
HOUSE BILL 1633

State of Washington 53rd Legislature 1993 Regular Session

By Representatives Grant, Heavey, Chandler, Roland, H. Myers and Morris

Read first time 02/03/93. Referred to Committee on Energy & Utilities.

1 AN ACT Relating to electrical installations; amending RCW
2 19.28.010, 19.28.015, 19.28.070, 19.28.120, 19.28.190, 19.28.210, and
3 19.28.360; and creating a new section.

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

5 NEW SECTION. **Sec. 1.** The legislature finds that the safe, prompt,
6 and thorough inspection of electrical installations in Washington state
7 is in the best interests of all the citizens of the state. Counties
8 are responsible for other construction inspections in their
9 jurisdictions and are generally more aware of local needs. Cities have
10 had the option of conducting their own electrical inspection programs
11 with little or no problems to date. It is the intent of the
12 legislature to grant counties the same option in order to promote
13 greater convenience and efficiency through consolidation under county
14 jurisdiction of all permit and inspection processes within the
15 unincorporated areas of the county. Such consolidation will allow
16 counties to be more flexible and responsive to change while ensuring
17 electrical safety, and is consistent with the 1990 growth management
18 act which emphasizes local responsibility for planning, development,
19 and regulation.

1 **Sec. 2.** RCW 19.28.010 and 1992 c 79 s 2 are each amended to read
2 as follows:

3 (1) All wires and equipment, and installations thereof, that convey
4 electric current and installations of equipment to be operated by
5 electric current, in, on, or about buildings or structures, except for
6 telephone, telegraph, radio, and television wires and equipment, and
7 television antenna installations, signal strength amplifiers, and
8 coaxial installations pertaining thereto shall be in strict conformity
9 with this chapter, the statutes of the state of Washington, and the
10 rules issued by the department, and shall be in conformity with
11 approved methods of construction for safety to life and property. All
12 wires and equipment that fall within section 90.2(b)(5) of the National
13 Electrical Code, 1981 edition, are exempt from the requirements of this
14 chapter. The regulations and articles in the National Electrical Code,
15 as approved by the American Standards Association, and in the national
16 electrical safety code, as approved by the American Standards
17 Association, and other installation and safety regulations approved by
18 the American Standards Association, as modified or supplemented by
19 rules issued by the department in furtherance of safety to life and
20 property under authority hereby granted, shall be prima facie evidence
21 of the approved methods of construction. All materials, devices,
22 appliances, and equipment used in such installations shall be of a type
23 that conforms to applicable standards or be indicated as acceptable by
24 the established standards of the Underwriters' Laboratories, Inc. or
25 other electrical product testing laboratories which are accredited by
26 the department.

27 (2) Residential buildings or structures moved into or within a
28 county, city, or town are not required to comply with all of the
29 requirements of this chapter, if the original occupancy classification
30 of the building or structure is not changed as a result of the move.
31 This subsection shall not apply to residential buildings or structures
32 that are substantially remodeled or rehabilitated.

33 (3) This chapter shall not limit the authority or power of ((any))
34 a county, city, or town to enact and enforce under authority given by
35 law, any ordinance, rule, or regulation requiring an equal, higher, or
36 better standard of construction and an equal, higher, or better
37 standard of materials, devices, appliances, and equipment than that
38 required by this chapter. A county, city, or town shall require that
39 its electrical inspectors meet the qualifications provided for state

1 electrical inspectors in accordance with RCW 19.28.070. In a county,
2 city, or town having an equal, higher, or better standard the
3 installations, materials, devices, appliances, and equipment shall be
4 in accordance with the ordinance, rule, or regulation of the county,
5 city, or town. Electrical equipment associated with spas, hot tubs,
6 swimming pools, and hydromassage bathtubs shall not be offered for sale
7 or exchange unless the electrical equipment is certified as being in
8 compliance with the applicable product safety standard by bearing the
9 certification mark of an approved electrical products testing
10 laboratory.

