

SHB 1876 - S AMD to S AMD (S-3440.1/07) **529**

By Senator Honeyford

1 On page 31, after line 37, insert the following:

2 **"Sec. 41.** RCW 18.27.090 and 2003 c 399 s 401 are each amended to
3 read as follows:

4 The registration provisions of this chapter do not apply to:

5 (1) An authorized representative of the United States government,
6 the state of Washington, or any incorporated city, town, county,
7 township, irrigation district, reclamation district, or other municipal
8 or political corporation or subdivision of this state;

9 (2) Officers of a court when they are acting within the scope of
10 their office;

11 (3) Public utilities operating under the regulations of the
12 utilities and transportation commission in construction, maintenance,
13 or development work incidental to their own business;

14 (4) Any construction, repair, or operation incidental to the
15 discovering or producing of petroleum or gas, or the drilling, testing,
16 abandoning, or other operation of any petroleum or gas well or any
17 surface or underground mine or mineral deposit when performed by an
18 owner or lessee;

19 (5) The sale or installation of any finished products, materials,
20 or articles of merchandise that are not actually fabricated into and do
21 not become a permanent fixed part of a structure;

22 (6) Any construction, alteration, improvement, or repair of
23 personal property performed by the registered or legal owner, or by a
24 mobile/manufactured home retail dealer or manufacturer licensed under
25 chapter 46.70 RCW who shall warranty service and repairs under chapter
26 46.70 RCW;

27 (7) Any construction, alteration, improvement, or repair carried on
28 within the limits and boundaries of any site or reservation under the
29 legal jurisdiction of the federal government;

30 (8) Any person who only furnished materials, supplies, or equipment
31 without fabricating them into, or consuming them in the performance of,
32 the work of the contractor;

33 (9) Any work or operation on one undertaking or project by one or

1 more contracts, the aggregate contract price of which for labor and
2 materials and all other items is less than five hundred dollars, such
3 work or operations being considered as of a casual, minor, or
4 inconsequential nature. The exemption prescribed in this subsection
5 does not apply in any instance wherein the work or construction is only
6 a part of a larger or major operation, whether undertaken by the same
7 or a different contractor, or in which a division of the operation is
8 made into contracts of amounts less than five hundred dollars for the
9 purpose of evasion of this chapter or otherwise. The exemption
10 prescribed in this subsection does not apply to a person who advertises
11 or puts out any sign or card or other device which might indicate to
12 the public that he or she is a contractor, or that he or she is
13 qualified to engage in the business of contractor;

14 (10) Any construction or operation incidental to the construction
15 and repair of irrigation and drainage ditches of regularly constituted
16 irrigation districts or reclamation districts; or to farming, dairying,
17 agriculture, viticulture, horticulture, or stock or poultry raising; or
18 to clearing or other work upon land in rural districts for fire
19 prevention purposes; except when any of the above work is performed by
20 a registered contractor;

21 (11) An owner who contracts for a project with a registered
22 contractor, except that this exemption shall not deprive the owner of
23 the protections of this chapter against registered and unregistered
24 contractors;

25 (12) Any person working on his or her own property, whether
26 occupied by him or her or not, and any person working on his or her
27 personal residence, whether owned by him or her or not but this
28 exemption shall not apply to any person otherwise covered by this
29 chapter who constructs an improvement on his or her own property with
30 the intention and for the purpose of selling the improved property;

31 (13) Owners of commercial properties who use their own employees to
32 do maintenance, repair, and alteration work in or upon their own
33 properties;

34 (14) A licensed architect or civil or professional engineer acting
35 solely in his or her professional capacity, an electrician licensed
36 under the laws of the state of Washington, or a plumber licensed under
37 the laws of the state of Washington or licensed by a political
38 subdivision of the state of Washington while operating within the
39 boundaries of such political subdivision. The exemption provided in

1 this subsection is applicable only when the licensee is operating
2 within the scope of his or her license;

3 (15) Any person who engages in the activities herein regulated as
4 an employee of a registered contractor with wages as his or her sole
5 compensation or as an employee with wages as his or her sole
6 compensation;

7 (16) Contractors on highway projects who have been prequalified as
8 required by RCW 47.28.070, with the department of transportation to
9 perform highway construction, reconstruction, or maintenance work;

10 (17) A mobile/manufactured home dealer or manufacturer who
11 subcontracts the installation, set-up, or repair work to actively
12 registered contractors. This exemption only applies to the
13 installation, set-up, or repair of the mobile/manufactured homes that
14 were manufactured or sold by the mobile/manufactured home dealer or
15 manufacturer;

16 (18) An entity who holds a valid electrical contractor's license
17 under chapter 19.28 RCW that employs a certified journeyman
18 electrician, a certified residential specialty electrician, or an
19 electrical trainee meeting the requirements of chapter 19.28 RCW to
20 perform plumbing work that is incidentally, directly, and immediately
21 appropriate to the like-in-kind replacement of a household appliance or
22 other small household utilization equipment that requires limited
23 electric power and limited waste and/or water connections. An
24 electrical trainee must be supervised by a certified electrician while
25 performing plumbing work;

26 (19) A property management company as defined in section 2 of this
27 act."

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2 By Senator Honeyford

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4 On page 32, line 16 of the title amendment, after "18.27.060,"
5 strike "and 18.106.130" and insert "18.106.130, and 18.27.090"

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EFFECT: Exempts property managment companies from contractor registration provisions.