

5802-S2

Sponsor(s): Senate Committee on Ways & Means (originally sponsored by Senators Fairley, Hochstatter, Honeyford, Spanel and Franklin)

Brief Description: Regulating telecommunications contractors and installations.

SB 5802-S2 - DIGEST

(DIGEST AS PASSED LEGISLATURE)

Declares an intent of the legislature to maintain public safety and consumer protection while ensuring that businesses involved in telecommunications do not face unnecessary obstacles in the performance of their business activities. It is the further intent of the legislature that the delegation of authority to the director and the board under this act be strictly limited to the minimum delegation necessary to administer the clear and unambiguous directives under this act, and strict compliance with chapter 1, Laws of 2000 (Initiative Measure No. 695), when adopting any fees.

Directs the electrical board and the department to work cooperatively with all business sectors to ensure that this act is administered in a responsive and efficient manner, that administrative rules reflect the provisions of this act, and in particular that small businesses do not face unnecessary obstacles in the telecommunications marketplace.

Declares that all installations of wires and equipment defined as telecommunications systems are subject to the requirements of this act. Installations shall be in conformity with approved methods of construction for safety to life and property. The national electrical code, approved standards of the telecommunications industries association, the electronic industries association, the American national standards institute, and other safety standards approved by the department shall be evidence of approved methods of installation.

Declares that this chapter may not limit the authority or power of any city or town to enact and enforce under authority given by law in RCW 19.28.360 (as recodified by this act), any ordinance, or rule requiring an equal, higher, or better standard of construction and an equal, higher, or better standard of materials, devices, appliances, and equipment than that required by this chapter.

Provides that it is unlawful for any person, firm, partnership, corporation, or other entity to advertise, offer to do work, submit a bid, engage in, conduct, or carry on the business of installing or maintaining telecommunications systems without having a telecommunications contractor license.

Provides that the application for a contractor license shall be accompanied by a bond in the sum of four thousand dollars with the state of Washington named as obligee in the bond, with good and sufficient surety, to be approved by the department.

Declares that it is the purpose and function of the board to establish and administer written examinations for

telecommunications administrators' certificates. Examinations shall be designed to reasonably ensure that telecommunications administrators' certificate holders are competent to engage in and supervise the work regulated under this act and their respective licenses.

Provides that the director and the officials of all incorporated cities and towns where electrical inspections are required by local ordinances, allowed by RCW 19.28.360 (as recodified by this act), may require by local ordinance the enforcement of this act in their respective jurisdictions.

Provides that disputes arising under this act regarding whether any city or town's telecommunications rules, regulations, or ordinances are equal to the rules adopted by the department shall be resolved by arbitration.

Declares that it is unlawful for any person, firm, partnership, corporation, or other entity to install or maintain any telecommunications cabling and associated hardware in violation of this act.

Declares that any person, firm, partnership, corporation, or other entity violating any of the provisions of this act may be assessed a penalty of not less than one hundred dollars or more than ten thousand dollars per violation.

Provides that, at the time of licensing and subsequent relicensing, the applicant shall furnish insurance or financial responsibility in the form of an assigned account in the amount of twenty thousand dollars for injury or damages to property, fifty thousand dollars for injury or damage including death to any one person, and one hundred thousand dollars for injury or damage including death to more than one person, or financial responsibility to satisfy these amounts.

Authorizes the director to adopt rules, make specific decisions, orders, and rulings, including demands and findings, and take other necessary action for the implementation and enforcement of this act after consultation with the board and receiving the board's recommendations.

Makes an appropriation of one million four hundred eight thousand dollars from the electrical license account to the department of labor and industries for the biennium year ending June 30, 2001, to carry out the purposes of this act.