

**RISLEY  
RECOMMENDATIONS**

# **Northwest HVAC/R Association & Training Center**

*811 E. Sprague, Ste. 6\* Spokane, WA 99202 509-747-8810 \* Fax 509-747-8845 \* www.inwhvac.org*



November 5, 2008

Dear HVAC/R Legislative Task Force,

The 2008 legislative HVAC/R Task Force, as required by guidelines set forth within ESSB 5831, has been a relevant and valuable review of the proposed legislation for this industry. Please accept the following recommendations for each of the seven assigned topics below;

**1. Requirements for certifying HVAC/R mechanics.**

- Approve.

Comments: These requirements reflect a true image of the existing experience standard of the industry and provide continuous certification ability for individuals entering the field, current HVAC/R mechanics, and those mechanics coming from out of state without unnecessary obstacles.

**2. Methods of registering HVAC/R contractors who qualify for two or more registrations or licenses.**

- Approve.

Comments: Section three registration methods will allow all HVAC/R contractors an ability to hold a single registration without additional cost. The current regulations within RCW 18.27 and RCW 19.28 mandate full service and installation contractors to hold two or more registrations. A single registration system will reduce the overall costs of maintaining the appropriate registrations and create a process to recognize HVAC/R contractors as other than a general contractor or specialty electrical business. An HVAC/R contractor registration will also enhance the ability to better identify the current underground economy.

**3. Establishing at least three levels of HVAC/R mechanics, with the ability to be certified in several specialties including HVAC, refrigeration, and gas piping.**

- Approve.

Comments: The three HVAC/R mechanic scope of work levels are critical to the success of this legislation and the ability for an individual to advance, if

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desired. The current levels and specialties defined demonstrate a realistic representation of the industry. The specialties enable an individual to certify themselves in their current scope of work without forcing them into unnecessary certification and testing in areas that do not apply to the tasks that they actually perform. The specialties also allow for an opportunity to certify in all areas of HVAC/R without stranding capital.

#### **4. The experience requirements for each mechanic level.**

- Approve.

Comments: Section fifteen defines the appropriate experience factors for each of the three certification levels of choice. Although most reputable companies will attempt to supervise and train their employees for a longer period of time than those set forth in this legislation, it will permit an acknowledgement of acquired skills for individuals that are learning at an exceptional rate. In addition, the experience levels set forth in Mechanic I & II already exist in the industry today. HVAC/R mechanics are currently required to meet each experience factor with regard to supervision to obtain an 06B or 06A license per the RCW 19.28. Changing these factors would be devastating to the industry and eliminate their ability to obtain electrical certification. Mechanic III level is “industrial” type of equipment and the experience factor, although below standard for an individual working alone on this larger and complex type of equipment, is appropriate for the same early advancement opportunities as seen in Mechanic I and II.

#### **5. The methods by which apprentices and other persons learning to perform HVAC/R work obtain training certificates.**

- Approve.

Comments: This process already exists for HVAC/R trainees as required by RCW 19.28. Section fifteen of this legislation creates a valuable component to the existing requirement for trainees in allowing concurrency of mechanical and electrical hours.

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## 6. Exemptions to the registration or certification requirements. Recommendations should be focused on the following exemptions in ESSB 5831 as passed House:

### a. Section 5(1)(d) (propane).

- Approve.

Comments: Section five of this legislation allows for an appropriate exemption in setting propane tanks and related piping outside the building and is consistent with the existing standards of local jurisdictional licensing standards.

### b. Section 5(1)(g) (owners and their employees, but not HVAC/R operators in Seattle).

- Approve.

Comments: Section five of this legislation allows for an appropriate exemption for building owners and their employees which is consistent with the existing standards set forth in the RCW 18.27 that currently allow for non-contracting business owners to perform work on their own property which remove certification requirements for their employees as they do not work for a licensed contractor. Keeping the HVAC/R Seattle operator requirement within this legislation is consistent and not below standard with the existing local licensing requirements in Seattle. *(This legislation also allows for a choice in obtaining one state certification which would supersede the Seattle requirement and still allow a single certification and the elimination of carrying multiple local licenses).*

### c. Section 5(1)(o) (hearth products).

- Approve.

Comments: Section five of this legislation allows for an appropriate exemption from the length of the supply line to the allowable venting for the type of packaged hearth product. Any further supply lengths and venting allowances would create a sub-standard to the existing standards of local jurisdictional licensing standards.

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## d. Section 6(1) (temporary exemption for certain refrigeration work in food and beverage stores, but not in Seattle).

- Approve.

Comments: The refrigeration equipment exemption within section six is appropriate and consistent with the current exempted refrigeration type of work found in the WAC 296.46B. Keeping the HVAC/R Seattle operator requirement for refrigeration work within this legislation is consistent and not below standard with the existing local licensing requirements in Seattle. *(This legislation also allows for a choice in obtaining one state certification which would supersede the Seattle requirement and still allow a single certification and the elimination of carrying multiple local licenses).*

## 7. The role and the composition of the HVAC/R Board.

- Approve

Comments: Per section twenty six, the thirteen board members and their areas of expertise and title that is required as a board seat, defines the appropriate knowledge and experience within the industry.

I feel that the above recommendations should be forwarded to the legislature. It is imperative to allow these noted sections of the legislation, to remain integral to the future RCW and not left to a future board decision through WAC rule-making processes. After several years of progressive development within this proposed legislation through stakeholder input, a solid formation of the industry within SB 5831 was met and entered into the previous lawmaking session. No further work is required and this legislation is ready for RCW action in the upcoming session.

Sincerely,  
Tena Risley, Executive Director  
Northwest HVAC/R Association & Training Center