
SUBSTITUTE SENATE BILL 5984

State of Washington

55th Legislature

1997 Regular Session

By Senate Committee on Commerce & Labor (originally sponsored by Senators Schow, Hochstatter and Prince)

Read first time 03/05/97.

1 AN ACT Relating to exemptions under chapter 19.28 RCW; and amending
2 RCW 19.28.200, 19.28.610, and 19.28.210.

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

4 **Sec. 1.** RCW 19.28.200 and 1992 c 240 s 1 are each amended to read
5 as follows:

6 (1) No license under the provision of this chapter shall be
7 required from any utility or any person, firm, partnership,
8 corporation, or other entity employed by a utility because of work in
9 connection with the installation, repair, or maintenance of lines,
10 wires, apparatus, or equipment owned by or under the control of a
11 utility and used for transmission or distribution of electricity from
12 the source of supply to the point of contact at the premises and/or
13 property to be supplied and service connections and meters and other
14 apparatus or appliances used in the measurement of the consumption of
15 electricity by the customer.

16 (2) No license under the provisions of this chapter shall be
17 required from any utility because of work in connection with the
18 installation, repair, or maintenance of the following:

1 (a) Lines, wires, apparatus, or equipment used in the lighting of
2 streets, alleys, ways, or public areas or squares;

3 (b) Lines, wires, apparatus, or equipment owned by a commercial,
4 industrial, or public institution customer that are an integral part of
5 a transmission or distribution system, either overhead or underground,
6 providing service to such customer and located outside the building or
7 structure: PROVIDED, That a utility does not initiate the sale of
8 services to perform such work;

9 (c) Lines and wires, together with ancillary apparatus, and
10 equipment, owned by a customer that is an independent power producer
11 who has entered into an agreement for the sale of electricity to a
12 utility and that are used in transmitting electricity from an
13 electrical generating unit located on premises used by such customer to
14 the point of interconnection with the utility's system.

15 (3) Any person, firm, partnership, corporation, or other entity
16 licensed under RCW 19.28.120 may enter into a contract with a utility
17 for the performance of work under subsection (2) of this section.

18 (4) No license under the provisions of this chapter shall be
19 required from any manufacturer or any person, firm, partnership, or
20 other entity employed by a manufacturer of power generation equipment
21 because of work in connection with the installation, repair,
22 modification, or maintenance of premanufactured assemblies of
23 electrical power generation equipment and control gear.
24 Premanufactured electric power generation equipment assemblies are made
25 up of reciprocating internal combustion engines and the associated
26 control gear equipment. Control gear equipment includes control logic,
27 metering, and annunciation for the operation and the quality of power
28 being generated by the reciprocating internal combustion engine and
29 does not have the function of distribution of power. For the purposes
30 of this subsection, installation, connection, and calibration of
31 transfer switching and the low voltage gear installed to control such
32 transfer switching is included as part of installation premanufactured
33 electric power generation equipment assemblies. Premanufactured
34 electric power generation assemblies does not include installation of
35 conduit or wiring between the power generation unit, transfer switch,
36 and distribution system or connection of wiring to carry electrical
37 current generated by the power generation unit between the power
38 generation unit, transfer switch, and distribution system.

1 (5) No license under the provisions of this chapter shall be
2 required from any person, firm, partnership, corporation, or other
3 entity because of the work of installing and repairing ignition or
4 lighting systems for motor vehicles.

5 (~~(5)~~) (6) No license under the provisions of this chapter shall
6 be required from any person, firm, partnership, corporation, or other
7 entity because of work in connection with the installation, repair, or
8 maintenance of wires and equipment, and installations thereof, exempted
9 in RCW 19.28.010.

10 **Sec. 2.** RCW 19.28.610 and 1994 c 157 s 1 are each amended to read
11 as follows:

