

CHAPTER 156

[Engrossed Senate Bill No. 2905]

ELECTRICIANS, JOURNEYMAN, APPRENTICE, TRAINEE—CERTIFICATION

AN ACT Relating to electricians; amending section 1, chapter 206, Laws of 1973 1st ex. sess. as last amended by section 1, chapter 39, Laws of 1975-'76 2nd ex. sess. and RCW 18.37.010; amending section 2, chapter 206, Laws of 1973 1st ex. sess. as last amended by section 2, chapter 39, Laws of 1975-'76 2nd ex. sess. and RCW 18.37.020; amending section 3, chapter 206, Laws of 1973 1st ex. sess. as amended by section 3, chapter 39, Laws of 1975-'76 2nd ex. sess. and RCW 18.37.030; amending section 4, chapter 206, Laws of 1973 1st ex. sess. as last amended by section 4, chapter 39, Laws of 1975-'76 2nd ex. sess. and RCW 18.37.040; amending section 5, chapter 206, Laws of 1973 1st ex. sess. as amended by section 5, chapter 39, Laws of 1975-'76 2nd ex. sess. and RCW 18.37.050; amending section 8, chapter 206, Laws of 1973 1st ex. sess. as amended by section 7, chapter 39, Laws of 1975-'76 2nd ex. sess. and RCW 18.37.080; amending section 14, chapter 206, Laws of 1973 1st ex. sess. and RCW 18.37.140; amending section 15, chapter 206, Laws of 1973 1st ex. sess. and RCW 18.37.150; and prescribing penalties.

Be it enacted by the Legislature of the State of Washington:

Section 1. Section 1, chapter 206, Laws of 1973 1st ex. sess. as last amended by section 1, chapter 39, Laws of 1975-'76 2nd ex. sess. and RCW 18.37.010 are each amended to read as follows:

Unless a different meaning is plainly required by the context, the following words and phrases as hereinafter used in this chapter shall have the following meaning:

- (1) "Advisory board" means the state advisory board of electricians;
- (2) "Department" means the department of labor and industries;
- (3) "Director" means director of department of labor and industries;
- (4) "Journeyman electrician" means any person who has been issued a certificate of competency by the department of labor and industries as provided in this chapter for the installation of electrical equipment for light, heat, or power.

(5) "Specialty electrician" means anyone who has been issued a specialty certificate of competency by the department ~~((of labor and industries))~~ to maintain or install specific kinds of electrical equipment or apparatus which the department shall define by rule.

Sec. 2. Section 2, chapter 206, Laws of 1973 1st ex. sess. as last amended by section 2, chapter 39, Laws of 1975-'76 2nd ex. sess. and RCW 18.37.020 are each amended to read as follows:

(1) No person shall engage in ~~((the business or trade as a journeyman electrician or specialty electrician))~~ the trade of maintaining or installing electrical equipment or apparatus for light, heat, or power without having a current journeyman electrician certificate of competency or a current specialty electrician certificate of competency issued by the department in accordance with the provisions of this chapter.

(2) ~~((The business or trade of electrician, as herein used, shall encompass all acts involving installation or maintenance of the distribution of~~

electricity, except as is hereinafter specifically excluded)) A person who is indentured in an approved apprenticeship program under chapter 49.04 RCW for the electrical construction trade or who is learning the electrical construction trade, may maintain or install electrical equipment or apparatus for light, heat, or power if supervised by a certified journeyman electrician or a certified specialty electrician. All apprentices and individuals learning the electrical construction trade shall obtain and be issued an electrical training certificate from the department. The certificate shall authorize the holder to learn the trade of an electrician while under the direct supervision of a journeyman electrician or a specialty electrician working in his specialty. The holder of the certificate shall renew the certificate annually. At the time of renewal, the holder shall provide the department with an accurate list of the holders' employers in the electrical industry for the previous year and the number of hours worked for each employer. An annual fee of five dollars shall be charged for the issuance or renewal of the certificate. Apprentices or individuals learning the electrical construction trade shall have their electrical training certificate in their possession at all times that they are performing electrical work. They shall show the certificate to an authorized representative of the department at the representative's request.

(3) Any person who has been issued an electrical training certificate under this chapter may work if that person is under supervision. Supervision shall consist of a person being on the same job site and under the control of either a journeyman electrician or an appropriate specialty electrician who has an applicable certificate of competency issued under this chapter. Either a journeyman electrician or an appropriate specialty electrician shall be on the same job site as the noncertified individual for a minimum of seventy-five percent of each working day unless otherwise provided in this chapter. The ratio of noncertified individuals to certified journeymen or specialty electricians working on a job site shall be:

(a) From the effective date of this 1979 act through December 31, 1982, not more than three noncertified electricians working on any one job site for every certified journeyman or specialty electrician;

(b) Effective January 1, 1983, not more than two noncertified individuals working on any one job site for every specialty electrician or journeyman electrician working as a specialty electrician as defined by this chapter;

(c) Effective January 1, 1983, not more than than one noncertified individual working on any one job site for every certified journeyman electrician as defined by this chapter.

