
HOUSE BILL 1055

State of Washington 61st Legislature 2009 Regular Session

By Representatives Moeller, Williams, Conway, Wood, and Simpson

Prefiled 12/30/08. Read first time 01/12/09. Referred to Committee on
Commerce & Labor.

1 AN ACT Relating to requiring workers to have licenses,
2 certificates, or permits in their possession when performing work in
3 certain construction trades; amending RCW 18.106.020, 18.106.070,
4 18.106.090, 18.106.170, 19.28.271, 19.28.211, 19.28.231, 70.87.230, and
5 70.87.250; reenacting and amending RCW 19.28.161; and creating new
6 sections.

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

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

1 **Sec. 2.** RCW 18.106.020 and 2006 c 185 s 11 are each amended to
2 read as follows:

3 (1) No person may engage in or offer to engage in the trade of
4 plumbing without having a journeyman certificate, specialty
5 certificate, temporary permit, or trainee certificate in his or her
6 possession. A trainee must be supervised by a person who has a
7 journeyman certificate, specialty certificate, or temporary permit, as
8 specified in RCW 18.106.070. No contractor may employ a person to
9 engage in or offer to engage in the trade of plumbing unless the person
10 employed has a journeyman certificate, specialty certificate, temporary
11 permit, or trainee certificate. This section does not apply to a
12 contractor who is contracting for work on his or her own residence.
13 Until July 1, 2007, the department shall issue a written warning to any
14 specialty plumber defined by RCW 18.106.010(10)(c) not having a valid
15 plumber certification. The warning will state that the individual must
16 apply for a plumber training certificate or be qualified for and apply
17 for plumber certification under the requirements in RCW 18.106.040
18 within thirty calendar days of the warning. Only one warning will be
19 issued to any individual. If the individual fails to comply with this
20 section, the department shall issue a penalty or penalties as
21 authorized by this chapter.

22 (2) No person may engage in or offer to engage in medical gas
23 piping installation without having a certificate of competency as a
24 journeyman plumber and a medical gas piping installer endorsement in
25 his or her possession. A trainee may engage in medical gas piping
26 installation if he or she has a training certificate and is supervised
27 by a person with a medical gas piping installer endorsement. No
28 contractor may employ a person to engage in or offer to engage in
29 medical gas piping installation unless the person employed has a
30 certificate of competency as a journeyman plumber and a medical gas
31 piping installer endorsement.

32 (3) No contractor may advertise, offer to do work, submit a bid, or
33 perform any work under this chapter without being registered as a
34 contractor under chapter 18.27 RCW.

35 (4) Violation of this section is an infraction. Each day in which
36 a person engages in the trade of plumbing in violation of this section
37 or employs a person in violation of this section is a separate

1 infraction. Each worksite at which a person engages in the trade of
2 plumbing in violation of this section or at which a person is employed
3 in violation of this section is a separate infraction.

4 (5) Notices of infractions for violations of this section may be
5 issued to:

6 (a) The person engaging in or offering to engage in the trade of
7 plumbing in violation of this section;

8 (b) The contractor in violation of this section; and

9 (c) The contractor's employee who authorized the work assignment of
10 the person employed in violation of this section.

11 **Sec. 3.** RCW 18.106.070 and 2006 c 185 s 10 are each amended to
12 read as follows:

13 (1) The department shall issue a certificate of competency to all
14 applicants who have passed the examination and have paid the fee for
15 the certificate. The certificate shall be wallet size, made of a
16 durable material, and include a photograph of the holder. The
17 certificate shall bear the date of issuance, and shall expire on the
18 birthdate of the holder immediately following the date of issuance.
19 The certificate shall be renewable every other year, upon application,
20 on or before the birthdate of the holder, except for specialty plumbers
21 defined by RCW 18.106.010(10)(c) who also have an electrical
22 certification issued jointly as provided by RCW 18.106.050(3) in which
23 case their certificate shall be renewable every three years on or
24 before the birthdate of the holder. The department shall renew a
25 certificate of competency if the applicant: (a) Pays the renewal fee
26 assessed by the department; and (b) during the past two years has
27 completed sixteen hours of continuing education approved by the
28 department with the advice of the advisory board, including four hours
29 related to electrical safety. For holders of the specialty plumber
30 certificate under RCW 18.106.010(10)(c), the continuing education may
31 comprise both electrical and plumbing education with a minimum of
32 twelve of the required twenty-four hours of continuing education in
33 plumbing. If a person fails to renew the certificate by the renewal
34 date, he or she must pay a doubled fee. If the person does not renew
35 the certificate within ninety days of the renewal date, he or she must
36 retake the examination and pay the examination fee.

1 The journeyman plumber and specialty plumber certificates of
2 competency, the medical gas piping installer endorsement, and the
3 temporary permit provided for in this chapter grant the holder the
4 right to engage in the work of plumbing as a journeyman plumber,
5 specialty plumber, or medical gas piping installer, in accordance with
6 their provisions throughout the state and within any of its political
7 subdivisions on any job or any employment without additional proof of
8 competency or any other license or permit or fee to engage in the work.
9 This section does not preclude employees from adhering to a union
10 security clause in any employment where such a requirement exists.

11 (2) A person who is indentured in an apprenticeship program
12 approved under chapter 49.04 RCW for the plumbing construction trade or
13 who is learning the plumbing construction trade may work in the
14 plumbing construction trade if supervised by a certified journeyman
15 plumber or a certified specialty plumber in that plumber's specialty.
16 All apprentices and individuals learning the plumbing construction
17 trade shall obtain a plumbing training certificate from the department.
18 The certificate shall authorize the holder to learn the plumbing
19 construction trade while under the direct supervision of a journeyman
20 plumber or a specialty plumber working in his or her specialty. The
21 certificate shall be wallet size, made of a durable material, and
22 include a photograph of the holder. The holder of the plumbing
23 training certificate shall renew the certificate annually. At the time
24 of renewal, the holder shall provide the department with an accurate
25 list of the holder's employers in the plumbing construction industry
26 for the previous year and the number of hours worked for each employer.
27 An annual fee shall be charged for the issuance or renewal of the
28 certificate. The department shall set the fee by rule. The fee shall
29 cover but not exceed the cost of administering and enforcing the
30 trainee certification and supervision requirements of this chapter.
31 ~~((Apprentices and individuals learning the plumbing construction trade~~
32 ~~shall have their plumbing training certificates in their possession at~~
33 ~~all times that they are performing plumbing work. They shall show~~
34 ~~their certificates to an authorized representative of the department at~~
35 ~~the representative's request.))~~

36 (3) Any person who has been issued a plumbing training certificate
37 under this chapter may work if that person is under supervision.
38 Supervision shall consist of a person being on the same job site and

1 under the control of either a journeyman plumber or an appropriate
2 specialty plumber who has an applicable certificate of competency
3 issued under this chapter. Either a journeyman plumber or an
4 appropriate specialty plumber shall be on the same job site as the
5 noncertified individual for a minimum of seventy-five percent of each
6 working day unless otherwise provided in this chapter. The ratio of
7 noncertified individuals to certified journeymen or specialty plumbers
8 working on a job site shall be: (a) Not more than two noncertified
9 plumbers working on any one job site for every certified specialty
10 plumber or journeyman plumber working as a specialty plumber; and (b)
11 not more than one noncertified plumber working on any one job site for
12 every certified journeyman plumber working as a journeyman plumber.

13 An individual who has a current training certificate and who has
14 successfully completed or is currently enrolled in an approved
15 apprenticeship program or in a technical school program in the plumbing
16 construction trade in a school approved by the workforce training and
17 education coordinating board, may work without direct on-site
18 supervision during the last six months of meeting the practical
19 experience requirements of this chapter.