12 Nothing in RCW 19.28.510 through 19.28.620 shall be construed to
13 require that a person obtain a license or a certified electrician in
14 order to do electrical work at his or her residence or farm or place of
15 business or on other property owned by him or her unless the electrical
16 work is on the construction of a new building intended for rent, sale,
17 or lease. However, if the construction is of a new residential
18 building with up to four units intended for rent, sale, or lease, the
19 owner may receive an exemption from the requirement to obtain a license
20 or use a certified electrician if he or she provides a signed affidavit
21 to the department stating that he or she will be performing the work
22 and will occupy one of the units as his or her principal residence.
23 The owner shall apply to the department for this exemption and may only
24 receive an exemption once every twenty-four months. It is intended
25 that the owner receiving this exemption shall occupy the unit as his or
26 her principal residence for twenty-four months after completion of the
27 units. Nothing in RCW 19.28.510 through 19.28.620 shall be intended to
28 derogate from or dispense with the requirements of any valid electrical
29 code enacted by a city or town pursuant to RCW 19.28.010(3), except
30 that no code shall require the holder of a certificate of competency to
31 demonstrate any additional proof of competency or obtain any other
32 license or pay any fee in order to engage in the electrical
33 construction trade. RCW 19.28.510 through 19.28.620 shall not apply to
34 common carriers subject to Part I of the Interstate Commerce Act, nor
35 to their officers and employees. Nothing in RCW 19.28.510 through
36 19.28.620 shall be deemed to apply to the installation or maintenance
37 of telephone, telegraph, radio, or television wires and equipment; nor
38 to any electrical utility or its employees in the installation, repair,

1 and maintenance of electrical wiring, circuits, and equipment by or for
2 the utility, or comprising a part of its plants, lines or systems.
3 Nothing in RCW 19.28.510 through 19.28.620 shall be deemed to apply to
4 the installation, maintenance, or modification of premanufactured
5 electric power generation equipment assemblies and control gear
6 equipment by a manufacturer or authorized manufacturer's
7 representative. The licensing provisions of RCW 19.28.510 through
8 19.28.620 shall not apply to:

9 (1) Persons making electrical installations on their own property
10 or to regularly employed employees working on the premises of their
11 employer, unless the electrical work is on the construction of a new
12 building intended for rent, sale, or lease; ((or))

13 (2) Employees of an employer while the employer is performing
14 utility type work of the nature described in RCW 19.28.200 so long as
15 such employees have registered in the state of Washington with or
16 graduated from a state-approved outside lineman apprenticeship course
17 that is recognized by the department and that qualifies a person to
18 perform such work; or

19 (3) Employees of an employer while the employer is performing
20 installation, maintenance, or modification work on a premanufactured
21 power generation assembly and controls for that assembly of the nature
22 described in RCW 19.28.200.

23 Nothing in RCW 19.28.510 through 19.28.620 shall be construed to
24 restrict the right of any householder to assist or receive assistance
25 from a friend, neighbor, relative or other person when none of the
26 individuals doing the electrical installation hold themselves out as
27 engaged in the trade or business of electrical installations. Nothing
28 precludes any person who is exempt from the licensing requirements of
29 this chapter under this section from obtaining a journeyman or
30 specialty certificate of competency if they otherwise meet the
31 requirements of this chapter.

32 **Sec. 3.** RCW 19.28.210 and 1996 c 241 s 4 are each amended to read
33 as follows:

34 (1) The director shall cause an inspector to inspect all wiring,
35 appliances, devices, and equipment to which this chapter applies.
36 Nothing contained in this chapter may be construed as providing any
37 authority for any subdivision of government to adopt by ordinance any

1 provisions contained or provided for in this chapter except those
2 pertaining to cities and towns pursuant to RCW 19.28.010(3).

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

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

32 (4) The director, through the electrical inspector, has the right
33 during reasonable hours to enter into and upon any building or premises
34 in the discharge of his or her official duties for the purpose of
35 making any inspection or test of the installation of new construction
36 or altered electrical wiring, electrical devices, equipment, or
37 material contained in or on the buildings or premises. No electrical
38 wiring or equipment subject to this chapter may be concealed until it
39 has been approved by the inspector making the inspection. At the time

1 of the inspection, electrical wiring or equipment subject to this
2 chapter must be sufficiently accessible to permit the inspector to
3 employ any testing methods that will verify conformance with the
4 national electrical code and any other requirements of this chapter.

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

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

23 (7) Nothing in this chapter shall authorize the inspection of any
24 wiring, appliance, device, or equipment, or installations thereof, by
25 any utility or by any person, firm, partnership, corporation, or other
26 entity employed by a utility in connection with the installation,
27 repair, or maintenance of lines, wires, apparatus, or equipment owned
28 by or under the control of the utility, or the installation of load
29 control equipment as part of a utility load management or conservation
30 program when the equipment is owned by the utility and the work is
31 performed by a certified journeyman electrician employed by or under
32 the control of the utility. All work covered by the national electric
33 code not exempted by the 1981 edition of the national electric code 90-
34 2(B)(5) shall be inspected by the department.

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