

FINAL BILL REPORT

ESHB 2626

C 174 L 94
Synopsis as Enacted

Brief Description: Providing for the enforcement of plumbing certificate of competency requirements.

By House Committee on Commerce & Labor (originally sponsored by Representatives Mastin and Grant).

House Committee on Commerce & Labor
House Committee on Appropriations
Senate Committee on Labor & Commerce

Background: A person may not engage in plumbing work unless he or she has a certificate of competency, a temporary permit, or a training certificate. The Department of Labor and Industries assesses certification fees that are deposited in the plumbing certificate fund.

Each day that a person engages in plumbing work without the required certificate or permit is a separate infraction. Persons who have committed infractions are subject to a \$100 penalty. Citations for infractions of the plumbing certificate requirements are issued by the department and enforced in district court.

Summary: The Department of Labor and Industries is directed to establish a pilot project in which it will enter into an agreement with a city to permit enforcement of the plumbing certificates of competency laws. The pilot project will be in Eastern Washington. Under the agreement, the city will conduct compliance investigations and submit declarations of noncompliance to the department for the department's enforcement action, with reimbursement to the city at an established fee.

A person may not offer to engage in the plumbing trade unless he or she has a certificate of competency or other required certificate or permit.

No contractor may employ a person in the plumbing trade unless the person has the required certificate or permit. Infractions may be issued to a contractor who employs, or a contractor's employee who authorizes the work assignment of, a person who is working in the plumbing trade without the required certificate or permit. The contractor or contractor's employee is subject to a separate infraction

for each day and for each worksite at which a person is employed in plumbing work without the required certificate or permit. A "contractor" is a person engaged in work subject to the laws governing plumbing certificates, electrical licensing and contractor registration, but the term does not include a person contracting for work on his or her own residence.

The minimum penalty for a violation of the plumbing certificate of competency requirements is increased from \$100 to \$250 for the first infraction, and no more than \$1,000 for a second or subsequent infraction. The department must adopt a schedule of penalties.

Infractions will be enforced in an administrative hearing with an administrative law judge. Penalties collected will be deposited in the plumbing certificate fund.

Votes on Final Passage:

House	96	0	
Senate	31	17	(Senate amended)
House			(House refused to concur)
Senate			(Senate refused to recede)

Conference Committee

House	95	0	(House concurred)
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Effective: July 1, 1994