
HOUSE BILL 2207

State of Washington 55th Legislature 1997 Regular Session

By Representative O'Brien

Read first time 02/26/97. Referred to Committee on Commerce & Labor.

1 AN ACT Relating to regulation of plumbers; amending RCW 18.106.010,
2 18.106.020, 18.106.030, 18.106.050, 18.106.070, 18.106.090, 18.106.155,
3 and 18.106.170; adding a new section to chapter 18.106 RCW; and
4 providing an effective date.

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

6 **Sec. 1.** RCW 18.106.010 and 1995 c 282 s 2 are each amended to read
7 as follows:

8 Unless a different meaning is plainly required by the context, the
9 following words and phrases as hereinafter used in this chapter shall
10 have the following meaning:

11 (1) "Advisory board" means the state advisory board of plumbers;

12 (2) "Department" means the department of labor and industries;

13 (3) "Director" means the director of department of labor and
14 industries;

15 (4) "Fuel gas" means natural, manufactured, liquefied petroleum, or
16 a mixture of these gases;

17 (5) "Fuel gas piping" means any pipe, valves, or fittings used to
18 transport fuel gas;

1 (6) "Fuel gas piping installer" means any person who has been
2 issued a certificate of competency as a fuel gas piping installer;

3 (7) "Journeyman pipefitter" means any person who has been issued a
4 certificate of competency as a journeyman pipefitter;

5 (8) "Journeyman plumber" means any person who has been issued a
6 certificate of competency by the department of labor and industries as
7 provided in this chapter;

8 ~~((5))~~ (9) "Medical gas piping" means oxygen, nitrous oxide, high
9 pressure nitrogen, medical compressed air, and medical vacuum systems;

10 ~~((6) "Specialty plumber" means anyone who has been issued a~~
11 ~~specialty certificate of competency limited to installation,~~
12 ~~maintenance, and repair of the plumbing of single family dwellings,~~
13 ~~duplexes, and apartment buildings which do not exceed three stories;~~

14 ~~(7))~~ (10) "Pipefitting" means the craft involved in installing,
15 altering, repairing, and renovating all nonplumbing pressure piping,
16 hydronic heating, chilled water, and all boiler and nonboiler external
17 piping;

18 (11) "Plumbing" means that craft involved in installing, altering,
19 repairing and renovating potable water systems, liquid waste systems,
20 and medical gas piping systems within a building(~~(: PROVIDED, That)).~~
21 Installation in a water system of water softening or water treatment
22 equipment ~~(shall)~~ is not ~~(be)~~ within the meaning of plumbing as
23 used in this chapter;

24 (12) "Specialty plumber" means anyone who has been issued a
25 specialty certificate of competency limited to installation,
26 maintenance, and repair of the plumbing or pipefitting of single-family
27 dwellings, duplexes, and apartment buildings that do not exceed three
28 stories.

29 **Sec. 2.** RCW 18.106.020 and 1994 c 174 s 2 are each amended to read
30 as follows:

31 (1) No person may engage in or offer to engage in the trade of
32 plumbing without having a journeyman certificate, specialty
33 certificate, ~~((or))~~ temporary permit, or ~~((without being))~~ trainee
34 certificate. A trainee must be supervised by a person who has a
35 journeyman certificate, specialty certificate, or temporary permit, as
36 specified in RCW 18.106.070. No contractor may employ a person to
37 engage in or offer to engage in the trade of plumbing unless the person
38 employed has a journeyman certificate, specialty certificate, ~~((or))~~

1 temporary permit, or (~~is supervised by a person who has a journeyman~~
2 ~~certificate, specialty certificate, or temporary permit~~) trainee
3 certificate. For the purposes of this section, "contractor" means any
4 person or body of persons, corporate or otherwise, engaged in any work
5 covered by the provisions of this chapter, chapter 18.27 RCW, or
6 chapter 19.28 RCW, by way of trade or business. However, in no case
7 shall this section apply to a contractor who is contracting for work on
8 his or her own residence.

9 (2) No person may engage in or offer to engage in the trade of
10 pipefitting without having a certificate of competency as a journeyman
11 pipefitter. A trainee may engage in pipefitting if he or she is
12 supervised as specified in RCW 18.106.070. No contractor may employ a
13 person to engage in or offer to engage in the trade of pipefitting
14 unless the person employed has a certificate of competency as a
15 journeyman pipefitter.