20 (4) An individual who has a current training certificate and who
21 has successfully completed or is currently enrolled in a medical gas
22 piping installer training course approved by the department may work on
23 medical gas piping systems if the individual is under the direct
24 supervision of a certified medical gas piping installer who holds a
25 medical gas piping installer endorsement one hundred percent of a
26 working day on a one-to-one ratio.

27 (5) The training to become a certified plumber must include not
28 less than sixteen hours of classroom training established by the
29 director with the advice of the advisory board. The classroom training
30 must include, but not be limited to, electrical wiring safety,
31 grounding, bonding, and other related items plumbers need to know to
32 work under RCW 19.28.091.

33 (6) All persons who are certified plumbers before January 1, 2003,
34 are deemed to have received the classroom training required in
35 subsection (5) of this section.

36 **Sec. 4.** RCW 18.106.090 and 1985 c 7 s 78 are each amended to read
37 as follows:

1 The department is authorized to grant and issue temporary permits
2 in lieu of certificates of competency whenever a plumber coming into
3 the state of Washington from another state requests the department for
4 a temporary permit to engage in the trade of plumbing as a journeyman
5 plumber or as a specialty plumber during the period of time between
6 filing of an application for a certificate as provided in RCW
7 18.106.030 as now or hereafter amended and taking the examination
8 provided for in RCW 18.106.050(~~(:—PROVIDED, That))~~). The temporary
9 permit shall be wallet size, made of a durable material, and include a
10 photograph of the plumber. No temporary permit shall be issued to:

- 11 (1) Any person who has failed to pass the examination for a
12 certificate of competency;
- 13 (2) Any applicant under this section who has not furnished the
14 department with such evidence required under RCW 18.106.030;
- 15 (3) To any apprentice plumber.

16 **Sec. 5.** RCW 18.106.170 and 1983 c 124 s 6 are each amended to read
17 as follows:

18 An authorized representative of the department may investigate
19 alleged or apparent violations of this chapter. An authorized
20 representative of the department upon presentation of credentials may
21 inspect sites at which a person is doing plumbing work for the purpose
22 of determining whether that person has a certificate or permit issued
23 by the department in accordance with this chapter or is supervised by
24 a person who has such a certificate or permit. Upon request of the
25 authorized representative of the department, a person doing plumbing
26 work shall produce (~~evidence that the person has a~~) his or her
27 certificate or permit (~~issued by the department in accordance with~~
28 ~~this chapter~~) or, if required by this chapter, evidence that he or she
29 is supervised by a person who has such a certificate or permit.

30 **Sec. 6.** RCW 19.28.271 and 2001 c 211 s 20 are each amended to read
31 as follows:

32 (1) It is unlawful for any person, firm, partnership, corporation,
33 or other entity to employ an individual for purposes of RCW 19.28.161
34 through 19.28.271 who has not been issued a certificate of competency,
35 a temporary permit, or a training certificate. It is unlawful for any
36 individual to engage in the electrical construction trade or to

1 maintain or install any electrical equipment or conductors without
2 having in his or her possession a certificate of competency, a
3 temporary permit, or a training certificate under RCW 19.28.161 through
4 19.28.271. The individual shall produce the certificate of competency,
5 temporary permit, or training certificate upon request of an authorized
6 representative of the department.

7 (2) Any person, firm, partnership, corporation, or other entity
8 found in violation of RCW 19.28.161 through 19.28.271 shall be assessed
9 a penalty of not less than fifty dollars or more than five hundred
10 dollars. The department shall set by rule a schedule of penalties for
11 violating RCW 19.28.161 through 19.28.271. An appeal may be made to
12 the board as is provided in RCW 19.28.131. The appeal shall be filed
13 within twenty days after the notice of the penalty is given to the
14 assessed party by certified mail, return receipt requested, sent to the
15 last known address of the assessed party and shall be made by filing a
16 written notice of appeal with the department. Any equipment maintained
17 or installed by any person who does not possess a certificate of
18 competency under RCW 19.28.161 through 19.28.271 shall not receive an
19 electrical work permit and electrical service shall not be connected or
20 maintained to operate the equipment. Each day that a person, firm,
21 partnership, corporation, or other entity violates RCW 19.28.161
22 through 19.28.271 is a separate violation.