The ratio requirements do not apply to a trade school program in the electrical construction trade established during 1946.

An individual with a current training certificate and who has successfully completed or is currently enrolled in an approved apprenticeship program or in a technical school program in the electrical construction trade in a school approved by the commission for vocational education, may work

without direct on-site supervision during the last six months of meeting the practical experience requirements of this chapter.

Sec. 3. Section 3, chapter 206, Laws of 1973 1st ex. sess. as amended by section 3, chapter 39, Laws of 1975-'76 2nd ex. sess. and RCW 18.37.030 are each amended to read as follows:

Any person desiring to be issued a certificate of competency as provided in this chapter shall deliver evidence in a form prescribed by the department affirming that said person has ~~((had sufficient experience in as well as demonstrated general competency in the electrical trade or electrical specialty so as to qualify him to make an application for a certificate of competency as a journeyman electrician or specialty electrician: PROVIDED, That successful completion of a course of study in the electrical trade as defined by this chapter in the armed services of the United States or at a school accredited by the coordinating council on occupational education shall constitute sufficient evidence of experience and competency to enable such person to make application for a certificate of competency: PROVIDED, FURTHER, That completion of such a course of study shall be substitutable for the practical experience required by RCW 18.37.040 only according to the duration of the course:~~

In addition to supplying the evidence as prescribed in this section, each applicant for a certificate of competency shall submit an application for such certificate on such form and in such manner as shall be prescribed by the director of the department)) met the qualifications required under RCW 18.37.040, as now or hereafter amended.

Sec. 4. Section 4, chapter 206, Laws of 1973 1st ex. sess. as last amended by section 4, chapter 39, Laws of 1975-'76 2nd ex. sess. and RCW 18.37.040 are each amended to read as follows:

Upon receipt of the application ~~((and evidence set forth in RCW 18.37-:030)), the ((director)) department shall review the same and make a determination as to whether the applicant is eligible to take an examination for the certificate of competency. To be eligible to take the examination for a journeyman certificate the applicant must have worked under the supervision of a journeyman electrician ((or)) certified under this chapter for a minimum of four years employed full time or have successfully completed an approved apprenticeship program under chapter 49.04 RCW for the electrical construction trade. To be eligible to take the examination to become a specialty electrician the applicant shall have worked under the supervision of the appropriate specialty electrician certified under this ((law: A journeyman electrician shall have satisfactorily attended for a minimum of two years and successfully completed an accredited vocational or technical school program related to the electrical trade, or shall furnish written evidence that he has had at least four years practical experience in the wiring for the installation of electrical equipment of light, heat, and power. A specialty electrician shall furnish written evidence that he has had at least~~

~~two years practical experience in his specialty))~~ chapter for a minimum of two years employed full time, or have successfully completed an approved apprenticeship program under chapter 49.04 RCW for the applicant's specialty in the electrical construction trade. Any applicant who has successfully completed a two-year technical school program in the electrical construction trade in a school that is approved by the commission for vocational education may substitute up to two years of the technical school program for two years of work experience under a journeyman electrician: PROVIDED, That the additional work experience shall run prior to or after the completion of the technical school program. Any applicant who has received training in the electrical construction trade, as defined by this chapter, in the armed service of the United States may be eligible to take the examination for the certificate of competency. Any applicant who is a graduate of a trade school program in electrical construction that was established during 1946, shall be eligible to take the examination for the certificate of competency. No other requirement for eligibility may be imposed. The ((director)) department shall establish reasonable rules and regulations for the examinations to be given applicants for certificates of competency. In establishing said rules, regulations, and criteria, the ((director)) department shall consult with the state advisory board of electricians as established in RCW 18.37.100. Upon determination that the applicant is eligible to take the examination, the ((director)) department shall so notify ((him)) the applicant, indicating the time and place for taking the same.

Sec. 5. Section 5, chapter 206, Laws of 1973 1st ex. sess. as amended by section 5, chapter 39, Laws of 1975-'76 2nd ex. sess. and RCW 18.37.050 are each amended to read as follows:

The department, in coordination with the advisory board, shall prepare ~~((a written))~~ an examination to be administered to applicants for certificates of competency. The examination shall be so constructed to determine:

(1) Whether the applicant possesses varied general knowledge of the technical information and practical procedures that is identified with the status of journeyman electrician or specialty electrician; and

(2) Whether the applicant is sufficiently familiar with the applicable electrical codes and the administrative rules ~~((and regulations))~~ of the department pertaining to electrical installations and electricians.

The department shall administer at least ~~((twice))~~ four times annually the examination to persons eligible to take the same under the provisions of RCW 18.37.040. All applicants shall, before taking such examination, pay to the department a fifteen dollar fee: PROVIDED, That any applicant taking said examination shall pay only such additional fee as is necessary to cover the costs of administering such additional examination.