11 (4) Nothing in this chapter may be construed as permitting the
12 connection of any conductor of any electric circuit with a pipe that is
13 connected with or designed to be connected with a waterworks piping
14 system, without the consent of the person or persons legally
15 responsible for the operation and maintenance of the waterworks piping
16 system.

17 **Sec. 3.** RCW 19.28.015 and 1988 c 81 s 2 are each amended to read
18 as follows:

19 Disputes arising under RCW 19.28.010(~~((+2))~~)(3) regarding whether
20 the county, city, or town's electrical rules, regulations, or
21 ordinances are equal to the rules adopted by the department shall be
22 resolved by arbitration. The department shall appoint two members of
23 the board to serve on the arbitration panel, and the city or town shall
24 appoint two persons to serve on the arbitration panel. These four
25 persons shall choose a fifth person to serve. If the four persons
26 cannot agree on a fifth person, the presiding judge of the superior
27 court of the county, or county in which the city or town is located,
28 shall choose a fifth person. A decision of the arbitration panel may
29 be appealed to the superior court of the county, or county in which the
30 city or town is located, within thirty days after the date the panel
31 issues its final decision.

32 **Sec. 4.** RCW 19.28.070 and 1986 c 156 s 4 are each amended to read
33 as follows:

34 The director of labor and industries of the state of Washington and
35 the officials of all counties and incorporated cities and towns where
36 electrical inspections are required by local ordinances shall have
37 power and it shall be their duty to enforce the provisions of this

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

21 **Sec. 5.** RCW 19.28.120 and 1992 c 217 s 2 are each amended to read
22 as follows:

23 (1) It is unlawful for any person, firm, partnership, corporation,
24 or other entity to engage in, conduct, or carry on the business of
25 installing or maintaining wires or equipment to convey electric
26 current, or installing or maintaining equipment to be operated by
27 electric current as it pertains to the electrical industry, without
28 having an unrevoked, unsuspended, and unexpired electrical contractor
29 license, issued by the department in accordance with this chapter. All
30 electrical contractor licenses expire twenty-four calendar months
31 following the day of their issue. The department may issue an
32 electrical contractors license for a period of less than twenty-four
33 months only for the purpose of equalizing the number of electrical
34 contractor licenses which expire each month. Application for an
35 electrical contractor license shall be made in writing to the
36 department, accompanied by the required fee. The application shall
37 state:

1 (a) The name and address of the applicant; in case of firms or
2 partnerships, the names of the individuals composing the firm or
3 partnership; in case of corporations, the names of the managing
4 officials thereof;

5 (b) The location of the place of business of the applicant and the
6 name under which the business is conducted;

7 (c) Employer social security number;

8 (d) As applicable: (i) The industrial insurance account number
9 covering employees domiciled in Washington; and (ii) evidence of
10 workers' compensation coverage in the applicant's state of domicile for
11 the applicant's employees working in Washington who are not domiciled
12 in Washington;

13 (e) Employment security department number;

14 (f) State excise tax registration number;

15 (g) Unified business identifier (UBI) account number may be
16 substituted for the information required by (d), (e), and (f) of this
17 subsection; and

18 (h) Whether a general or specialty electrical contractor license is
19 sought and, if the latter, the type of specialty. Electrical
20 contractor specialties include, but are not limited to: Residential,
21 domestic appliances, pump and irrigation, limited energy system, signs,
22 nonresidential maintenance, and a combination specialty. A general
23 electrical contractor license shall grant to the holder the right to
24 engage in, conduct, or carry on the business of installing or
25 maintaining wires or equipment to carry electric current, and
26 installing or maintaining equipment, or installing or maintaining
27 material to fasten or insulate such wires or equipment to be operated
28 by electric current, in the state of Washington. A specialty
29 electrical contractor license shall grant to the holder a limited right
30 to engage in, conduct, or carry on the business of installing or
31 maintaining wires or equipment to carry electrical current, and
32 installing or maintaining equipment; or installing or maintaining
33 material to fasten or insulate such wires or equipment to be operated
34 by electric current in the state of Washington as expressly allowed by
35 the license.