23 ((+2)) (3) A civil penalty shall be collected in a civil action
24 brought by the attorney general in the county wherein the alleged
25 violation arose at the request of the department if any of RCW
26 19.28.161 through 19.28.271 or any rules adopted under RCW 19.28.161
27 through 19.28.271 are violated.

28 **Sec. 7.** RCW 19.28.161 and 2006 c 224 s 2 and 2006 c 185 s 6 are
29 each reenacted and amended to read as follows:

30 (1) No person may engage in the electrical construction trade
31 without having a valid master journeyman electrician certificate of
32 competency, journeyman electrician certificate of competency, master
33 specialty electrician certificate of competency, or specialty
34 electrician certificate of competency issued by the department in
35 accordance with this chapter. Electrician certificate of competency
36 specialties include, but are not limited to: Residential, pump and
37 irrigation, limited energy system, signs, nonresidential maintenance,

1 restricted nonresidential maintenance, and appliance repair. Until
2 July 1, 2007, the department of labor and industries shall issue a
3 written warning to any specialty pump and irrigation or domestic pump
4 electrician not having a valid electrician certification. The warning
5 will state that the individual must apply for an electrical training
6 certificate or be qualified for and apply for electrician certification
7 under the requirements in RCW 19.28.191(1)(g) within thirty calendar
8 days of the warning. Only one warning will be issued to any
9 individual. If the individual fails to comply with this section, the
10 department shall issue a penalty as defined in RCW 19.28.271 to the
11 individual.

12 (2) A person who is indentured in an apprenticeship program
13 approved under chapter 49.04 RCW for the electrical construction trade
14 or who is learning the electrical construction trade may work in the
15 electrical construction trade if supervised by a certified master
16 journeyman electrician, journeyman electrician, master specialty
17 electrician in that electrician's specialty, or specialty electrician
18 in that electrician's specialty. All apprentices and individuals
19 learning the electrical construction trade shall obtain an electrical
20 training certificate from the department. The certificate shall
21 authorize the holder to learn the electrical construction trade while
22 under the direct supervision of a master journeyman electrician,
23 journeyman electrician, master specialty electrician working in that
24 electrician's specialty, or specialty electrician working in that
25 electrician's specialty. The certificate shall be wallet size, made of
26 a durable material, and include a photograph of the holder. The holder
27 of the electrical training certificate shall renew the certificate
28 biennially. At the time of renewal, the holder shall provide the
29 department with an accurate list of the holder's employers in the
30 electrical construction industry for the previous biennial period and
31 the number of hours worked for each employer, and proof of sixteen
32 hours of approved classroom electrical continuing education courses
33 covering this chapter, the national electrical code, or electrical
34 theory, or the equivalent electrical training courses taken as part of
35 an approved apprenticeship program under chapter 49.04 RCW or an
36 approved electrical training program under RCW 19.28.191(1)(h). This
37 education requirement is effective July 1, 2007. A biennial fee shall
38 be charged for the issuance or renewal of the certificate. The

1 department shall set the fee by rule. The fee shall cover but not
2 exceed the cost of administering and enforcing the trainee
3 certification and supervision requirements of this chapter.
4 Apprentices and individuals learning the electrical construction trade
5 shall have their electrical training certificates in their possession
6 at all times that they are performing electrical work. They shall show
7 their certificates to an authorized representative of the department at
8 the representative's request.

