

CERTIFICATION OF ENROLLMENT

ENGROSSED SENATE BILL 5997

68th Legislature
2024 Regular Session

Passed by the Senate February 9, 2024
Yeas 49 Nays 0

President of the Senate

Passed by the House February 27, 2024
Yeas 95 Nays 0

**Speaker of the House of
Representatives**

Approved

Governor of the State of Washington

CERTIFICATE

I, Sarah Bannister, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **ENGROSSED SENATE BILL 5997** as passed by the Senate and the House of Representatives on the dates hereon set forth.

Secretary

FILED

**Secretary of State
State of Washington**

ENGROSSED SENATE BILL 5997

Passed Legislature - 2024 Regular Session

State of Washington **68th Legislature** **2024 Regular Session**

By Senators King, Keiser, Frame, Saldaña, Valdez, and Wagoner

Prefiled 01/05/24. Read first time 01/08/24. Referred to Committee on Labor & Commerce.

1 AN ACT Relating to making technical corrections to plumbing
2 supervision and trainee hours reporting; amending RCW 18.106.070; and
3 reenacting and amending RCW 18.106.010.

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

5 **Sec. 1.** RCW 18.106.010 and 2021 c 65 s 15 are each reenacted and
6 amended to read as follows:

7 The definitions in this section apply throughout this chapter
8 unless the context clearly requires otherwise.

9 (1) "Advisory board" means the state advisory board of plumbers.

10 (2) "Department" means the department of labor and industries.

11 (3) "Director" means the director of department of labor and
12 industries.

13 (4) "Journey level plumber" means any person who has been issued
14 a certificate of competency by the department of labor and industries
15 as provided in this chapter.

16 (5) "Like-in-kind" means having similar characteristics such as
17 plumbing size, type, and function, and being in the same location.

18 (6) "Medical gas piping" means oxygen, nitrous oxide, high
19 pressure nitrogen, medical compressed air, and other medical gas or
20 equipment, including but not limited to medical vacuum systems.

1 (7) "Medical gas piping installer" means a journey level plumber
2 who has been issued a medical gas piping installer endorsement.

3 (8) "Plumber trainee" or "trainee" means any person who has been
4 issued a plumbing training certificate under this chapter but has not
5 been issued an appropriate certificate of competency for work being
6 performed. A trainee may perform plumbing work if that person is
7 under the appropriate level of supervision.

8 (9) "Plumbing" means that craft involved in installing, altering,
9 repairing and renovating potable water systems, liquid waste systems,
10 and medical gas piping systems within a building as defined by the
11 plumbing code as adopted and amended by the state building code
12 council, and includes all piping, fixtures, pumps, and plumbing
13 appurtenances that are used for rainwater catchment and reclaimed
14 water systems within a building.

15 (10) "Plumbing contractor" means any person, corporate or
16 otherwise, who engages in, or offers or advertises to engage in, any
17 plumbing work covered by the provisions of this chapter by way of
18 trade or business, or any person, corporate or otherwise, who employs
19 anyone, or offers or advertises to employ anyone, to engage in any
20 plumbing work as defined in this section. The plumbing contractor is
21 responsible for ensuring the plumbing business is operated in
22 accordance with rules adopted under this chapter.

23 (11) "Residential service plumber" means anyone who has been
24 issued a certificate of competency limited to performing residential
25 service plumbing in an existing residential structure.

26 (a) In single-family dwellings and duplexes only, a residential
27 service plumber may service, repair, or replace previously existing
28 fixtures, piping, and fittings that are outside the interior wall or
29 above the floor, often, but not necessarily in a like-in-kind manner.
30 In any residential structure, a residential service plumber may
31 perform plumbing work as needed to perform drain cleaning and may
32 perform leak repairs on any pipe, fitting, or fixture from the leak
33 to the next serviceable connection.

34 (b) A residential service plumber may directly supervise plumber
35 trainees provided the trainees have been supervised by an appropriate
36 journey level or specialty plumber for the trainees' first two
37 thousand hours of training.

38 (c) A residential service plumber may not perform plumbing for
39 new construction of any kind.

1 (12) "Residential structures" means single-family dwellings,
2 duplexes, and multiunit buildings that do not exceed three stories.

3 (13) "~~(Service)~~ Residential service plumbing" means plumbing
4 work in ~~((which))~~ residential structures where previously existing
5 fixtures, fittings, and piping ~~((is))~~ that are outside the interior
6 walls or above the floor are repaired or replaced often, but not
7 necessarily~~((7))~~ in a like-in-kind manner, or plumbing work being
8 performed as necessary for drain cleaning.

