
19.28.251 Powers and duties of director — Administration of RCW 19.28.161 through 19.28.271 by the department.

The director may promulgate rules, make specific decisions, orders, and rulings, including demands and findings, and take other necessary action for the implementation and enforcement of RCW [19.28.161](#) through [19.28.271](#). In the administration of RCW [19.28.161](#) through [19.28.271](#) the department shall not enter any controversy arising over work assignments with respect to the trades involved in the construction industry.

19.28.261 Exemptions from RCW 19.28.161 through 19.28.271. **Effective 7/25/21 – Changed by 2021 SSB 5267******

(1) Nothing in RCW [19.28.161](#) through [19.28.271](#) shall be construed to require that a person obtain a license or a certified electrician in order to do electrical work at his or her residence or farm or place of business or on other property owned by him or her unless:

- (a) The electrical work is on the construction of a new building intended for rent, sale, or lease; or
- (b) The electrical work is on property that is offered for sale within 12 months after obtaining the property.

However, if the construction is of a new residential building with up to four units intended for rent, sale, or lease, the owner may receive an exemption from the requirement to obtain a license or use a certified electrician if he or she provides a signed affidavit to the department stating that he or she will be performing the work and will occupy one of the units as his or her principal residence. The owner shall apply to the department for this exemption and may only receive an exemption once every twenty-four months. It is intended that the owner receiving this exemption shall occupy the unit as his or her principal residence for twenty-four months after completion of the units.

(2) Nothing in RCW [19.28.161](#) through [19.28.271](#) shall be intended to derogate from or dispense with the requirements of any valid electrical code enacted by a city or town pursuant to RCW [19.28.010](#)(3), 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 electrical construction trade.

(3) RCW [19.28.161](#) through [19.28.271](#) shall not apply to common carriers subject to Part I of the Interstate Commerce Act, nor to their officers and employees.

(4) Nothing in RCW [19.28.161](#) through [19.28.271](#) shall be deemed to apply to the installation or maintenance of telephone, telegraph, radio, or television wires and equipment; nor to any electrical utility or its employees in the installation, repair, and maintenance of electrical wiring, circuits, and equipment by or for the utility, or comprising a part of its plants, lines, or systems.

(5) The licensing provisions of RCW [19.28.161](#) through [19.28.271](#) shall not apply to:

(a) Persons making electrical installations on their own property or to regularly employed employees working on the premises of their employer, unless the electrical work is on:

- (i) The construction of a new building intended for rent, sale, or lease; or
- (ii) Property offered for sale within 12 months after obtaining the property;

(b) Employees of an employer while the employer is performing utility type work of the nature described in RCW [19.28.091](#) so long as such employees have registered in the state of Washington with or graduated from a state-approved outside lineworker apprenticeship course that is recognized by the department and that qualifies a person to perform such work;

(c) Any work exempted under RCW [19.28.091](#)(6); and

(d) Certified plumbers, certified residential plumbers, or plumber trainees meeting the requirements of chapter [18.106](#) RCW and performing exempt work under RCW [19.28.091](#)(8).

(6) Nothing in RCW [19.28.161](#) through [19.28.271](#) 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 the electrical installation hold themselves out as engaged in the trade or business of electrical installations.

(7) Nothing precludes any person who is exempt from the licensing requirements of this chapter under this section from obtaining a journey level or specialty certificate of competency if they otherwise meet the requirements of this chapter.

19.28.271 Violations of RCW 19.28.161 through 19.28.271 — Schedule of penalties — Appeal.

(1) It is unlawful for any person, firm, partnership, corporation, or other entity to employ an individual for purposes of RCW [19.28.161](#) through [19.28.271](#) who has not been issued a certificate of competency, a temporary permit, or a training certificate. It is unlawful for any individual to engage in the electrical construction trade or to maintain or install any electrical equipment or conductors without having in his or her possession a certificate of competency, a temporary permit, or a training certificate under RCW [19.28.161](#) through [19.28.271](#), and photo identification. The department may establish by rule a requirement that the individual also wear and visibly display his or her certificate or permit.

(2) Any person, firm, partnership, corporation, or other entity found in violation of RCW [19.28.161](#) through [19.28.271](#) shall be assessed a penalty of not less than fifty dollars or more than five hundred dollars. The department shall set by rule a schedule of penalties for violating RCW [19.28.161](#) through [19.28.271](#). An appeal may be made to the board as is provided in RCW [19.28.131](#). The appeal shall be filed within twenty days after the notice of the penalty is given to the assessed party using a method by which the mailing can be tracked or the delivery can be confirmed, sent to the last known address of the assessed party and shall be made by filing a written notice of appeal with the department. Any equipment maintained or installed by any person who does not possess a certificate of competency under RCW [19.28.161](#) through [19.28.271](#)