9 (3) Any person who has been issued an electrical training
10 certificate under this chapter may work if that person is under
11 supervision. Supervision shall consist of a person being on the same
12 job site and under the control of either a certified master journeyman
13 electrician, journeyman electrician, master specialty electrician
14 working in that electrician's specialty, or specialty electrician
15 working in that electrician's specialty. Either a certified master
16 journeyman electrician, journeyman electrician, master specialty
17 electrician working in that electrician's specialty, or specialty
18 electrician working in that electrician's specialty shall be on the
19 same job site as the noncertified individual for a minimum of seventy-
20 five percent of each working day unless otherwise provided in this
21 chapter.

22 (4) The ratio of noncertified individuals to certified master
23 journeymen electricians, journeymen electricians, master specialty
24 electricians, or specialty electricians on any one job site is as
25 follows:

26 (a) When working as a specialty electrician, not more than two
27 noncertified individuals for every certified master specialty
28 electrician working in that electrician's specialty, specialty
29 electrician working in that electrician's specialty, master journeyman
30 electrician, or journeyman electrician, except that the ratio
31 requirements are one certified master specialty electrician working in
32 that electrician's specialty, specialty electrician working in that
33 electrician's specialty, master journeyman electrician, or journeyman
34 electrician working as a specialty electrician to no more than four
35 students enrolled in and working as part of an electrical construction
36 program at public community or technical colleges, or not-for-profit
37 nationally accredited trade or technical schools licensed by the
38 workforce training and education coordinating board under chapter

1 28C.10 RCW. In meeting the ratio requirements for students enrolled in
2 an electrical construction program at a trade school, a trade school
3 may receive input and advice from the electrical board; and

4 (b) When working as a journeyman electrician, not more than one
5 noncertified individual for every certified master journeyman
6 electrician or journeyman electrician, except that the ratio
7 requirements shall be one certified master journeyman electrician or
8 journeyman electrician to no more than four students enrolled in and
9 working as part of an electrical construction program at public
10 community or technical colleges, or not-for-profit nationally
11 accredited trade or technical schools licensed by the workforce
12 training and education coordinating board under chapter 28C.10 RCW. In
13 meeting the ratio requirements for students enrolled in an electrical
14 construction program at a trade school, a trade school may receive
15 input and advice from the electrical board.

16 An individual who has a current training certificate and who has
17 successfully completed or is currently enrolled in an approved
18 apprenticeship program or in an electrical construction program at
19 public community or technical colleges, or not-for-profit nationally
20 accredited technical or trade schools licensed by the workforce
21 training and education coordinating board under chapter 28C.10 RCW, may
22 work without direct on-site supervision during the last six months of
23 meeting the practical experience requirements of this chapter.

24 (5) For the residential (as specified in WAC 296-46B-920(2)(a)),
25 pump and irrigation (as specified in WAC 296-46B-920(2)(b)), sign (as
26 specified in WAC 296-46B-920(2)(d)), limited energy (as specified in
27 WAC 296-46B-920(2)(e)), nonresidential maintenance (as specified in WAC
28 296-46B-920(2)(g)), restricted nonresidential maintenance as determined
29 by the department in rule, or other new nonresidential specialties, not
30 including appliance repair, as determined by the department in rule,
31 either a master journeyman electrician, journeyman electrician, master
32 specialty electrician working in that electrician's specialty, or
33 specialty electrician working in that electrician's specialty must be
34 on the same job site as the noncertified individual for a minimum of
35 seventy-five percent of each working day. Other specialties must meet
36 the requirements specified in RCW 19.28.191(1)(g)(ii). When the ratio
37 of certified electricians to noncertified individuals on a job site is

1 one certified electrician to three or four noncertified individuals,
2 the certified electrician must:

3 (a) Directly supervise and instruct the noncertified individuals
4 and the certified electrician may not directly make or engage in an
5 electrical installation; and

6 (b) Be on the same job site as the noncertified individual for a
7 minimum of one hundred percent of each working day.

