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HOUSE BILL 1331

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State of Washington

59th Legislature

2005 Regular Session

By Representatives Conway, Alexander, Wood, DeBolt, Simpson, Strow, Chase and Ormsby

Read first time 01/20/2005. Referred to Committee on Commerce & Labor.

1 AN ACT Relating to electrical contractor licenses; and amending RCW  
2 19.28.041.

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

4 **Sec. 1.** RCW 19.28.041 and 2002 c 249 s 2 are each amended to read  
5 as follows:

6 (1) It is unlawful for any person, firm, partnership, corporation,  
7 or other entity to advertise, offer to do work, submit a bid, engage  
8 in, conduct, or carry on the business of installing or maintaining  
9 wires or equipment to convey electric current, or installing or  
10 maintaining equipment to be operated by electric current as it pertains  
11 to the electrical industry, without having an unrevoked, unsuspended,  
12 and unexpired electrical contractor license, issued by the department  
13 in accordance with this chapter. All electrical contractor licenses  
14 expire twenty-four calendar months following the day of their issue.  
15 The department may issue an electrical contractors license for a period  
16 of less than twenty-four months only for the purpose of equalizing the  
17 number of electrical contractor licenses that expire each month.  
18 Application for an electrical contractor license shall be made in

1 writing to the department, accompanied by the required fee. The  
2 application shall state:

3 (a) The name and address of the applicant; in case of firms or  
4 partnerships, the names of the individuals composing the firm or  
5 partnership; in case of corporations, the names of the managing  
6 officials thereof;

7 (b) The location of the place of business of the applicant and the  
8 name under which the business is conducted;

9 (c) Employer social security number;

10 (d) Evidence of workers' compensation coverage for the applicant's  
11 employees working in Washington, as follows:

12 (i) The applicant's industrial insurance account number issued by  
13 the department;

14 (ii) The applicant's self-insurer number issued by the department;  
15 or

16 (iii) For applicants domiciled in a state or province of Canada  
17 subject to an agreement entered into under RCW 51.12.120(7), as  
18 permitted by the agreement, filing a certificate of coverage issued by  
19 the agency that administers the workers' compensation law in the  
20 applicant's state or province of domicile certifying that the applicant  
21 has secured the payment of compensation under the other state's or  
22 province's workers' compensation law;

23 (e) Employment security department number;

24 (f) State excise tax registration number;

25 (g) Unified business identifier (UBI) account number may be  
26 substituted for the information required by (d) of this subsection if  
27 the applicant will not employ employees in Washington, and by (e) and  
28 (f) of this subsection; and

29 (h) Whether a general or specialty electrical contractor license is  
30 sought and, if the latter, the type of specialty. Electrical  
31 contractor specialties include, but are not limited to: Residential,  
32 pump and irrigation, limited energy system, signs, nonresidential  
33 maintenance, restricted nonresidential maintenance, appliance repair,  
34 and a combination specialty. A general electrical contractor license  
35 shall grant to the holder the right to engage in, conduct, or carry on  
36 the business of installing or maintaining wires or equipment to carry  
37 electric current, and installing or maintaining equipment, or  
38 installing or maintaining material to fasten or insulate such wires or

1 equipment to be operated by electric current, in the state of  
2 Washington. A specialty electrical contractor license shall grant to  
3 the holder a limited right to engage in, conduct, or carry on the  
4 business of installing or maintaining wires or equipment to carry  
5 electrical current, and installing or maintaining equipment; or  
6 installing or maintaining material to fasten or insulate such wires or  
7 equipment to be operated by electric current in the state of Washington  
8 as expressly allowed by the license.

9 (2) The department may verify the workers' compensation coverage  
10 information provided by the applicant under subsection (1)(d) of this  
11 section, including but not limited to information regarding the  
12 coverage of an individual employee of the applicant. If coverage is  
13 provided under the laws of another state, the department may notify the  
14 other state that the applicant is employing employees in Washington.

