2019 Agency Request Bills

Summaries
The Department of Labor & Industries (L&I) is considering four proposals for the 2019 legislative session.

Extending the temporary elevator mechanic license, expanding membership of the Elevator Safety Advisory Committee and relaxing requirements for homeowners
Extending the validity of temporary elevator licenses
L&I is proposing to extend the length of time a temporary elevator mechanic license is valid from one month to one year. The Elevator Program currently issues temporary elevator mechanic licenses to individuals who have completed 75% of the education and training requirements in the category of license for the type of work performed and are certified as qualified and competent by licensed elevator contractors. This proposal would relieve the burden of more frequent renewal requests and provide sufficient time for an individual to accrue all remaining training hours needed to qualify to take the exam for the full license. It is intended to eliminate the need for renewal.

Adding members to the elevator safety advisory committee
This proposal would increase the number of Elevator Safety Advisory Committee (ESAC) members from seven to nine, and provide limited discretion to the department to appoint representatives from those groups that have more than one interested representative. Adding committee members is intended to increase stakeholder participation in the committee’s deliberations.

Allowing homeowners to remove stair chair or platform lifts in their residence
This proposal would allow homeowners to remove stairchair lifts or platform lifts in their own residence without being subject to a misdemeanor. The proposal would not allow installation or alteration of these lifts, only removal. The law currently allows only licensed elevator mechanics to remove lifts in homes. Any unauthorized person doing the work could be charged with a misdemeanor. The department is currently aware of approximately 6,500 residential stair chairlifts and residential platform lifts. However, there is no way to know how accurate this figure is, as they are being removed without notification because of the potential misdemeanor charge.

Creating an additional option for Factory Assembled Structures inspections
Within the department, the Factory Assembled Structures program (FAS) is responsible for approving plans and inspecting manufactured buildings. FAS staff review and approve plans before construction begins with inspections taking place at the factory to ensure all appropriate codes are met during construction. Examples of the types of structures built this way include portable classrooms, hazardous storage buildings, homes and offices. These structures must comply with the same rules and regulations as any structure built onsite. Increasingly, units are being fabricated by manufacturers located in different countries.

L&I is seeking authority to delegate inspection duties through contract to a qualified entity, including private third parties. This would create another option so that L&I can make sure all of these buildings are properly inspected before being shipped into the state.
Security background checks for explosives
This proposal updates requirements for explosive licensing. It would simplify fingerprinting requirements for license holders while increasing background checks. It also brings the list of offenses that disqualify persons for explosives licensing in line with national standards, including a license suspension process when a licensee is charged for disqualifying offenses. Additional language will mandate self-reporting and include a formal appeal process for individuals who are denied a license or renewal due to criminal background violations.

Increasing bonding requirements for contractors who pose a risk of harm to consumers
This proposal uses existing authority to require up to three times the current bond amount if the applicant, “poses a risk of harm to consumers,” replacing the current application of this authority to those who had three final judgments in the past five years. It then establishes a workgroup to define “risk of harm to consumers” and identifies a broad range of participants. The department would adopt the new definition of “risk of harm to consumers” in rule. Increases in the bond amount may only be accessed by harmed consumers, recognizing the significant increase of construction-related costs have reduced the probability consumers can be made whole after being financially harmed by a contractor. The goal is to increase consumer protection while balancing the impact on contractors.

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