The department shall certify the results of said examination, upon such terms and after such period of time as the ~~((director))~~ department, in cooperation with the advisory board, shall deem necessary and proper.

Sec. 6. Section 8, chapter 206, Laws of 1973 1st ex. sess. as amended by section 7, chapter 39, Laws of 1975-'76 2nd ex. sess. and RCW 18.37.080 are each amended to read as follows:

The department is authorized to grant and issue temporary permits in lieu of certificates of competency whenever an electrician coming into the state of Washington from another state requests the department for a temporary permit to engage in the business and trade of electrical installation as an electrician during the period of time between filing of an application for a certificate as provided in RCW 18.37.030 and taking the examination provided for in RCW 18.37.050(~~(-PROVIDED, That)~~). The department is authorized to enter into reciprocal agreements with other states providing for the acceptance of such states' journeyman certificate of competency or its equivalent when such states requirements are equal to the standards set by this chapter(~~(-AND PROVIDED FURTHER, That)~~). No temporary permit shall be issued to:

(1) Any person who has failed to pass the examination for a certificate of competency(~~(;)~~), except that any person who has failed the examination for competency under this section shall be entitled to continue to work under a temporary permit for ninety days if the person is enrolled in a journeyman electrician refresher course and shows evidence to the department that he or she has not missed any classes. The person, after completing the journeyman electrician refresher course, shall be eligible to retake the examination for competency at the next scheduled time.

(2) Any applicant under this section who has not furnished the department with such evidence required under RCW 18.37.030(~~(;)~~);

(3) To any apprentice electrician.

Sec. 7. Section 14, chapter 206, Laws of 1973 1st ex. sess. and RCW 18.37.140 are each amended to read as follows:

Nothing in this chapter shall be construed to require that a person obtain a license or a certified electrician in order to do electrical work at his residence or farm or place of business or on other property owned by him: PROVIDED, HOWEVER, That nothing in this chapter shall be intended to derogate from or dispense with the requirements of any valid electrical code enacted by a political subdivision of the state, except that no code shall require the holder of a certificate of competency to demonstrate any additional proof of competency or obtain any other license or pay any fee in order to engage in the trade of electrical installation: AND PROVIDED FURTHER, That this chapter shall not apply to common carriers subject to Part I of the Interstate Commerce Act, nor to their officers and employees: AND PROVIDED FURTHER, That nothing in this chapter shall be deemed to apply to the installation or maintenance of communications or electronic circuits, wires and apparatus, radio or television stations; nor to any electrical (~~(public)~~) utility or its employees, in the installations and maintenance of electrical wiring, circuits, apparatus, and equipment by or

for such ((public)) utility, or comprising a part of its plants, lines or systems. The licensing provisions of this chapter shall not apply to persons making electrical installations on their own property or to regularly employed employees working on the premises of their employer: AND PROVIDED FURTHER, That nothing in this chapter shall be construed to restrict the right of any householder to assist or receive assistance from a friend, neighbor, relative or other person when none of the individuals doing such electrical installation hold themselves out as engaged in the trade or business of electrical installations.

Sec. 8. Section 15, chapter 206, Laws of 1973 1st ex. sess. and RCW 18.37.150 are each amended to read as follows:

~~((Violation of this chapter or of the department rules and regulations provided for in this chapter by a person, firm, or corporation, shall be punishable by a fine of not more than fifty dollars. Each day of such violation constitutes a separate offense))~~ (1) It is unlawful for any person, firm, or corporation to employ an individual for purposes of this chapter who has not been issued a certificate of competency or a learning certificate. It is unlawful for any individual to maintain or install any electrical equipment or apparatus for light, heat, or power without having in his or her possession a certificate of competency or a learning certificate under this chapter. Any person, firm, or corporation found in violation of this chapter shall be punished by a fine of not less than fifty dollars. Any equipment or apparatus maintained or installed by any person who does not possess a certificate of competency under this chapter shall not receive a safe wiring label and electrical service shall not be connected or maintained to operate the equipment or apparatus. Each day that a person, firm, or corporation violates the provisions of this chapter is a separate violation.

(2) A civil penalty shall be collected in a civil action brought by the attorney general or the prosecuting attorney of the county wherein the alleged violation arose at the request of the department if any of the provisions of this chapter or any rules promulgated under this chapter are violated.

Passed the Senate April 30, 1979.

Passed the House April 27, 1979.

Approved by the Governor May 10, 1979.

Filed in Office of Secretary of State May 10, 1979.

CHAPTER 157

[Senate Bill No. 2224]

VOLUNTEER FIREMEN'S PENSIONS—SERVICE TIME—MONTHLY BENEFITS

AN ACT Relating to the volunteer firemen's relief and pension system; amending section 17, chapter 261, Laws of 1945 as last amended by section 2, chapter 170, Laws of 1973 1st