36 (2) The department may verify the workers' compensation coverage
37 information provided by the applicant under subsection (1)(d) of this
38 section, including but not limited to information regarding the
39 coverage of an individual employee of the applicant. If coverage is

1 provided under the laws of another state, the department may notify the
2 other state that the applicant is employing employees in Washington.

3 (3) The application for a contractor license shall be accompanied
4 by a bond in the sum of four thousand dollars with the state of
5 Washington named as obligee in the bond, with good and sufficient
6 surety, to be approved by the department. The bond shall at all times
7 be kept in full force and effect, and any cancellation or revocation
8 thereof, or withdrawal of the surety therefrom, suspends the license
9 issued to the principal until a new bond has been filed and approved as
10 provided in this section. Upon approval of a bond, the department
11 shall on the next business day deposit the fee accompanying the
12 application in the electrical license fund and shall file the bond in
13 the office. The department shall upon request furnish to any person,
14 firm, partnership, corporation, or other entity a certified copy of the
15 bond upon the payment of a fee that the department shall set by rule.
16 The fee shall cover but not exceed the cost of furnishing the certified
17 copy. The bond shall be conditioned that in any installation or
18 maintenance of wires or equipment to convey electrical current, and
19 equipment to be operated by electrical current, the principal will
20 comply with the provisions of this chapter and with any electrical
21 ordinance, building code, or regulation of a county, city, or town
22 adopted pursuant to RCW 19.28.010(~~((+2))~~)(3) that is in effect at the
23 time of entering into a contract. The bond shall be conditioned
24 further that the principal will pay for all labor, including employee
25 benefits, and material furnished or used upon the work, taxes and
26 contributions to the state of Washington, and all damages that may be
27 sustained by any person, firm, partnership, corporation, or other
28 entity due to a failure of the principal to make the installation or
29 maintenance in accordance with this chapter or any applicable
30 ordinance, building code, or regulation of a county, city, or town
31 adopted pursuant to RCW 19.28.010(~~((+2))~~)(3). In lieu of the surety
32 bond required by this section the license applicant may file with the
33 department a cash deposit or other negotiable security acceptable to
34 the department. If the license applicant has filed a cash deposit, the
35 department shall deposit the funds in a special trust savings account
36 in a commercial bank, mutual savings bank, or savings and loan
37 association and shall pay annually to the depositor the interest
38 derived from the account.

1 (4) The department shall issue general or specialty electrical
2 contractor licenses to applicants meeting all of the requirements of
3 this chapter. The provisions of this chapter relating to the licensing
4 of any person, firm, partnership, corporation, or other entity
5 including the requirement of a bond with the state of Washington named
6 as obligee therein and the collection of a fee therefor, are exclusive,
7 and no political subdivision of the state of Washington may require or
8 issue any licenses or bonds or charge any fee for the same or a similar
9 purpose. No person, firm, partnership, corporation, or other entity
10 holding more than one specialty contractor license under this chapter
11 may be required to pay an annual fee for more than one such license or
12 to post more than one four thousand dollar bond, equivalent cash
13 deposit, or other negotiable security.

14 (5) To obtain a general or specialty electrical contractor license
15 the applicant must designate an individual who currently possesses an
16 administrator's certificate as a general electrical contractor
17 administrator or as a specialty electrical contractor administrator in
18 the specialty for which application has been made. Administrator
19 certificate specialties include but are not limited to: Residential,
20 domestic, appliance, pump and irrigation, limited energy system, signs,
21 nonresidential maintenance, and combination specialty. To obtain an
22 administrator's certificate an individual must pass an examination as
23 set forth in RCW 19.28.123 unless the applicant was a licensed
24 electrical contractor at any time during 1974. Applicants who were
25 electrical contractors licensed by the state of Washington at any time
26 during 1974 are entitled to receive a general electrical contractor
27 administrator's certificate without examination if the applicants apply
28 prior to January 1, 1984. The board of electrical examiners shall
29 certify to the department the names of all persons who are entitled to
30 either a general or specialty electrical contractor administrator's
31 certificate.

