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**Commerce & Labor Committee**

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**HB 3045**

**Brief Description:** Regulating the trade of fire protection sprinkler fitting.

**Sponsors:** Representatives Conway, Ormsby and Simpson.

**Brief Summary of Bill**

- Establishes a certification requirement for sprinkler fitters to be administered by the state Director of Fire Protection.
- Specifies qualifications for certification of journey-level and residential sprinkler fitters with and without examination.
- Establishes an advisory board, and a dedicated account.

**Hearing Date:** 1/25/06

**Staff:** Jill Reinmuth (786-7134).

**Background:**

The state Director of Fire Protection administers state laws relating to licensing of fire protection sprinkler system contractors and certification of persons designing and installing certain sprinkler systems.

Licensing and Certification Requirement

To construct, install, or maintain a fire protection sprinkler system in an occupancy, a person must be licensed as a fire protection sprinkler system contractor. This requirement does not apply to owners/occupiers of single-family dwellings installing a sprinkler system in those dwellings, government employees acting in their official capacities, and certain other persons. A municipality may not require a contractor to obtain a license from the municipality to install sprinkler systems.

A licensed fire protection sprinkler system contractor is qualified to install, inspect, maintain, or service a fire protection sprinkler system. To become a licensed fire protection sprinkler system contractor, a person or firm must:

- employ a certificate holder;
- comply with minimum surety bond requirements;

- apply for a license; and
- pay required fees.

To become a certificate holder, a person must satisfy criteria established by the state Director of Fire Protection, and pass an examination. The state Director of Fire Protection may accept equivalent proof of qualification in lieu of examination.

The state Director of Fire Protection is authorized to refuse or revoke licenses and certificates for reasons including fraud, dishonest practices, felony convictions, and gross incompetence or negligence. Licensing decisions may be appealed as provided in the state Administrative Procedure Act.

### Administration

As noted above, the state Director of Fire Protection administers the licensing and certification requirements. The state Director of Fire Protection must adopt rules necessary for the administration of these requirements, administer examinations, set reasonable fees for licenses and certificates, investigate complaints, and take other actions necessary to enforce these provisions.

### Dedicated Account

The Fire Protection Contractor License Fund exists in the custody of the State Treasurer. License and certificate fees are deposited into the fund. No appropriation is required for expenditures.

### **Summary of Bill:**

In addition to licensing and certification requirements applicable to fire protection sprinkler system contractors, the state Director of Fire Protection must administer certification requirements applicable to sprinkler fitters.

### Certification Requirement

A certification requirement for sprinkler fitters is established. A person may not engage in the sprinkler fitting trade without having a journey-level or residential certificate, or a temporary permit. Similarly, a contractor may not employ a person to perform sprinkler fitting work who does not have such a certificate or permit.

### Certification With Examination

To become a journey-level sprinkler fitter, a person must: (1) have 8,000 hours of trade-related sprinkler fitting experience; (2) submit an application; (3) pay a \$50 fee; and (4) pass the appropriate examination.

To become a residential sprinkler fitter, a person must (1) have 4,000 hours of trade-related sprinkler fitting or residential sprinkler experience ; (2) submit an application; (3) pay a \$50 fee; and (4) pass the appropriate examination.

### Certification Without Examination

A temporary permit allows a sprinkler fitter entering Washington to engage in the sprinkler fitting trade until an application for certification is submitted and approved. The duration of the temporary certificate may not be more than 90 days.

A reciprocity clause allows a person who is a certified journey-level or residential sprinkler fitter in another state to become certified without examination. The certification requirements in the other state must be substantially equivalent to the requirements in Washington. The other state must extend the same privilege to a person who is a certified journey-level or residential sprinkler fitter in Washington.

A grandfather clause allows a person to become certified as either a journey-level or a residential sprinkler fitter without examination if, within 90 days of the effective date, he or she applies for certification and submits evidence of 8,000 hours of employment as a journey-level or residential sprinkler fitter.

#### Sprinkler Fitter Advisory Board

The advisory board of sprinkler fitters is established. The role of the board is to advise the state Director of Fire Protection on examination and certification requirements, and to carry out other specified duties.

The board includes five members. Members include: two journey-level sprinkler fitters, two licensed fire protection contractors, and the state Director of Fire Protection or his or her designee. Members are appointed to three-year terms. Members receive travel expenses for days that they attend board meetings.

#### Administration and Enforcement

The state Director of Fire Protection is authorized to investigate alleged violations of the certification requirement. Infractions include engaging in the sprinkler fitting trade without a certificate, employing a person in the trade without a certificate, and failing to produce evidence of a certificate or permit upon request of the director's authorized representative. Monetary penalties are \$500 per infraction. A person wishing to appeal an infraction must file an appeal within 20 days of the notice of infraction in accordance with the Administrative Procedures Act.

#### Dedicated Account

A dedicated account to be known as the Fire Protection Sprinkler Fitting Certificate Account is created. Fees for certification are deposited in the account. Expenditures from the account may be used only for administration. The account is subject to allotment, but not appropriation.

**Rules Authority:** The bill does not contain provisions addressing the rule-making powers of an agency.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect 90 days after adjournment of session in which bill is passed.