9 (14) "Specialty plumber" means anyone who has been issued a
10 specialty certificate of competency limited to:

11 (a) Installation, maintenance, and repair of the plumbing of
12 single-family dwellings, duplexes, and apartment buildings that do
13 not exceed three stories;

14 (b) Maintenance and repair of backflow prevention assemblies; or

15 (c) A domestic water pumping system consisting of the
16 installation, maintenance, and repair of the pressurization,
17 treatment, and filtration components of a domestic water system
18 consisting of: One or more pumps; pressure, storage, and other tanks;
19 filtration and treatment equipment; if appropriate, a pitless
20 adapter; along with valves, transducers, and other plumbing
21 components that:

22 (i) Are used to acquire, treat, store, or move water suitable for
23 either drinking or other domestic purposes, including irrigation, to:

24 (A) A single-family dwelling, duplex, or other similar place of
25 residence; (B) a public water system, as defined in RCW 70A.120.020
26 and as limited under RCW 70A.120.040; or (C) a farm owned and
27 operated by a person whose primary residence is located within thirty
28 miles of any part of the farm;

29 (ii) Are located within the interior space, including but not
30 limited to an attic, basement, crawl space, or garage, of a
31 residential structure, which space is separated from the living area
32 of the residence by a lockable entrance and fixed walls, ceiling, or
33 floor;

34 (iii) If located within the interior space of a residential
35 structure, are connected to a plumbing distribution system supplied
36 and installed into the interior space by either: (A) A person who,
37 pursuant to RCW 18.106.070 or 18.106.090, possesses a valid temporary
38 permit or certificate of competency as a journey level plumber,
39 specialty plumber, or trainee, as defined in this chapter; or (B) a

1 person exempt from the requirement to obtain a certified plumber to
2 do such plumbing work under RCW 18.106.150.

3 (15) "Unsatisfied final judgment" means a judgment or final tax
4 warrant that has not been satisfied either through payment, court-
5 approved settlement, discharge in bankruptcy, or assignment under RCW
6 19.72.070.

7 **Sec. 2.** RCW 18.106.070 and 2020 c 153 s 10 are each amended to
8 read as follows:

9 (1) The department shall issue a certificate of competency to all
10 applicants who have passed the examination and have paid the fee for
11 the certificate. The certificate may include a photograph of the
12 holder. The certificate shall bear the date of issuance, and be
13 renewed every three years, upon application, on or before the
14 birthdate of the holder. The department shall renew a certificate of
15 competency if the applicant: (a) Pays the renewal fee assessed by the
16 department; and (b) during the past three years has completed twenty-
17 four hours of continuing education approved by the department with
18 the advice of the advisory board, including four hours related to
19 electrical safety. For holders of the specialty plumber certificate
20 under RCW 18.106.010(14)(c), the continuing education may comprise
21 both electrical and plumbing education with a minimum of twelve of
22 the required twenty-four hours of continuing education in plumbing.
23 If a person fails to renew the certificate by the renewal date, he or
24 she must pay a doubled fee. If the person does not renew the
25 certificate within ninety days of the renewal date, he or she must
26 retake the examination and pay the examination fee.

27 The journey level plumber, specialty plumber, and residential
28 service plumber certificates of competency, the medical gas piping
29 installer endorsement, and the temporary permit provided for in this
30 chapter grant the holder the right to engage in the work of plumbing
31 as a journey level plumber, specialty plumber, residential service
32 plumber, or medical gas piping installer, in accordance with their
33 provisions throughout the state and within any of its political
34 subdivisions on any job or any employment without additional proof of
35 competency or any other license or permit or fee to engage in the
36 work. This section does not preclude employees from adhering to a
37 union security clause in any employment where such a requirement
38 exists.

1 (2) A person who is indentured to an apprenticeship program
2 approved under chapter 49.04 RCW for the plumbing construction trade
3 or who is learning the plumbing construction trade may work in the
4 plumbing construction trade if supervised by a certified journey
5 level plumber or a certified specialty plumber in that plumber's
6 specialty. All apprentices and individuals learning the plumbing
7 construction trade shall obtain a plumbing training certificate from
8 the department. The certificate shall authorize the holder to learn
9 the plumbing construction trade while under the direct supervision of
10 a journey level plumber or a specialty plumber working in his or her
11 specialty. The certificate may include a photograph of the holder.
12 The holder of the plumbing training certificate shall renew the
13 certificate annually. At the time of renewal, the holder shall
14 provide the department with an accurate list of the holder's
15 employers in the plumbing construction industry for the previous year
16 and the number of hours worked for each employer. ~~((Failure to
17 provide plumbing hours worked for each employer is a violation of
18 this chapter, subject to an infraction under RCW 18.106.320, and must
19 result in nonrenewal of the trainee certificate.))~~ A fee shall be
20 charged for the issuance or renewal of the certificate. The
21 department shall set the fee by rule. The fee shall cover but not
22 exceed the cost of administering and enforcing the trainee
23 certification and supervision requirements of this chapter.