16 (3) No person may engage in or offer to engage in fuel gas piping
17 installation without having a certificate of competency as a journeyman
18 plumber, journeyman pipefitter, or fuel gas piping installer. A
19 trainee may engage in fuel gas piping installation if he or she is
20 supervised as specified in RCW 18.106.070. No contractor may employ a
21 person to engage in or offer to engage in fuel gas piping installation
22 unless the person employed has a certificate of competency as a
23 journeyman plumber, journeyman pipefitter, or fuel gas piping
24 installer.

25 (4) Violation of subsection (1), (2), or (3) of this section is an
26 infraction. Each day in which a person engages in the trade of
27 plumbing in violation of subsection (1), (2), or (3) of this section or
28 employs a person in violation of subsection (1), (2), or (3) of this
29 section is a separate infraction. Each worksite at which a person
30 engages in the trade of plumbing in violation of subsection (1), (2),
31 or (3) of this section or at which a person is employed in violation of
32 subsection (1), (2), or (3) of this section is a separate infraction.

33 (~~(3)~~) (5) Notices of infractions for violations of subsection
34 (1), (2), or (3) of this section may be issued to:

35 (a) The person engaging in or offering to engage in the trade of
36 plumbing in violation of subsection (1), (2), or (3) of this section;

37 (b) The contractor in violation of subsection (1), (2), or (3) of
38 this section; and

1 (c) The contractor's employee who authorized the work assignment of
2 the person employed in violation of subsection (1), (2), or (3) of this
3 section.

4 **Sec. 3.** RCW 18.106.030 and 1977 ex.s. c 149 s 3 are each amended
5 to read as follows:

6 Any person desiring to be issued a certificate of competency as
7 provided in this chapter shall deliver evidence in a form prescribed by
8 the department affirming that said person has had sufficient experience
9 in as well as demonstrated general competency in the trade of plumbing
10 or specialty plumbing so as to qualify him or her to make an
11 application for a certificate of competency as a journeyman plumber or
12 specialty plumber(~~(:—PROVIDED, That))~~). Completion of a course of
13 study in the plumbing trade in the armed services of the United States
14 or at a school accredited by the ((~~coordinating council on occupational~~
15 education)) work force training and education coordinating board shall
16 constitute sufficient evidence of experience and competency to enable
17 such person to make application for a certificate of competency.

18 Any person desiring to be issued a certificate of competency as a
19 journeyman pipefitter or as a fuel gas piping installer shall deliver
20 evidence in a form prescribed by the department affirming that the
21 person has met the requirements established by the department for a
22 certificate of competency as a journeyman pipefitter or as a fuel gas
23 piping installer.

24 In addition to supplying the evidence as prescribed in this
25 section, each applicant for a certificate of competency shall submit an
26 application for such certificate on such form and in such manner as
27 shall be prescribed by the director of the department.

28 **Sec. 4.** RCW 18.106.050 and 1983 c 124 s 2 are each amended to read
29 as follows:

30 The department, with the advice of the advisory board, shall
31 prepare a written examination to be administered to applicants for
32 certificates of competency for journeyman plumber ~~((and))~~, specialty
33 plumber, journeyman pipefitter, and fuel gas installer. The
34 examination shall be constructed to determine:

35 (1) Whether the applicant possesses varied general knowledge of the
36 technical information and practical procedures that are identified with

1 the trade of journeyman plumber (~~(or)~~), specialty plumber, journeyman
2 pipefitter, or fuel gas piping installer; and

3 (2) Whether the applicant is familiar with the applicable plumbing
4 and mechanical codes and the administrative rules of the department
5 pertaining to plumbing and plumbers.

6 The department shall administer the examination to eligible
7 persons. All applicants shall, before taking the examination, pay to
8 the department a fee.

9 The department shall certify the results of the examination, and
10 shall notify the applicant in writing whether he or she has passed or
11 failed. Any applicant who has failed the examination may retake the
12 examination, upon the terms and after a period of time that the
13 director shall set by rule. The director may not limit the number of
14 times that a person may take the examination.

