
SENATE BILL 5744

State of Washington

52nd Legislature

1991 Regular Session

By Senator L. Smith.

Read first time February 19, 1991. Referred to Committee on Commerce & Labor.

1 AN ACT Relating to electrical wiring; amending RCW 19.28.015,
2 19.28.070, 19.28.210, and 19.28.360; and reenacting and amending RCW
3 19.28.010.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 19.28.010 and 1986 c 263 s 1 and 1986 c 156 s 2 are
6 each reenacted and amended to read as follows:

7 (1) All wires and equipment, and installations thereof, that convey
8 electric current and installations of equipment to be operated by
9 electric current, in, on, or about buildings or structures, except for
10 telephone, telegraph, radio, and television wires and equipment, and
11 television antenna installations, signal strength amplifiers, and
12 coaxial installations pertaining thereto shall be in strict conformity
13 with this chapter, the statutes of the state of Washington, and the
14 rules issued by the department, and shall be in conformity with
15 approved methods of construction for safety to life and property. All

1 wires and equipment that fall within section 90.2(b)(5) of the National
2 Electrical Code, 1981 edition, are exempt from the requirements of this
3 chapter. The regulations and articles in the National Electrical Code,
4 as approved by the American Standards Association, and in the national
5 electrical safety code, as approved by the American Standards
6 Association, and other installation and safety regulations approved by
7 the American Standards Association, as modified or supplemented by
8 rules issued by the department in furtherance of safety to life and
9 property under authority hereby granted, shall be prima facie evidence
10 of the approved methods of construction. All materials, devices,
11 appliances, and equipment used in such installations shall be of a type
12 that conforms to applicable standards or be indicated as acceptable by
13 the established standards of the Underwriters' Laboratories, Inc. or
14 other electrical product testing laboratories which are accredited by
15 the department.

16 (2) This chapter shall not limit the authority or power of any
17 county, city, or town to enact and enforce under authority given by
18 law, any ordinance, rule, or regulation requiring an equal, higher, or
19 better standard of construction and an equal, higher, or better
20 standard of materials, devices, appliances, and equipment than that
21 required by this chapter: PROVIDED, That such county, city, or town
22 shall require that its electrical inspectors meet the qualifications
23 provided for state electrical inspectors in accordance with RCW
24 19.28.070. In a county, city, or town having an equal, higher, or
25 better standard the installations, materials, devices, appliances, and
26 equipment shall be in accordance with the ordinance, rule, or
27 regulation of the county, city, or town. Electrical equipment
28 associated with spas, hot tubs, swimming pools, and hydromassage
29 bathtubs shall not be offered for sale or exchange unless the
30 electrical equipment is certified as being in compliance with the

1 applicable product safety standard by bearing the certification mark of
2 an approved electrical products testing laboratory.

3 (3) Nothing in this chapter may be construed as permitting the
4 connection of any conductor of any electric circuit with a pipe that is
5 connected with or designed to be connected with a waterworks piping
6 system, without the consent of the person or persons legally
7 responsible for the operation and maintenance of the waterworks piping
8 system.

9 **Sec. 2.** RCW 19.28.015 and 1988 c 81 s 2 are each amended to read
10 as follows:

11 Disputes arising under RCW 19.28.010(2) regarding whether the
12 county, city, or town's electrical rules, regulations, or ordinances
13 are equal to the rules adopted by the department shall be resolved by
14 arbitration. The department shall appoint two members of the board to
15 serve on the arbitration panel, and the county, city, or town shall
16 appoint two persons to serve on the arbitration panel. These four
17 persons shall choose a fifth person to serve. If the four persons
18 cannot agree on a fifth person, the presiding judge of the superior
19 court of the county in which the county, city, or town is located shall
20 choose a fifth person. A decision of the arbitration panel may be
21 appealed to the superior court of the county in which the county, city,
22 or town is located within thirty days after the date the panel issues
23 its final decision.

24 **Sec. 3.** RCW 19.28.070 and 1986 c 156 s 4 are each amended to read
25 as follows:

26 The director of labor and industries of the state of Washington and
27 the officials of all counties, incorporated cities, and towns where
28 electrical inspections are required by local ordinances shall have

1 power and it shall be their duty to enforce the provisions of this
2 chapter in their respective jurisdictions. The director of labor and
3 industries shall have power to appoint an electrical inspector, and
4 such assistant inspectors as he shall deem necessary to assist him in
5 the performance of his duties. All electrical inspectors appointed by
6 the director of labor and industries shall have not less than four
7 years experience as journeyman electricians in installing and
8 maintaining electrical equipment, or two years electrical training in
9 a college of electrical engineering of recognized standing and four
10 years continuous practical electrical experience in installation work,
11 or four years of electrical training in a college of electrical
12 engineering of recognized standing and two years continuous practical
13 electrical experience in electrical installation work. Such state
14 inspectors shall be paid such salary as the director of labor and
15 industries shall determine, together with their travel expenses in
16 accordance with RCW 43.03.050 and 43.03.060 as now existing or
17 hereafter amended. The expenses of the director of labor and
18 industries and the salaries and expenses of state inspectors incurred
19 in carrying out the provisions of this chapter shall be paid entirely
20 out of the electrical license fund, upon vouchers approved by the
21 director of labor and industries.