32 **Sec. 6.** RCW 19.28.190 and 1986 c 156 s 9 are each amended to read
33 as follows:

34 No person, firm or corporation engaging in, conducting or carrying
35 on the business of installing wires or equipment to convey electric
36 current, or installing apparatus to be operated by said current, shall
37 be entitled to commence or maintain any suit or action in any court of
38 this state pertaining to any such work or business, without alleging

1 and proving that such person, firm or corporation held, at the time of
2 commencing and performing such work, an unexpired, unrevoked and
3 unsuspended license issued under the provisions of this chapter; and no
4 county, city, or town requiring by ordinance or regulation a permit for
5 inspection or installation of such electrical work, shall issue such
6 permit to any person, firm or corporation not holding such license.

7 **Sec. 7.** RCW 19.28.210 and 1992 c 240 s 2 are each amended to read
8 as follows:

9 (1) The director shall cause an inspector to inspect all wiring,
10 appliances, devices, and equipment to which this chapter applies.
11 Nothing contained in this chapter may be construed as providing any
12 authority for any subdivision of government to adopt by ordinance any
13 provisions contained or provided for in this chapter except those
14 pertaining to counties, cities, and towns pursuant to RCW
15 19.28.010(~~(+2)~~)(3).

16 (2) Upon request, electrical inspections will be made by the
17 department within forty-eight hours, excluding holidays, Saturdays, and
18 Sundays. If, upon written request, the electrical inspector fails to
19 make an electrical inspection within twenty-four hours, the serving
20 utility may immediately connect electrical power to the installation if
21 the necessary electrical work permit is displayed(~~(:—PROVIDED, That)~~).
22 If the request is for an electrical inspection that relates to a mobile
23 home installation, the applicant shall provide proof of a current
24 building permit issued by the local government agency authorized to
25 issue such permits as a prerequisite for inspection approval or
26 connection of electrical power to the mobile home.

27 (3) Whenever the installation of any wiring, device, appliance, or
28 equipment is not in accordance with this chapter, or is in such a
29 condition as to be dangerous to life or property, the person, firm,
30 partnership, corporation, or other entity owning, using, or operating
31 it shall be notified by the department and shall within fifteen days,
32 or such further reasonable time as may upon request be granted, make
33 such repairs and changes as are required to remove the danger to life
34 or property and to make it conform to this chapter. The director,
35 through the inspector, is hereby empowered to disconnect or order the
36 discontinuance of electrical service to conductors or equipment that
37 are found to be in a dangerous or unsafe condition and not in
38 accordance with this chapter. Upon making a disconnection the

1 inspector shall attach a notice stating that the conductors have been
2 found dangerous to life or property and are not in accordance with this
3 chapter. It is unlawful for any person to reconnect such defective
4 conductors or equipment without the approval of the department, and
5 until the conductors and equipment have been placed in a safe and
6 secure condition, and in a condition that complies with this chapter.

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

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

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

33 (7) Nothing in this chapter shall authorize the inspection of any
34 wiring, appliance, device, or equipment, or installations thereof, by
35 any utility or by any person, firm, partnership, corporation, or other
36 entity employed by a utility in connection with the installation,
37 repair, or maintenance of lines, wires, apparatus, or equipment owned
38 by or under the control of the utility. All work covered by the

1 national electric code not exempted by the 1981 edition of the national
2 electric code 90-2(B)(5) shall be inspected by the department.

3 **Sec. 8.** RCW 19.28.360 and 1986 c 156 s 12 are each amended to read
4 as follows:

5 The provisions of RCW 19.28.210 shall not apply:

6 (1) Within a county or the corporate limits of any incorporated
7 city or town which has heretofore adopted and enforced or subsequently
8 adopts and enforces an ordinance requiring an equal, higher or better
9 standard of construction and of materials, devices, appliances and
10 equipment than is required by this chapter.

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

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

--- END ---