15 **Sec. 5.** RCW 18.106.070 and 1985 c 465 s 1 are each amended to read
16 as follows:

17 (1) The department shall issue a certificate of competency to all
18 applicants who have passed the examination and have paid the fee for
19 the certificate. The certificate shall bear the date of issuance, and
20 shall expire on the birthdate of the holder immediately following the
21 date of issuance. The certificate shall be renewable every other year,
22 upon application, on or before the birthdate of the holder. A renewal
23 fee shall be assessed for each certificate. If a person fails to renew
24 the certificate by the renewal date, he or she must pay a doubled fee.
25 If the person does not renew the certificate within ninety days of the
26 renewal date, he or she must retake the examination and pay the
27 examination fee.

28 The journeyman plumber, specialty plumber, journeyman pipefitter,
29 and fuel gas piping installer certificates of competency and (~~the~~)
30 temporary permits provided for in this chapter grant the holder the
31 right to engage in the work of plumbing as a journeyman plumber (~~(or)~~),
32 specialty plumber, journeyman pipefitter, or fuel gas piping installer,
33 in accordance with their provisions throughout the state and within any
34 of its political subdivisions on any job or any employment without
35 additional proof of competency or any other license or permit or fee to
36 engage in the work. This section does not preclude employees from
37 adhering to a union security clause in any employment where such a
38 requirement exists.

1 (2) A person who is indentured in an apprenticeship program
2 approved under chapter 49.04 RCW for the plumbing ~~((construction))~~,
3 pipefitting, or fuel gas piping installation trade or who is learning
4 the plumbing ~~((construction))~~, pipefitting, or fuel gas piping
5 installation trade may work in the plumbing ~~((construction))~~,
6 pipefitting, or fuel gas piping installation trade if supervised by
7 ~~((a))~~ an appropriate certified journeyman plumber, journeyman
8 pipefitter, fuel gas piping installer, or ((a)) certified specialty
9 plumber in that plumber's specialty. All apprentices and individuals
10 learning the plumbing construction trade shall obtain a plumbing
11 training certificate from the department. The certificate shall
12 authorize the holder to learn the plumbing construction trade while
13 under the direct supervision of a journeyman plumber or a specialty
14 plumber working in his or her specialty. All apprentices and
15 individuals learning the pipefitting trade shall obtain a pipefitting
16 training certificate from the department. The certificate shall
17 authorize the holder to learn the pipefitting trade while under the
18 direct supervision of a journeyman pipefitter. All apprentices and
19 individuals learning the fuel gas piping installation trade shall
20 obtain a fuel gas piping installation training certificate from the
21 department. The certificate shall authorize the holder to learn the
22 fuel gas piping installation trade while under the direct supervision
23 of a fuel gas piping installer, journeyman pipefitter or journeyman
24 plumber. The holder of the ~~((plumbing))~~ training certificate shall
25 renew the certificate annually. At the time of renewal, the holder
26 shall provide the department with an accurate list of the holder's
27 employers in the ~~((plumbing-construction))~~ industry for the previous
28 year and the number of hours worked for each employer. An annual fee
29 shall be charged for the issuance or renewal of the certificate. The
30 department shall set the fee by rule. The fee shall cover but not
31 exceed the cost of administering and enforcing the trainee
32 certification and supervision requirements of this chapter.
33 Apprentices and individuals learning the plumbing ~~((construction))~~,
34 pipefitting, or fuel gas piping installation trade shall have their
35 ~~((plumbing))~~ training certificates in their possession at all times
36 that they are performing plumbing, pipefitting, or fuel gas piping
37 installation work. They shall show their certificates to an authorized
38 representative of the department at the representative's request.