15 (3) The application for an electrical contractor license shall be  
16 accompanied by a bond in the sum of four thousand dollars with the  
17 state of Washington named as obligee in the bond, with good and  
18 sufficient surety, to be approved by the department. The bond shall at  
19 all times be kept in full force and effect, and any cancellation or  
20 revocation thereof, or withdrawal of the surety therefrom, suspends the  
21 license issued to the principal until a new bond has been filed and  
22 approved as provided in this section. Upon approval of a bond, the  
23 department shall on the next business day deposit the fee accompanying  
24 the application in the electrical license fund and shall file the bond  
25 in the office. The department shall upon request furnish to any  
26 person, firm, partnership, corporation, or other entity a certified  
27 copy of the bond upon the payment of a fee that the department shall  
28 set by rule. The fee shall cover but not exceed the cost of furnishing  
29 the certified copy. The bond shall be conditioned that in any  
30 installation or maintenance of wires or equipment to convey electrical  
31 current, and equipment to be operated by electrical current, the  
32 principal will comply with the provisions of this chapter and with any  
33 electrical ordinance, building code, or regulation of a city or town  
34 adopted pursuant to RCW 19.28.010(3) that is in effect at the time of  
35 entering into a contract. The bond shall be conditioned further that  
36 the principal will pay for all labor, including employee benefits, and  
37 material furnished or used upon the work, taxes and contributions to  
38 the state of Washington, and all damages that may be sustained by any

1 person, firm, partnership, corporation, or other entity due to a  
2 failure of the principal to make the installation or maintenance in  
3 accordance with this chapter or any applicable ordinance, building  
4 code, or regulation of a city or town adopted pursuant to RCW  
5 19.28.010(3). In lieu of the surety bond required by this section the  
6 license applicant may file with the department a cash deposit or other  
7 negotiable security acceptable to the department. If the license  
8 applicant has filed a cash deposit, the department shall deposit the  
9 funds in a special trust savings account in a commercial bank, mutual  
10 savings bank, or savings and loan association and shall pay annually to  
11 the depositor the interest derived from the account.

12 (4) The department shall issue general or specialty electrical  
13 contractor licenses to applicants meeting all of the requirements of  
14 this chapter. The provisions of this chapter relating to the licensing  
15 of any person, firm, partnership, corporation, or other entity  
16 including the requirement of a bond with the state of Washington named  
17 as obligee therein and the collection of a fee therefor, are exclusive,  
18 and no political subdivision of the state of Washington may require or  
19 issue any licenses or bonds or charge any fee for the same or a similar  
20 purpose. No person, firm, partnership, corporation, or other entity  
21 holding more than one specialty contractor license under this chapter  
22 may be required to pay an annual fee for more than one such license or  
23 to post more than one four thousand dollar bond, equivalent cash  
24 deposit, or other negotiable security.

25 (5) To obtain a general or specialty electrical contractor license  
26 the applicant must designate an individual who currently possesses a  
27 valid master journeyman electrician's certificate of competency, master  
28 specialty electrician's certificate of competency in the specialty for  
29 which application has been made, or administrator's certificate as a  
30 general electrical contractor administrator or as a specialty  
31 electrical contractor administrator in the specialty for which  
32 application has been made.

33 (6) Administrator certificate specialties include but are not  
34 limited to: Residential, pump and irrigation, limited energy system,  
35 signs, nonresidential maintenance, restricted nonresidential  
36 maintenance, appliance repair, and combination specialty. To obtain an  
37 administrator's certificate an individual must pass an examination as  
38 set forth in RCW 19.28.051 unless the applicant was a licensed

1 electrical contractor at any time during 1974. Applicants who were  
2 electrical contractors licensed by the state of Washington at any time  
3 during 1974 are entitled to receive a general electrical contractor  
4 administrator's certificate without examination if the applicants apply  
5 prior to January 1, 1984. The board of electrical examiners shall  
6 certify to the department the names of all persons who are entitled to  
7 either a general or specialty electrical contractor administrator's  
8 certificate.

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