

HOUSE BILL REPORT

SHB 1594

As Passed Legislature

Title: An act relating to clarifying the exemption for wiring and equipment associated with telecommunication installations.

Brief Description: Clarifying the exemption for wiring and equipment associated with telecommunication installations.

Sponsors: House Committee on Labor & Workplace Standards (originally sponsored by Representatives Chandler and Chapman).

Brief History:

Committee Activity:

Labor & Workplace Standards: 1/31/19, 2/21/19 [DPS].

Floor Activity:

Passed House: 3/7/19, 97-0.

Passed Senate: 4/10/19, 46-0.

Passed Legislature.

Brief Summary of Substitute Bill

- Changes the regulation of certain work on electric utility poles, and electric utility-owned equipment between a meter base and meter.

HOUSE COMMITTEE ON LABOR & WORKPLACE STANDARDS

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 7 members: Representatives Sells, Chair; Chapman, Vice Chair; Mosbrucker, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Gregerson, Hoff and Ormsby.

Staff: Joan Elgee (786-7106).

Background:

All wires, equipment, and installations that convey electric current must be in conformity with the electrical laws of the state, which are administered by the Department of Labor and

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Industries (Department). Electrical installations must comply with the National Electrical Code. Generally, an electrical contractor license is required to engage in the business of installing or maintaining wires or equipment to convey electric current, or equipment to be operated by electric current, and a certified electrician must perform the work. To be certified, an electrician must meet certain experience and education requirements. An electrical contractor license or telecommunications contractor license is required to install telecommunications systems.

Certain wires and equipment are exempt from the standards requirements as well as the licensing and certification requirements. These exemptions include telephone and television wires, and wires and equipment exempt from the National Electrical Code. A separate code, the National Electric Safety Code (NESC), establishes standards for the safety of utility workers (line workers) and the public during the installation, operation, and maintenance of electric supply, communication lines, and associated equipment. The NESC provides for the separation of the power space for power distribution at the top of a utility pole, and communications space for cable and other attachments. The zone between the power space and the communications space is the communication worker safety zone.

Under the authority of the Washington Industrial Safety and Health Act, the Department has adopted rules governing the safety of utility workers, which include training requirements. The rules require that the work be performed in accordance with the NESC. A separate set of rules governs the work of electrical installations by certified electricians and related work.

A electric meter base provides the power to the electric meter.

Summary of Substitute Bill:

Wires and equipment within the communication worker safety zone and supply space, as defined in the NESC, on poles supporting utility transmission or distribution lines or wires, are exempt from the regulation of electrical installations.

Electric utility-owned equipment between a meter base and meter are also exempt.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) Clarity is needed on what code applies and who does the work to install 5th Generation (5G) broadband on utility poles. The 5G is installed at the power space at the top of the pole. There is no way to do the work legally now without de-energizing the pole. The bill will keep up with technology by exempting this work from the National Electrical Code standard, which applies to residential work.

(Opposed) None.

(Other) Clarification may be needed to make sure telecommunications workers would not be allowed to do this work.

Persons Testifying: (In support) Representative Chandler, prime sponsor; Bill Clarke, Washington Public Utility District Association; and Dave Hanson, Benton Public Utility District and Washington Public Utility District Association.

(Other) Kathleen Collins, Pacific Power.

Persons Signed In To Testify But Not Testifying: None.