1 (3) Any person who has been issued a (~~plumbing~~) training
2 certificate under this chapter may work if that person is under
3 supervision. Supervision shall consist of a person being on the same
4 job site and under the control of (~~either a~~) an appropriate
5 journeyman (~~plumber~~) or an appropriate specialty plumber who has an
6 applicable certificate of competency issued under this chapter.
7 (~~Either a~~) An appropriate journeyman (~~plumber~~) or an appropriate
8 specialty plumber shall be on the same job site as the noncertified
9 individual for a minimum of seventy-five percent of each working day
10 unless otherwise provided in this chapter. The ratio of noncertified
11 individuals to certified journeymen or specialty plumbers working on a
12 job site shall be: (a) From July 28, 1985, through June 30, 1988, not
13 more than three noncertified plumbers working on any one job site for
14 every certified journeyman or specialty plumber; (b) effective July 1,
15 1988, not more than two noncertified plumbers working on any one job
16 site for every certified specialty plumber or journeyman plumber
17 working as a specialty plumber; (~~and~~) (c) effective July 1, 1988, not
18 more than one noncertified plumber working on any one job site for
19 every certified journeyman plumber working as a journeyman plumber; and
20 (d) effective the effective date of this act, not more than one
21 noncertified pipefitter for every journeyman pipefitter, and not more
22 than one noncertified fuel gas piping installer for each fuel gas
23 piping installer, journeyman pipefitter, or journeyman plumber.

24 An individual who has a current training certificate and who has
25 successfully completed or is currently enrolled in an approved
26 apprenticeship program or in a technical school program in the plumbing
27 (~~construction~~), pipefitting, or fuel gas piping installation trade in
28 a school approved by the (~~commission for vocational education~~) work
29 force training and education coordinating board, may work without
30 direct on-site supervision during the last six months of meeting the
31 practical experience requirements of this chapter.

32 **Sec. 6.** RCW 18.106.090 and 1985 c 7 s 78 are each amended to read
33 as follows:

34 (1) The department is authorized to grant and issue temporary
35 permits in lieu of certificates of competency whenever: (a) A plumber
36 coming into the state of Washington from another state requests the
37 department for a temporary permit to engage in the trade of plumbing as
38 a journeyman plumber or as a specialty plumber; (b) a journeyman

1 pipefitter coming into the state of Washington from another state
2 requests the department for a temporary permit to engage in the trade
3 of pipefitting as a journeyman pipefitter; or (c) a fuel gas piping
4 installer coming into the state of Washington from another state
5 requests the department for a temporary permit to engage in fuel gas
6 piping installation, during the period of time between filing of an
7 application for a certificate as provided in RCW 18.106.030 ((as now or
8 hereafter amended)) and taking the examination provided for in RCW
9 18.106.050((:—PROVIDED, That)).

10 (2) No temporary permit shall be issued to:

11 ((+1)) (a) Any person who has failed to pass the examination for
12 a certificate of competency;

13 ((+2)) (b) Any applicant under this section who has not furnished
14 the department with such evidence required under RCW 18.106.030;

15 ((+3)) (c) To any apprentice plumber.

16 **Sec. 7.** RCW 18.106.155 and 1977 ex.s. c 149 s 11 are each amended
17 to read as follows:

18 The director may, upon payment of the appropriate fees, grant a
19 certificate of competency without examination to any applicant who is
20 a registered journeyman plumber, journeyman pipefitter, fuel gas piping
21 installer, or specialty plumber in any other state whose requirements
22 for registration are at least substantially equivalent to the
23 requirements of this state, and which extends the same privileges of
24 reciprocity to journeymen plumbers, journeymen pipefitters, fuel gas
25 piping installers, or specialty plumbers registered in this state.

26 **Sec. 8.** RCW 18.106.170 and 1983 c 124 s 6 are each amended to read
27 as follows:

28 An authorized representative of the department may investigate
29 alleged or apparent violations of this chapter. An authorized
30 representative of the department upon presentation of credentials may
31 inspect sites at which a person is doing plumbing, pipefitting, or fuel
32 gas piping installation work for the purpose of determining whether
33 that person has a certificate or permit issued by the department in
34 accordance with this chapter or is supervised by a person who has such
35 a certificate or permit. Upon request of the authorized
36 representative of the department, a person doing plumbing, pipefitting,
37 or fuel gas piping installation work shall produce evidence that the

1 person has a certificate or permit issued by the department in
2 accordance with this chapter or is supervised by a person who has such
3 a certificate or permit.

4 NEW SECTION. **Sec. 9.** A new section is added to chapter 18.106 RCW
5 to read as follows:

6 No examination shall be required of any applicant for a certificate
7 of competency as a journeyman pipefitter or as a fuel gas piping
8 installer who on the effective date of this act has completed a
9 department-approved training course or apprenticeship as a journeyman
10 pipefitter or fuel gas piping installer.

11 NEW SECTION. **Sec. 10.** This act takes effect January 1, 1998.

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