-005, filed 6/28/02, effective 7/1/02. Statutory Authority: Chapter 18.106 RCW. WSR 98-13-126, § 296-400A-005, filed 6/17/98, effective 7/20/98. Statutory Authority: RCW 18.106.050, [18.106.]070, [18.106.]110, [18.106.]125, [18.106.]140 and [18.106.]270. WSR 97-11-052, § 296-400A-005, filed 5/20/97, effective 6/30/97.]