
HOUSE BILL 1013

State of Washington 60th Legislature 2007 Regular Session

By Representatives Moeller, Conway, Kenney and Ormsby

Prefiled 12/18/2006. Read first time 01/08/2007. Referred to
Committee on Commerce & Labor.

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 cities)), and refer alleged or apparent violations of sections 4 and 6
4 of this act and RCW 18.106.170 to the department of labor and
5 industries for investigation and appropriate enforcement action. Any
6 county or city not having a building department shall contract with
7 another county, city, or inspection agency approved by the county or
8 city for enforcement of the state building code within its
9 jurisdictional boundaries.

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

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

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

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

35 Certificate holders engaging in the electrical construction trade
36 shall wear and visibly display their certificates, which shall include

1 photo identification. A certificate holder need not wear and visibly
2 display his or her certificate if doing so would create a danger or
3 unsafe condition for the certificate holder or for the public, as long
4 as the certificate holder can demonstrate proof of his or her
5 certificate to electrical inspectors appointed by the director of labor
6 and industries and by the officials of incorporated cities and towns
7 where electrical inspections are required by local ordinances.

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

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

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

22 Licensees performing conveyance work shall wear and visibly display
23 their licenses, which shall include photo identification. A licensee
24 need not wear and visibly display his or her license if doing so would
25 create a danger or unsafe condition for the licensee or for the public,
26 as long as the licensee can demonstrate proof of his or her license to
27 an elevator inspector of the department or an elevator inspector of a
28 municipality having in effect an elevator ordinance under RCW
29 70.87.200.

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

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

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

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

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

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

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

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

34 (4) The department may investigate accidents and alleged or
35 apparent violations of this chapter, and shall investigate referrals of
36 alleged or apparent violations of section 6 of this act from local

1 government officials charged with the duty to enforce building codes
2 under chapter 19.27 RCW.

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