

---

**SUBSTITUTE SENATE BILL 5212**

---

**State of Washington**

**58th Legislature**

**2003 Regular Session**

**By** Senate Committee on Commerce & Trade (originally sponsored by Senators Honeyford, Rasmussen, Roach, Mulliken, T. Sheldon and Parlette)

READ FIRST TIME 02/27/03.

1 AN ACT Relating to electricians; and amending RCW 19.28.091 and  
2 19.28.261.

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

4 **Sec. 1.** RCW 19.28.091 and 2001 c 211 s 6 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 19.28.041 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 person, firm, partnership, corporation, or other  
20 entity because of the work of installing and repairing ignition or  
21 lighting systems for motor vehicles.

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

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

33 (7) If a property is a building used as a residence and is for  
34 rent or lease, and is subject to chapter 59.18 RCW, this subsection  
35 establishes an exemption for work on, alterations to, or replacement of  
36 parts of electrical installations as necessary for maintenance of the  
37 existing electrical installations on that property, but does not exempt  
38 new electrical installations or substantial alterations to existing

1 electrical installations on that property. As used in this subsection,  
2 "new electrical installations or substantial alterations" does not  
3 include the replacement of an existing garbage disposal, dishwasher, or  
4 electric hot water heater with a similar appliance of thirty amps or  
5 less, single phase, by a landlord or landlord's agent, or the employee  
6 of the landlord or landlord's agent. For the purposes of this  
7 subsection, "landlord's agent" includes property management companies.  
8 Nothing in this subsection may be construed to eliminate the property  
9 owner's exemption provided in RCW 19.28.261.

10 **Sec. 2.** RCW 19.28.261 and 2001 c 211 s 19 are each amended to read  
11 as follows:

12 Nothing in RCW 19.28.161 through 19.28.271 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 19.28.161 through 19.28.271 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 19.28.161 through 19.28.271 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 19.28.161 through  
36 19.28.271 shall be deemed to apply to the installation or maintenance  
37 of telephone, telegraph, radio, or television wires and equipment; nor

1 to any electrical utility or its employees in the installation, repair,  
2 and maintenance of electrical wiring, circuits, and equipment by or for  
3 the utility, or comprising a part of its plants, lines or systems. The  
4 licensing provisions of RCW 19.28.161 through 19.28.271 shall not apply  
5 to:

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

10 (2) Employees of an employer while the employer is performing  
11 utility type work of the nature described in RCW 19.28.091 so long as  
12 such employees have registered in the state of Washington with or  
13 graduated from a state-approved outside lineman apprenticeship course  
14 that is recognized by the department and that qualifies a person to  
15 perform such work; ((or))

16 (3) Any work exempted under RCW 19.28.091(6); or

17 (4) If a property is a building used as a residence and is for  
18 rent or lease, and is subject to chapter 59.18 RCW, this subsection  
19 establishes an exemption for work on, alterations to, or replacement of  
20 parts of electrical installations as necessary for maintenance of the  
21 existing electrical installations on that property, but does not exempt  
22 new electrical installations or substantial alterations to existing  
23 electrical installations on that property. As used in this subsection,  
24 "new electrical installations or substantial alterations" does not  
25 include the replacement of an existing garbage disposal, dishwasher, or  
26 electric hot water heater with a similar appliance of thirty amps or  
27 less, single phase, by a landlord or landlord's agent, or the employee  
28 of the landlord or landlord's agent. For the purposes of this  
29 subsection, "landlord's agent" includes property management companies.  
30 Nothing in this subsection may be construed to eliminate the property  
31 owner's exemption provided in this section.

32 Nothing in RCW 19.28.161 through 19.28.271 shall be construed to  
33 restrict the right of any householder to assist or receive assistance  
34 from a friend, neighbor, relative or other person when none of the  
35 individuals doing the electrical installation hold themselves out as  
36 engaged in the trade or business of electrical installations. Nothing  
37 precludes any person who is exempt from the licensing requirements of

1 this chapter under this section from obtaining a journeyman or  
2 specialty certificate of competency if they otherwise meet the  
3 requirements of this chapter.

--- END ---