8 (6) The electrical contractor shall accurately verify and attest to
9 the electrical trainee hours worked by electrical trainees on behalf of
10 the electrical contractor.

11 **Sec. 8.** RCW 19.28.211 and 2006 c 185 s 12 are each amended to read
12 as follows:

13 (1) The department shall issue a certificate of competency to all
14 applicants who have passed the examination provided in RCW 19.28.201,
15 and who have complied with RCW 19.28.161 through 19.28.271 and the
16 rules adopted under this chapter. The certificate shall be wallet
17 size, made of a durable material, and include a photograph of the
18 holder. The certificate shall bear the date of issuance, and shall
19 expire on the holder's birthday. The certificate shall be renewed
20 every three years, upon application, on or before the holder's
21 birthdate. A fee shall be assessed for each certificate and for each
22 annual renewal.

23 (2) If the certificate holder demonstrates to the department that
24 he or she has satisfactorily completed an annual eight-hour continuing
25 education course, the certificate may be renewed without examination by
26 appropriate application unless the certificate has been revoked,
27 suspended, or not renewed within ninety days after the expiration date.
28 For pump and irrigation or domestic pump specialty electricians, the
29 continuing education course may combine both electrical and plumbing
30 education provided that there is a minimum of four hours of electrical
31 training in the course.

32 (a) The contents and requirements for satisfactory completion of
33 the continuing education course shall be determined by the director and
34 approved by the board.

35 (b) The department shall accept proof of a certificate holder's
36 satisfactory completion of a continuing education course offered in
37 another state as meeting the requirements for maintaining a current

1 Washington state certificate of competency if the department is
2 satisfied the course is comparable in nature to that required in
3 Washington state for maintaining a current certificate of competency.

4 (3) If the certificate is not renewed before the expiration date,
5 the individual shall pay twice the usual fee. The department shall set
6 the fees by rule for issuance and renewal of a certificate of
7 competency. The fees shall cover but not exceed the costs of issuing
8 the certificates and of administering and enforcing the electrician
9 certification requirements of this chapter.

10 (4) The certificates of competency and temporary permits provided
11 for in this chapter grant the holder the right to work in the
12 electrical construction trade as a master electrician, journeyman
13 electrician, or specialty electrician in accordance with their
14 provisions throughout the state and within any of its political
15 subdivisions without additional proof of competency or any other
16 license, permit, or fee to engage in such work.

17 **Sec. 9.** RCW 19.28.231 and 2001 c 211 s 16 are each amended to read
18 as follows:

19 The department is authorized to grant and issue temporary permits
20 in lieu of certificates of competency whenever an electrician coming
21 into the state of Washington from another state requests the department
22 for a temporary permit to engage in the electrical construction trade
23 as an electrician during the period of time between filing of an
24 application for a certificate as provided in RCW 19.28.181 and the date
25 the results of taking the examination provided for in RCW 19.28.201 are
26 furnished to the applicant. The temporary permit shall be wallet size,
27 made of a durable material, and include a photograph of the holder.

28 The department is authorized to enter into reciprocal agreements with
29 other states providing for the acceptance of such states' journeyman
30 and speciality electrician certificate of competency or its equivalent
31 when such states requirements are equal to the standards set by this
32 chapter. No temporary permit shall be issued to:

33 (1) Any person who has failed to pass the examination for a
34 certificate of competency, except that any person who has failed the
35 examination for competency under this section shall be entitled to
36 continue to work under a temporary permit for ninety days if the person
37 is enrolled in a journeyman electrician refresher course and shows

1 evidence to the department that he or she has not missed any classes.
2 The person, after completing the journeyman electrician refresher
3 course, shall be eligible to retake the examination for competency at
4 the next scheduled time.

5 (2) Any applicant under this section who has not furnished the
6 department with such evidence required under RCW 19.28.181.

7 (3) To any apprentice electrician.

