
SECOND SUBSTITUTE SENATE BILL 5425

State of Washington

68th Legislature

2023 Regular Session

By Senate Ways & Means (originally sponsored by Senators Salomon, Keiser, Boehnke, J. Wilson, and Conway)

READ FIRST TIME 02/24/23.

1 AN ACT Relating to fire protection sprinkler system contractors;
2 amending RCW 18.160.030, 18.160.050, 18.160.120, 18.270.020, and
3 18.270.070; and adding a new section to chapter 18.160 RCW.

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

5 **Sec. 1.** RCW 18.160.030 and 2003 c 74 s 1 are each amended to
6 read as follows:

7 (1) This chapter shall be administered by the state director of
8 fire protection.

9 (2) The state director of fire protection shall have the
10 authority, and it shall be his or her duty to:

11 (a) Issue such administrative regulations as necessary for the
12 administration of this chapter;

13 (b)(i) Set reasonable fees for licenses, certificates, testing,
14 and other aspects of the administration of this chapter. However, the
15 license fee for fire protection sprinkler system contractors engaged
16 solely in the installation, inspection, maintenance, or servicing of
17 NFPA 13-D fire protection sprinkler systems shall not exceed (~~one~~
18 ~~hundred dollars~~) \$125, and the license fee for fire protection
19 sprinkler system contractors engaged solely in the installation,
20 inspection, maintenance, or servicing of NFPA 13-R fire protection
21 sprinkler systems shall not exceed (~~three hundred dollars~~) \$375;

1 (ii) Adopt rules establishing a special category restricted to
2 contractors registered under chapter 18.27 RCW who install
3 underground systems that service fire protection sprinkler systems.
4 The rules shall be adopted within (~~ninety~~) 90 days of March 31,
5 1992;

6 (iii) Subject to RCW 18.160.120, adopt rules defining infractions
7 under this chapter and fines to be assessed for those infractions;

8 (c) Enforce the provisions of this chapter;

9 (d) Conduct investigations of complaints to determine if any
10 infractions of this chapter or the regulations developed under this
11 chapter have occurred;

12 (e) Assign a certificate number to each certificate of competency
13 holder; and

14 (f) Adopt rules necessary to implement and administer a program
15 which requires the affixation of a seal any time a fire protection
16 sprinkler system is installed, which seal shall include the
17 certificate number of any certificate of competency holder who
18 installs, in whole or in part, the fire protection sprinkler system.

19 **Sec. 2.** RCW 18.160.050 and 2018 c 37 s 1 are each amended to
20 read as follows:

21 (1)(a) All certificate of competency holders that desire to
22 continue in the fire protection sprinkler business shall annually,
23 prior to January 1st, secure from the state director of fire
24 protection a renewal certificate of competency upon payment of the
25 fee as prescribed by the state director of fire protection.
26 Application for renewal shall be upon a form prescribed by the state
27 director of fire protection and the certificate holder shall furnish
28 the information required by the director.

29 (b) Failure of any certificate of competency holder to secure his
30 or her renewal certificate of competency within (~~sixty~~) 60 days
31 after the due date shall constitute sufficient cause for the state
32 director of fire protection to suspend the certificate of competency.

33 (c) The state director of fire protection may, upon the receipt
34 of payment of all delinquent fees including a late charge, restore a
35 certificate of competency that has been suspended for failure to pay
36 the renewal fee.

37 (d) A certificate of competency holder may voluntarily surrender
38 his or her certificate of competency to the state director of fire
39 protection and be relieved of the annual renewal fee. After

1 surrendering the certificate of competency, he or she shall not be
2 known as a certificate of competency holder and shall desist from the
3 practice thereof. Within two years from the time of surrender of the
4 certificate of competency, he or she may again qualify for a
5 certificate of competency, without examination, by the payment of the
6 required fee. If two or more years have elapsed, he or she shall
7 return to the status of a new applicant.

8 (2) (a) All licensed fire protection sprinkler system contractors
9 desiring to continue to be licensed shall annually, prior to January
10 1st, secure from the state director of fire protection a renewal
11 license upon payment of the fee as prescribed by the state director
12 of fire protection. Application for renewal shall be upon a form
13 prescribed by the state director of fire protection and the license
14 holder shall furnish the information required by the director.

15 (b) Failure of any license holder to secure his or her renewal
16 license within (~~sixty~~) 60 days after the due date shall constitute
17 sufficient cause for the state director of fire protection to suspend
18 the license.

19 (c) The state director of fire protection may, upon the receipt
20 of payment of all delinquent fees including a late charge, restore a
21 license that has been suspended for failure to pay the renewal fee.

22 (3) The initial certificate of competency or license fee shall be
23 prorated based upon the portion of the year such certificate of
24 competency or license is in effect, prior to renewal on January 1st.