22 **Sec. 4.** RCW 19.28.210 and 1989 c 344 s 1 are each amended to read
23 as follows:

24 (1) The director shall cause an inspector to inspect all wiring,
25 appliances, devices, and equipment to which this chapter applies.
26 Nothing contained in this chapter may be construed as providing any
27 authority for any subdivision of government to adopt by ordinance any
28 provisions contained or provided for in this chapter except those
29 pertaining to counties, cities, and towns pursuant to RCW 19.28.010(2).

1 (2) Upon request, electrical inspections will be made by the
2 department within forty-eight hours, excluding holidays, Saturdays, and
3 Sundays. If, upon written request, the electrical inspector fails to
4 make an electrical inspection within twenty-four hours, the serving
5 utility may immediately connect electrical power to the installation if
6 the necessary electrical work permit is displayed: PROVIDED, That if
7 the request is for an electrical inspection that relates to a mobile
8 home installation, the applicant shall provide proof of a current
9 building permit issued by the local government agency authorized to
10 issue such permits as a prerequisite for inspection approval or
11 connection of electrical power to the mobile home.

12 (3) Whenever the installation of any wiring, device, appliance, or
13 equipment is not in accordance with this chapter, or is in such a
14 condition as to be dangerous to life or property, the person, firm,
15 partnership, corporation, or other entity owning, using, or operating
16 it shall be notified by the department and shall within fifteen days,
17 or such further reasonable time as may upon request be granted, make
18 such repairs and changes as are required to remove the danger to life
19 or property and to make it conform to this chapter. The director,
20 through the inspector, is hereby empowered to disconnect or order the
21 discontinuance of electrical service to conductors or equipment that
22 are found to be in a dangerous or unsafe condition and not in
23 accordance with this chapter. Upon making a disconnection the
24 inspector shall attach a notice stating that the conductors have been
25 found dangerous to life or property and are not in accordance with this
26 chapter. It is unlawful for any person to reconnect such defective
27 conductors or equipment without the approval of the department, and
28 until the conductors and equipment have been placed in a safe and
29 secure condition, and in a condition that complies with this chapter.

1 (4) The director, through the electrical inspector, has the right
2 during reasonable hours to enter into and upon any building or premises
3 in the discharge of his or her official duties for the purpose of
4 making any inspection or test of the installation of new construction
5 or altered electrical wiring, electrical devices, equipment, or
6 material contained in or on the buildings or premises. No electrical
7 wiring or equipment subject to this chapter may be concealed until it
8 has been approved by the inspector making the inspection.

9 (5) Persons, firms, partnerships, corporations, or other entities
10 making electrical installations shall obtain inspection and approval
11 from an authorized representative of the department as required by this
12 chapter before requesting the electric utility to connect to the
13 installations. Electric utilities may connect to the installations if
14 approval is clearly indicated by certification of the electrical work
15 permit required to be affixed to each installation or by equivalent
16 means, except that increased or relocated services may be reconnected
17 immediately at the discretion of the utility before approval if an
18 electrical work permit is displayed. The permits shall be furnished
19 upon payment of the fee to the department.

20 (6) The director, subject to the recommendations and approval of
21 the board, shall set by rule a schedule of license and electrical work
22 permit fees that will cover the costs of administration and enforcement
23 of this chapter. The rules shall be adopted in accordance with the
24 administrative procedure act, chapter 34.05 RCW. No fee may be charged
25 for plug-in mobile homes, recreational vehicles, or portable
26 appliances.

27 **Sec. 5.** RCW 19.28.360 and 1986 c 156 s 12 are each amended to read
28 as follows:

29 The provisions of RCW 19.28.210 shall not apply:

1 (1) Within the county boundaries or corporate limits of any
2 incorporated city or town which has heretofore adopted and enforced or
3 subsequently adopts and enforces an ordinance requiring an equal,
4 higher or better standard of construction and of materials, devices,
5 appliances and equipment than is required by this chapter.

6 (2) Within the service area of an electricity supply agency owned
7 and operated by a county, city, or town which is supplying electricity
8 and enforcing a standard of construction and materials outside its
9 corporate limits at the time this act takes effect: PROVIDED, That
10 such county, city, town, or agency shall henceforth enforce by
11 inspection within its service area outside its corporate limits the
12 same standards of construction and of materials, devices, appliances
13 and equipment as is enforced by the department of labor and industries
14 under the authority of this chapter: PROVIDED FURTHER, That fees
15 charged henceforth in connection with such enforcement shall not exceed
16 those established in RCW 19.28.210.

17 (3) Within the rights of way of state highways, provided the state
18 department of transportation maintains and enforces an equal, higher or
19 better standard of construction and of materials, devices, appliances
20 and equipment than is required by RCW 19.28.010 through 19.28.360.