
SENATE BILL 6862

State of Washington

59th Legislature

2006 Regular Session

By Senator Pridemore

Read first time 01/30/2006. Referred to Committee on Labor, Commerce, Research & Development.

1 AN ACT Relating to requiring professionals working in the building
2 trades to wear and visibly display licenses and certificates; amending
3 RCW 19.27.050, 18.106.170, 19.28.251, and 70.87.120; adding a new
4 section to chapter 19.28 RCW; adding a new section to chapter 70.87
5 RCW; and creating a new section.

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

7 NEW SECTION. **Sec. 1.** The legislature finds that dishonest
8 construction contractors sometimes hire persons without proper
9 licensing and certification to do electrical, plumbing, and conveyance
10 work. This practice gives honest contractors an unfair competitive
11 disadvantage and leaves workers and customers vulnerable. Requiring
12 persons with proper licensing and certification to visibly display
13 their licenses and certificates while doing such work will help address
14 the problems of the underground economy in the construction industry,
15 level the playing field for honest contractors, and protect workers and
16 consumers.

17 **Sec. 2.** RCW 19.27.050 and 1985 c 360 s 9 are each amended to read
18 as follows:

1 The counties and cities shall enforce the state building code
2 required by this chapter (~~shall be enforced by the counties and~~
3 ~~eities~~), and refer alleged or apparent violations of sections 4 and 6
4 of this act to the department of labor and industries for investigation
5 and appropriate enforcement action. Any county or city not having a
6 building department shall contract with another county, city, or
7 inspection agency approved by the county or city for enforcement of the
8 state building code within its jurisdictional boundaries.

9 **Sec. 3.** RCW 18.106.170 and 1983 c 124 s 6 are each amended to read
10 as follows:

11 (1) An authorized representative of the department may investigate
12 alleged or apparent violations of this chapter, and shall investigate
13 referrals of alleged or apparent violations of subsection (2) of this
14 section from local government officials charged with the duty to
15 enforce building codes under chapter 19.27 RCW. An authorized
16 representative of the department upon presentation of credentials may
17 inspect sites at which a person is doing plumbing work for the purpose
18 of determining whether that person has a certificate or permit issued
19 by the department in accordance with this chapter or is supervised by
20 a person who has such a certificate or permit. (~~Upon request of the~~
21 ~~authorized representative of the department,~~)

22 (2) A person doing plumbing work shall (~~produce evidence that the~~
23 ~~person has a~~) wear and visibly display his or her certificate or
24 permit (~~issued by the department in accordance with this chapter or is~~
25 ~~supervised by a person who has such a certificate or permit~~) while
26 doing such work. A person doing plumbing work need not wear and
27 visibly display his or her certificate or permit if doing so would
28 create a danger or unsafe condition for the person or for the public,
29 as long as the person can produce evidence that he or she has a
30 certificate or permit to an authorized representative of the
31 department.

32 NEW SECTION. **Sec. 4.** A new section is added to chapter 19.28 RCW
33 to read as follows:

34 Certificate holders shall wear and visibly display their
35 certificates while engaging in the electrical construction trade. A
36 certificate holder need not wear and visibly display his or her

1 certificate if doing so would create a danger or unsafe condition for
2 the certificate holder or for the public, as long as the certificate
3 holder can demonstrate proof of his or her certificate to electrical
4 inspectors appointed by the director of labor and industries and by the
5 officials of incorporated cities and towns where electrical inspections
6 are required by local ordinances.

7 **Sec. 5.** RCW 19.28.251 and 2001 c 211 s 18 are each amended to read
8 as follows:

9 The director may (~~promulgate~~) adopt rules, make specific
10 decisions, orders, and rulings, including demands and findings, and
11 take other necessary action for the implementation and enforcement of
12 RCW 19.28.161 through 19.28.271. The director shall investigate
13 referrals of alleged or apparent violations of section 4 of this act
14 from local government officials charged with the duty to enforce
15 building codes under chapter 19.27 RCW. In the administration of RCW
16 19.28.161 through 19.28.271 the department shall not enter any
17 controversy arising over work assignments with respect to the trades
18 involved in the construction industry.

19 NEW SECTION. **Sec. 6.** A new section is added to chapter 70.87 RCW
20 to read as follows:

21 Licensees shall wear and visibly display their licenses while
22 performing conveyance work. A licensee need not wear and visibly
23 display his or her license if doing so would create a danger or unsafe
24 condition for the licensee or for the public, as long as the licensee
25 can demonstrate proof of his or her license to an elevator inspector of
26 the department or an elevator inspector of a municipality having in
27 effect an elevator ordinance under RCW 70.87.200.

28 **Sec. 7.** RCW 70.87.120 and 1998 c 137 s 4 are each amended to read
29 as follows:

30 (1) The department shall appoint and employ inspectors, as may be
31 necessary to carry out the provisions of this chapter, under the
32 provisions of the rules adopted by the Washington personnel resources
33 board in accordance with chapter 41.06 RCW.

34 (2)(a) Except as provided in (b) of this subsection, the department
35 shall cause all conveyances to be inspected and tested at least once

1 each year. Inspectors have the right during reasonable hours to enter
2 into and upon any building or premises in the discharge of their
3 official duties, for the purpose of making any inspection or testing
4 any conveyance contained thereon or therein. Inspections and tests
5 shall conform with the rules adopted by the department. The department
6 shall inspect all installations before it issues any initial permit for
7 operation. Permits shall not be issued until the fees required by this
8 chapter have been paid.

9 (b)(i) Private residence conveyances operated exclusively for
10 single-family use shall be inspected and tested only when required
11 under RCW 70.87.100 or as necessary for the purposes of subsection (4)
12 of this section and shall be exempt from RCW 70.87.090 unless an annual
13 inspection and operating permit are requested by the owner.

14 (ii) The department may perform additional inspections of a private
15 residence conveyance at the request of the owner of the conveyance.
16 Fees for these inspections shall be in accordance with the schedule of
17 fees adopted for operating permits pursuant to RCW 70.87.030. An
18 inspection requested under this subsection (2)(b)(ii) shall not be
19 performed until the required fees have been paid.

20 (3) If inspection shows a conveyance to be in an unsafe condition,
21 the department shall issue an inspection report in writing requiring
22 the repairs or alterations to be made to the conveyance that are
23 necessary to render it safe and may also suspend or revoke a permit
24 pursuant to RCW 70.87.125 or order the operation of a conveyance
25 discontinued pursuant to RCW 70.87.145.

26 (a) A penalty may be assessed under RCW 70.87.185 for failure to
27 correct a violation within ninety days after the owner is notified in
28 writing of inspection results.

29 (b) The owner may be assessed a penalty under RCW 70.87.185 for
30 failure to submit official notification in writing to the department
31 that all corrections have been completed.

32 (4) The department may investigate accidents and alleged or
33 apparent violations of this chapter, and shall investigate referrals of
34 alleged or apparent violations of section 6 of this act from local
35 government officials charged with the duty to enforce building codes
36 under chapter 19.27 RCW.

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