25 (4) The fire protection contractor license fund is created in the
26 custody of the state treasurer. (~~All~~) Except for penalties received
27 under RCW 18.160.120, all receipts from license and certificate fees
28 and charges or from the money generated by the rules and regulations
29 promulgated under this chapter shall be deposited into the fund.
30 Expenditures from the fund may be used only for purposes authorized
31 under this chapter and for providing assistance in identifying fire
32 sprinkler system components that have been subject to either a recall
33 or voluntary replacement program by a manufacturer of fire sprinkler
34 products, a nationally recognized testing laboratory, or the federal
35 consumer product safety commission; and for use in developing and
36 publishing educational materials related to the effectiveness of
37 residential fire sprinklers. Assistance shall include, but is not
38 limited to, aiding in the identification of recalled components,
39 information sharing strategies aimed at ensuring the consumer is made
40 aware of recalls and voluntary replacement programs, and providing

1 training and assistance to local fire authorities, the fire sprinkler
2 industry, and the public. Only the state director of fire protection
3 or the director's designee may authorize expenditures from the fund.
4 The fund is subject to allotment procedures under chapter 43.88 RCW,
5 but no appropriation is required for expenditures.

6 **Sec. 3.** RCW 18.160.120 and 2003 c 74 s 2 are each amended to
7 read as follows:

8 (1) A fire protection sprinkler system contractor found to have
9 committed an infraction under this chapter as defined in rule under
10 RCW 18.160.030(2)(b)(iii) shall be assessed a fine of not less than
11 ~~((two hundred dollars))~~ \$300 and not more than ~~((five thousand~~
12 ~~dollars))~~ \$7,500 for the first infraction, a fine of not less than
13 \$400 and not more than \$10,000 for a second infraction by the same
14 contractor, and a fine of not less than \$1,000 and not more than
15 \$15,000 for the third and any subsequent infractions by the same
16 contractor.

17 (2) A fire protection sprinkler system contractor who fails to
18 obtain a certificate of competency under RCW 18.160.040 shall be
19 assessed a fine of not less than ~~((one thousand dollars))~~ \$1,500 and
20 not more than ~~((five thousand dollars))~~ \$7,500 for the first
21 infraction, and a fine of not less than \$2,500 and not more than
22 \$10,000 for a second infraction by the same contractor, and a fine of
23 not less than \$5,000 and not more than \$25,000 for the third and any
24 subsequent infractions by the same contractor.

25 (3) All fines collected under this section shall be deposited
26 into the fire protection ~~((contractor license fund))~~ compliance
27 account.

28 NEW SECTION. **Sec. 4.** A new section is added to chapter 18.160
29 RCW to read as follows:

30 The fire protection compliance account is created in the custody
31 of the state treasurer. All fines collected under RCW 18.160.120 and
32 the rules and regulations adopted under RCW 18.160.120 must be
33 deposited into the account. Expenditures from the account may only be
34 used for the purposes of enforcing this chapter. Only the state
35 director of fire protection or their designee may authorize
36 expenditures from the account. The account is subject to allotment
37 procedures under chapter 43.88 RCW, but no appropriation is required
38 for expenditures.

1 **Sec. 5.** RCW 18.270.020 and 2007 c 435 s 3 are each amended to
2 read as follows:

3 (1) No person may engage in the trade of fire protection
4 sprinkler fitting without having a valid journey-level sprinkler
5 fitter certificate, residential sprinkler fitter certificate,
6 training certificate, or temporary certificate, with the exception of
7 a certified plumber installing a residential fire protection
8 sprinkler system connected to potable water requiring a plumbing
9 certificate.

10 (2)(a) A person issued a training certificate under this chapter
11 may perform fire protection sprinkler fitting work if that person is
12 under supervision. Supervision must consist of the trainee being on
13 the same jobsite and under the control of either a residential or
14 journey-level fire protection sprinkler fitter certified to perform
15 the type of work the trainee-level sprinkler fitter is performing.
16 The ratio of trainees to certified fire protection sprinkler fitters
17 on a jobsite is:

18 (i) For trainees performing residential fire protection sprinkler
19 fitter work, not more than two trainees for every certified
20 residential or journey-level fire protection sprinkler fitter; and

21 (ii) For trainees performing journey-level fire protection
22 sprinkler fitter work, not more than one trainee for every certified
23 journey-level fire protection sprinkler fitter.

24 (b) It is a violation of this chapter for a contractor to allow a
25 trainee to perform sprinkler fitting work covered under this chapter
26 without supervision or out of compliance with the ratios as
27 prescribed in this subsection (2).

28 (3) No contractor may employ a person in violation of subsection
29 (1) of this section to perform fire protection sprinkler fitting
30 work.

31 (~~(3)~~) (4) A person found by the director to have committed an
32 infraction under this chapter shall be assessed a monetary penalty as
33 set by rule.

34 (~~(4)~~) (5) Each day in which a person engages in the trade of
35 fire protection sprinkler fitting in violation of subsection (1) of
36 this section, allows a trainee to work unsupervised or out of ratio
37 in violation of subsection (2) of this section, or employs a person
38 in violation of subsection (~~(2)~~) (3) of this section is considered
39 a separate infraction.

1 **Sec. 6.** RCW 18.270.070 and 2007 c 435 s 8 are each amended to
2 read as follows:

3 An authorized representative of the director (~~may~~) must
4 investigate alleged violations of this chapter. Upon request of an
5 authorized representative, a person performing fire protection
6 sprinkler fitting or residential sprinkler fitting work must produce
7 evidence of a certificate issued by the director in accordance with
8 this chapter. Failure to produce such evidence is an infraction as
9 provided by RCW 18.270.020.

--- END ---