8 **Sec. 10.** RCW 70.87.230 and 2003 c 143 s 1 are each amended to read
9 as follows:

10 (1) Except as provided in RCW 70.87.270, a person may not perform
11 conveyance work within the state unless he or she is an elevator
12 mechanic who is regularly employed by and is working: ~~((1))~~ (a) For
13 an owner exempt from licensing requirements under RCW 70.87.270 and
14 performing maintenance; ~~((2))~~ (b) for a public agency performing
15 maintenance; or ~~((3))~~ (c) under the direct supervision of an elevator
16 contractor. A person, firm, public agency, or company is not required
17 to be an elevator contractor for removing or dismantling conveyances
18 that are destroyed as a result of a complete demolition of a secured
19 building or structure or where the building is demolished back to the
20 basic support structure whereby no access is permitted therein to
21 endanger the safety and welfare of a person.

22 (2) When performing conveyance work, an elevator mechanic must have
23 his or her license in his or her possession. The elevator mechanic
24 must produce the license upon request of an authorized representative
25 of the department.

26 **Sec. 11.** RCW 70.87.250 and 2003 c 143 s 21 are each amended to
27 read as follows:

28 (1) Upon approval of an application, the department may issue a
29 license that is biennially renewable. Each license must include a
30 photograph of the licensee. The fee for the license and for any
31 renewal shall be set by the department in rule.

32 (2) The department may issue temporary elevator mechanic licenses.
33 These temporary elevator mechanic licenses will be issued to those
34 certified as qualified and competent by licensed elevator contractors.
35 The company shall furnish proof of competency as the department may
36 require. Each license must include a photograph of the licensee. Each

1 license must recite that it is valid for a period of thirty days from
2 the date of issuance and for such particular conveyance or geographical
3 areas as the department may designate, and otherwise entitles the
4 licensee to the rights and privileges of an elevator mechanic license
5 issued in this chapter. A temporary elevator mechanic license may be
6 renewed by the department and a fee as established in rule must be
7 charged for any temporary elevator mechanic license or renewal.

8 (3) The renewal of all licenses granted under this section is
9 conditioned upon the submission of a certificate of completion of a
10 course designed to ensure the continuing education of licensees on new
11 and existing rules of the department. The course must consist of not
12 less than eight hours of instruction that must be attended and
13 completed within one year immediately preceding any license renewal.

14 (4) The courses must be taught by instructors through continuing
15 education providers that may include, but are not limited to,
16 association seminars and labor training programs. The department must
17 approve the continuing education providers. All instructors must be
18 approved by the department and are exempt from the requirements of
19 subsection (3) of this section with regard to his or her application
20 for license renewal, provided that such applicant was qualified as an
21 instructor at any time during the one year immediately preceding the
22 scheduled date for such renewal.

23 (5) A licensee who is unable to complete the continuing education
24 course required under this section before the expiration of his or her
25 license due to a temporary disability may apply for a waiver from the
26 department. This will be on a form provided by the department and
27 signed under the pains and penalties of perjury and accompanied by a
28 certified statement from a competent physician attesting to the
29 temporary disability. Upon the termination of the temporary
30 disability, the licensee must submit to the department a certified
31 statement from the same physician, if practicable, attesting to the
32 termination of the temporary disability. At which time a waiver
33 sticker, valid for ninety days, must be issued to the licensee and
34 affixed to his or her license.

35 (6) Approved training providers must keep uniform records, for a
36 period of ten years, of attendance of licensees and these records must
37 be available for inspection by the department at its request. Approved
38 training providers are responsible for the security of all attendance

1 records and certificates of completion. However, falsifying or
2 knowingly allowing another to falsify attendance records or
3 certificates of completion constitutes grounds for suspension or
4 revocation of the approval required under this section.

5 NEW SECTION. **Sec. 12.** This act applies to individuals applying
6 for or renewing a license or certification after July 1, 2010.

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