
SENATE BILL 6388

State of Washington

56th Legislature

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By Senators Haugen, Sheahan, Patterson, Shin, Snyder, Oke, Horn, Morton and Costa

Read first time 01/14/2000. Referred to Committee on Transportation.

1 AN ACT Relating to the department of transportation and local
2 traffic control and roadway illumination; and amending RCW 19.28.010,
3 19.28.070, 19.28.200, and 19.28.360.

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

5 **Sec. 1.** RCW 19.28.010 and 1993 c 275 s 2 are each amended to read
6 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
16 wires and equipment that fall within section 90.2(b)(5) of the National
17 Electrical Code, 1981 edition, are exempt from the requirements of this
18 chapter. The regulations and articles in the National Electrical Code,
19 the national electrical safety code, and other installation and safety

1 regulations approved by the national fire protection association, as
2 modified or supplemented by rules issued by the department in
3 furtherance of safety to life and property under authority hereby
4 granted, shall be prima facie evidence of the approved methods of
5 construction. All materials, devices, appliances, and equipment used
6 in such installations shall be of a type that conforms to applicable
7 standards or be indicated as acceptable by the established standards of
8 any electrical product testing laboratory which is accredited by the
9 department. Industrial control panels, utilization equipment, and
10 their components do not need to be listed, labeled, or otherwise
11 indicated as acceptable by an accredited electrical product testing
12 laboratory unless specifically required by the National Electrical
13 Code, 1993 edition.

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

20 (3) This chapter shall not limit the authority or power of the
21 department of transportation, a county, or any city or town to enact
22 and enforce under authority given by law, any ordinance, rule, or
23 regulation requiring an equal, higher, or better standard of
24 construction and an equal, higher, or better standard of materials,
25 devices, appliances, and equipment than that required by this chapter.
26 The department of transportation, a county, or a city or town shall
27 require that its electrical inspectors meet the qualifications provided
28 for state electrical inspectors in accordance with RCW 19.28.070.
29 (~~In~~) Within the rights of way of a state highway or county road or
30 within a city or town having an equal, higher, or better standard the
31 installations, materials, devices, appliances, and equipment shall be
32 in accordance with the ordinance, rule, or regulation of the department
33 of transportation, a county, or city or town. Electrical equipment
34 associated with spas, hot tubs, swimming pools, and hydromassage
35 bathtubs shall not be offered for sale or exchange unless the
36 electrical equipment is certified as being in compliance with the
37 applicable product safety standard by bearing the certification mark of
38 an approved electrical products testing laboratory.

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

7 (5) Nothing in this chapter may be construed as restricting the
8 department of transportation, any county, or any city or town from
9 installing, maintaining, repairing, and inspecting traffic control
10 systems and associated roadway illumination systems within their own or
11 each others' road rights of way, subject to the personnel having
12 qualifications set forth in RCW 19.28.070.

13 **Sec. 2.** RCW 19.28.070 and 1997 c 309 s 4 are each amended to read
14 as follows:

15 The director of labor and industries of the state of Washington and
16 the officials of all counties or incorporated cities and towns where
17 electrical inspections are required by local ordinances shall have
18 power and it shall be their duty to enforce the provisions of this
19 chapter in their respective jurisdictions. The director of labor and
20 industries shall appoint a chief electrical inspector and may appoint
21 other electrical inspectors as the director deems necessary to assist
22 the director in the performance of the director's duties. The chief
23 electrical inspector, subject to the review of the director, shall be
24 responsible for providing the final interpretation of adopted state
25 electrical standards, rules, and policies for the department and its
26 inspectors, assistant inspectors, electrical plan examiners, and other
27 individuals supervising electrical program personnel. If a dispute
28 arises within the department regarding the interpretation of adopted
29 state electrical standards, rules, or policies, the chief electrical
30 inspector, subject to the review of the director, shall provide the
31 final interpretation of the disputed standard, rule, or policy. All
32 electrical inspectors appointed by the director of labor and
33 industries, by the officials of counties or incorporated cities and
34 towns, or by the secretary of transportation of the state of
35 Washington, shall have not less than: Four years experience as
36 journeyman electricians in the electrical construction trade installing
37 and maintaining electrical wiring and equipment, or two years
38 electrical training in a college of electrical engineering of

1 recognized standing and four years continuous practical electrical
2 experience in installation work, or four years of electrical training
3 in a college of electrical engineering of recognized standing and two
4 years continuous practical electrical experience in electrical
5 installation work; or four years experience as a journeyman electrician
6 performing the duties of an electrical inspector employed by the
7 department of labor and industries, department of transportation, a
8 county, or a city or town with an approved inspection program under RCW
9 19.28.360, except that for work performed in accordance with the
10 national electrical safety code and covered by this chapter, such
11 inspections may be performed by a person certified as an outside
12 journeyman lineman, under RCW 19.28.610(2), with four years experience
13 or a person with four years experience as a certified outside
14 journeyman lineman performing the duties of an electrical inspector
15 employed by an electrical utility. Such state inspectors shall be paid
16 such salary as the director of labor and industries shall determine,
17 together with their travel expenses in accordance with RCW 43.03.050
18 and 43.03.060 as now existing or hereafter amended. As a condition of
19 employment, inspectors hired exclusively to perform inspections in
20 accordance with the national electrical safety code must possess and
21 maintain certification as an outside journeyman lineman. The expenses
22 of the director of labor and industries and the salaries and expenses
23 of state inspectors incurred in carrying out the provisions of this
24 chapter shall be paid entirely out of the electrical license fund, upon
25 vouchers approved by the director of labor and industries.

26 **Sec. 3.** RCW 19.28.200 and 1998 c 98 s 1 are each amended to read
27 as follows:

28 (1) No license under the provision of this chapter shall be
29 required from any utility or any person, firm, partnership,
30 corporation, or other entity employed by a utility because of work in
31 connection with the installation, repair, or maintenance of lines,
32 wires, apparatus, or equipment owned by or under the control of a
33 utility and used for transmission or distribution of electricity from
34 the source of supply to the point of contact at the premises and/or
35 property to be supplied and service connections and meters and other
36 apparatus or appliances used in the measurement of the consumption of
37 electricity by the customer.

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

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

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

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

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

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

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

30 (6) The department may by rule exempt from licensing requirements
31 under this chapter work performed on premanufactured electric power
32 generation equipment assemblies and control gear involving the testing,
33 repair, modification, maintenance, or installation of components
34 internal to the power generation equipment, the control gear, or the
35 transfer switch.

36 (7) No license under the provision of this chapter is required from
37 the state of Washington department of transportation, any county, city,
38 or town because of work performed within the rights of way of any
39 public highway, road, or street in connection with the installation,

1 repair, or maintenance of lines, wires, apparatus, or equipment owned
2 by or under the control of the department of transportation, any
3 county, city, or town and used for the operation of traffic control or
4 roadway illumination.

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

7 The provisions of RCW 19.28.210 shall not apply:

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

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

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

28 (4) Within the rights of way of county roads, provided the subject
29 county road department maintains and enforces an equal, higher, or
30 better standard of construction and of materials, devices, appliances,
31 and equipment than is required by RCW 19.28.010 through 19.28.360,
32 except that for the inspection of any electrical traffic control device
33 or roadway illumination system, the electrical inspection may be
34 performed by an inspector with a current international municipal signal
35 association traffic signal level 2 certification, or equivalent, and
36 four years' experience in the electrical construction trade installing

- 1 and maintaining traffic signal and illumination system electrical
- 2 wiring and equipment.

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