

SENATE BILL REPORT

SB 5845

As Reported by Senate Committee On:
Commerce & Labor, February 18, 2015

Title: An act relating to replacement of like-in-kind household appliances.

Brief Description: Concerning the replacement of like-in-kind household appliances.

Sponsors: Senators Warnick, Angel, Braun, Ericksen and Parlette.

Brief History:

Committee Activity: Commerce & Labor: 2/18/15 [DP, DNP].

SENATE COMMITTEE ON COMMERCE & LABOR

Majority Report: Do pass.

Signed by Senators Baumgartner, Chair; Braun, Vice Chair; King and Warnick.

Minority Report: Do not pass.

Signed by Senators Hasegawa, Ranking Minority Member; Conway and Keiser.

Staff: Mac Nicholson (786-7445)

Background: Any person or firm who undertakes, or offers to undertake, construction-related activities must register as a contractor with the Department of Labor and Industries (L&I). Failure to register as a contractor will subject the person to criminal liability.

Any person or firm in the business of installing or repairing plumbing must register as a contractor, and the work must be performed by a certified plumber. Similarly, any person or firm in the business of installing or maintaining wires or electrical equipment must obtain an electrical contractor license, and the electrical work must be performed by a licensed electrician. There are several specialty electrician licenses available, with limited scopes of work. An HVAC/refrigeration (06A) specialty electrician may install, repair, replace, and maintain heating, ventilation, air conditioning, and refrigeration. An appliance repair (07D) specialty electrician may service, maintain, repair, or replace household appliances, and other small electrical utilization equipment including ovens, office equipment, commercial kitchen equipment, and self-contained hot tubs and spas.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

State law provides a number of exemptions to the contractor registration and electrical and plumbing licensing requirements. Specifically, licensed journeyman electricians, residential specialty electricians, and electrical trainees working for licensed electrical contractors do not need a plumbing certificate to perform plumbing work incidental to the like-in-kind replacement of a household appliance or other small household equipment that requires limited electric power and limited plumbing connections. The electrical contractor employing the electrician to do such work does not need to separately register as a contractor.

Conversely, a registered specialty or general plumbing contractor can employ a certified plumber to perform electrical work that is incidental to the like-in-kind replacement of a household appliance.

Summary of Bill: Licensed HVAC/refrigeration specialty electricians and appliance repair specialty electricians working for an electrical contractor do not need a plumbing certificate to perform plumbing work incidental to the like-in-kind replacement of household appliances. The electrical contractor employing the HVAC/refrigeration specialty electrician to do such work does not need to separately register as a contractor.

A licensed electrical contractor can employ a licensed HVAC/refrigeration specialty electrician or appliance repair specialty electrician to perform electrical work that is incidental to the like-in-kind replacement of a household appliance.

The incidental work permitted is changed to no longer require limited electric power.

An HVAC/refrigeration specialty electrician is a person who has been issued an HVAC/refrigeration specialty electrician certificate of competency by L&I that requires at least 4000 hours of supervised work experience.

An appliance repair specialty electrician is a person who has been issued an appliance repair specialty electrician certificate of competency.

Appropriation: None.

Fiscal Note: Available on companion (HB 1608).

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: This bill is an attempt to simplify simple jobs. Specialty electricians are often the ones replacing household appliances, but they are limited in what they can do as far as plumbing. Consumers who want to replace appliances don't want to have to call additional plumbers or electricians and pay the added expense. It's unreasonable for an HVAC contractor to not be able to do both when replacing the appliances.

CON: These are not simple jobs. Electrical and plumbing require trained and certified

people to do the work because electricity and water can kill people. There is a public safety concern with this type of work. The current level of certification is appropriate.

Persons Testifying: PRO: Jim King, WA State HVACR Assn; Steve Kreckler, Air Masters Inc., VP; Nancy Barradale, Office Manager, Mercurio's Heating & A/C.

CON: Larry Stevens, National Electrical Contractors Assn; Mechanical Contractors Assn; William Mirand, International Brotherhood of Electrical Workers 191; Clint Bryson, International Brotherhood of Electrical Workers 76.