24 (3) (a) Trainee supervision shall consist of a trainee ~~((being on
25 the same jobsite and))~~ under the control of either a journey level
26 plumber, residential service plumber, or an appropriate specialty
27 plumber who has an applicable certificate of competency issued under
28 this chapter. ~~((Either))~~ Subject to the ratio of trainees in
29 subsection (4) of this section, either a journey level plumber,
30 residential service plumber, or an appropriate specialty plumber
31 shall be:

32 (i) On the same jobsite as the trainee for a minimum of seventy-
33 five percent of each working day unless otherwise provided in this
34 chapter ~~((-))~~; or

35 (ii) Available via mobile phone or similar device in a manner
36 that allows both audio and visual direction to the trainee from the
37 supervising plumber. Remote trainee supervision using these types of
38 technology is only permitted in cases that meet the following
39 criteria:

40 (A) The trainee has more than two thousand hours of training;

1 (B) The supervising plumber is no more than forty miles from the
2 jobsite; and

3 (C) The scope of work on the trainee's jobsite is residential
4 service plumbing in a residential structure and limited to the scope
5 of the residential service plumber.

6 (b) An individual who has a current training certificate and who
7 has successfully completed or is currently enrolled in an approved
8 apprenticeship program or in a technical school program in the
9 plumbing construction trade in a school approved by the workforce
10 training and education coordinating board, may work without direct
11 on-site supervision during the last six months of meeting the
12 practical experience requirements of this chapter.

13 (4) (a) Until December 31, ((2025)) 2028, the ratio of trainees to
14 certified journey level, residential service, or specialty plumbers
15 working on a jobsite must be:

16 (i) Not more than three trainees, each working on ((~~any one~~)) a
17 separate residential structure jobsite performing residential service
18 plumbing only in a like-in-kind manner for every certified specialty
19 plumber or journey level plumber working as a specialty plumber;

20 (ii) Not more than one trainee working on any one jobsite for
21 every certified journey level plumber working as a journey level
22 plumber; ((and))

23 (iii) Not more than one trainee working on any one jobsite for
24 every certified residential service plumber; and

25 (iv) Not more than three trainees working on a residential
26 construction jobsite performing plumbing installation for every
27 certified specialty plumber or journey level plumber working as a
28 specialty plumber.

29 (b) After December 31, ((2025)) 2028, not more than two trainees
30 may work on any residential structure jobsite for every certified
31 specialty plumber or journey level plumber working as a specialty
32 plumber.

33 (5) An individual who has a current training certificate and who
34 has successfully completed or is currently enrolled in a medical gas
35 piping installer training course approved by the department may work
36 on medical gas piping systems if the individual is under the direct
37 supervision of a certified medical gas piping installer who holds a
38 medical gas piping installer endorsement one hundred percent of a
39 working day on a one-to-one ratio.

1 (6) The training to become a certified plumber must include not
2 less than sixteen hours of classroom training established by the
3 director with the advice of the advisory board. The classroom
4 training must include, but not be limited to, electrical wiring
5 safety, grounding, bonding, and other related items plumbers need to
6 know to work under this chapter.

7 (7) All persons who are certified plumbers before January 1,
8 2003, are deemed to have received the classroom training required in
9 subsection (6) of this section.

10 (8)(a) The department shall instruct the advisory board of
11 plumbers to convene a subgroup that includes the statewide
12 association representing plumbing, heating, and cooling contractors;
13 the union representing plumbers and pipefitters; the association
14 representing plumbing contractors who employ union plumbers and
15 pipefitters; and other directly affected stakeholders after the
16 completion of the 2023 legislative session, the ((2024)) 2027
17 legislative session, and every three years thereafter.

18 (b) The work group shall evaluate the effects that the trainee
19 ratio changes have had on the industry, including public safety and
20 industry response to public demand for plumbing services. The work
21 group shall determine a sustainable plan for maintaining sufficient
22 numbers of plumbers and trainees within the plumbing workforce to
23 safely meet the needs of the public. The report is due to the
24 standing labor committees of the legislature before December 1st of
25 each year that the work group convenes. The work group shall conclude
26 on receipt of the report by the legislature. Within current funding
27 appropriated to the department, the department must reimburse each
28 member of the work group in accordance with the provisions of RCW
29 43.03.050 and 43.03.060 for each day in which the member is actually
30 engaged in attendance of meetings of the advisory board.

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