
Commerce & Labor Committee

ESSB 5831

Brief Description: Creating the joint legislative task force on heating, ventilation, air conditioning, and refrigeration.

Sponsors: Senate Committee on Labor, Commerce, Research & Development (originally sponsored by Senators Kohl-Welles, Franklin, Keiser and Murray).

Brief Summary of Engrossed Substitute Bill

- Establishes a joint legislative task force on HVAC/R to review issues related to contractor registration and licensing and mechanic certification.

Hearing Date: 2/21/08

Staff: Jill Reinmuth (786-7134).

Background:

State laws require registration or licensure for construction, electrical, and plumbing contractors, and certification for electrical administrators, electricians, and plumbers. These laws are administered and enforced by the Department of Labor and Industries (Department).

Depending on the type of heating, ventilating, air conditioning, and refrigeration (HVAC/R) work that a contractor performs, state law may require that the contractor be registered as a general or specialty construction contractor or licensed as an electrical contractor or both. If the contractor performs electrical work, the contractor must be licensed as an electrical contractor, and employ a certified electrical administrator and certified electricians. The electricians may be certified as journeyman electricians or as HVAC/R specialty electricians.

Local ordinances in a number of cities require persons performing HVAC/R work to obtain additional certification. Some require certification for mechanical work and gas fitting work. Others require certification for heating oil and air conditioning/refrigeration work.

In 2005 the Joint Legislative Audit and Review Committee (JLARC) completed a study of the state's rules relating to the licensing and testing requirements for HVAC/R contractors and

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installers. The study said that ". . . certifying other aspects of HVAC/R work may be an option for the state to consider" and that "[the Department] should provide fiscal and public safety estimates of scenarios that would certify other aspects of HVAC/R work."

In 2006 the Department organized the HVAC/R Task Force. A regulatory alternatives subcommittee considered various options for regulation of the HVAC/R industry, but was not able to reach consensus on a single option.

Summary of Bill:

A joint legislative task force on heating, ventilating, air conditioning, and refrigeration (HVAC/R) is established.

The 12-member task force consists of: four legislative members that are the chairs and the ranking members of the Senate Economic Development, Trade, and Management Committee and the House Commerce and Labor Committee; four members representing the HVAC/R industry; and four members representing labor. The Department of Labor and Industries must maintain a nonvoting liaison representative to the task force. The task force is required to choose its chair from among its membership.

The task force is required to review the following:

- requirements for registering, certifying, or licensing mechanics;
- methods of registering or licensing contractors who qualify for two or more registrations or licenses;
- establishing at least three levels of mechanics, with the ability to be certified in several specialties;
- experience requirements for each mechanic level;
- methods of obtaining training certificates;
- exemptions to registration, certification, or licensing requirements; and
- other factors the task force deems necessary.

The task force must report its findings and recommendations to the Legislature by January 1, 2009. The provision creating the task force expires July 1, 2009.

Rules Authority: The bill does not address 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.