

**WAC 296-400A-300 What procedures does the department follow when issuing a notice of infraction?**

(1) If an authorized representative of the department determines that an individual, employer, contractor, or plumbing contractor has violated plumber certification requirements, including medical gas piping installer endorsement requirements, and plumbing licensing requirements, the department must issue a notice of infraction describing the reasons for the infraction.

(2) For plumber certification violations, the department may issue a notice of infraction to:

(a) An individual who is plumbing without a current plumber certificate; and

(b) The plumbing contractor or employer of the individual who is plumbing without a current plumber certificate; and

(c) The plumbing contractor or employer's authorizing agent or foreman that made the work assignment to the individual who is plumbing without a current plumber certificate; and

(d) An individual for not having their department issued certification card and governmental issued photo identification in their possession and not visibly wearing their certification on the job site.

(3) For medical gas piping installer endorsement violations, the department may issue a notice of infraction to:

(a) An individual who is installing medical gas piping systems without a current plumber certificate and a current medical gas piping installer endorsement; and

(b) The plumbing contractor or employer of the individual who is installing medical gas piping systems without a current plumber certificate and a current medical gas piping installer endorsement; and

(c) The plumbing contractor or employer's authorizing agent or foreman that made the work assignment to the individual who is installing medical gas piping systems without a current plumber certificate and a current medical gas piping installer endorsement; and

(d) An individual for not having their department issued certification card and governmental issued photo identification in their possession and not visibly wearing their certification on the job site.

(4) The department may issue an infraction to an individual, employer, contractor, or plumbing contractor advertising or performing work and is not properly licensed under this chapter or chapter 18.106 RCW.

(5) An individual, employer, contractor, or plumbing contractor may appeal a notice of infraction by complying with the appropriate provisions of RCW 18.106.220.

(6) If good cause is shown, the director may waive, reduce or suspend any monetary penalties resulting from the infraction.

(7) Any monetary penalties collected under this chapter, must be deposited in the plumbing certificate fund.

(8) The notice shall be accompanied by a certified check for two hundred dollars. The check shall be returned to the assessed party if the decision of the department is not sustained by the administrative law judge (ALJ). If the ALJ sustains the decision of the department, the amount of the check shall be applied by the department.

[Statutory Authority: 2020 c 153. WSR 21-13-041, § 296-400A-300, filed 6/10/21, effective 7/1/21; WSR 20-16-141, § 296-400A-300, filed 8/4/20, effective 8/4/20. Statutory Authority: RCW 18.106.040 and 18.106.140. WSR 10-06-051, § 296-400A-300, filed 2/24/10, effective 4/1/10; WSR 09-10-080, § 296-400A-300, filed 5/5/09, effective 6/5/09. Statutory Authority: RCW 18.106.040, 18.106.140, 2002 c 82, and 2003 c

399. WSR 04-12-046, § 296-400A-300, filed 5/28/04, effective 6/30/04. Statutory Authority: Chapter 18.106 RCW. WSR 98-13-126, § 296-400A-300, 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-300, filed 5/20/97, effective 6/30/97.]