
SENATE BILL 5744

State of Washington

68th Legislature

2023 Regular Session

By Senator Valdez

1 AN ACT Relating to plumbing supervision; amending RCW 18.106.070;
2 and reenacting and amending RCW 18.106.010.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

24 (a) In single-family dwellings and duplexes only, a residential
25 service plumber may service, repair, or replace previously existing
26 fixtures, piping, and fittings that are outside the interior wall or
27 above the floor, often((7)) but not necessarily in a like-in-kind
28 manner. In any residential structure, a residential service plumber
29 may perform plumbing work as needed to perform drain cleaning and may
30 perform leak repairs on any pipe, fitting, or fixture from the leak
31 to the next serviceable connection.

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

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

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

1 (13) "Service plumbing" means plumbing work in which previously
2 existing fixtures, fittings, and piping is repaired or replaced,
3 often((~~r~~)) but not necessarily((~~r~~)) in a like-in-kind manner, or
4 plumbing work being performed as necessary for drain cleaning.

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

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

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

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

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

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

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

30 (iii) If located within the interior space of a residential
31 structure, are connected to a plumbing distribution system supplied
32 and installed into the interior space by either: (A) A person who,
33 pursuant to RCW 18.106.070 or 18.106.090, possesses a valid temporary
34 permit or certificate of competency as a journey level plumber,
35 specialty plumber, or trainee, as defined in this chapter; or (B) a
36 person exempt from the requirement to obtain a certified plumber to
37 do such plumbing work under RCW 18.106.150.

38 (15) "Unsatisfied final judgment" means a judgment or final tax
39 warrant that has not been satisfied either through payment, court-

1 approved settlement, discharge in bankruptcy, or assignment under RCW
2 19.72.070.

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

5 (1) The department shall issue a certificate of competency to all
6 applicants who have passed the examination and have paid the fee for
7 the certificate. The certificate may include a photograph of the
8 holder. The certificate shall bear the date of issuance, and be
9 renewed every three years, upon application, on or before the
10 birthdate of the holder. The department shall renew a certificate of
11 competency if the applicant: (a) Pays the renewal fee assessed by the
12 department; and (b) during the past three years has completed
13 (~~twenty-four~~) 24 hours of continuing education approved by the
14 department with the advice of the advisory board, including four
15 hours related to electrical safety. For holders of the specialty
16 plumber certificate under RCW 18.106.010(14)(c), the continuing
17 education may comprise both electrical and plumbing education with a
18 minimum of (~~twelve~~) 12 of the required (~~twenty-four~~) 24 hours of
19 continuing education in plumbing. If a person fails to renew the
20 certificate by the renewal date, he or she must pay a doubled fee. If
21 the person does not renew the certificate within (~~ninety~~) 90 days
22 of the renewal date, he or she must retake the examination and pay
23 the examination fee.

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

36 (2) A person who is indentured to an apprenticeship program
37 approved under chapter 49.04 RCW for the plumbing construction trade
38 or who is learning the plumbing construction trade may work in the
39 plumbing construction trade if supervised by a certified journey

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

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

28 (i) On the same jobsite as the trainee for a minimum of
29 ~~((seventy-five))~~ 75 percent of each working day unless otherwise
30 provided in this chapter~~((-))~~; or

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

36 (A) The trainee has more than ~~((two thousand))~~ 2,000 hours of
37 training;

38 (B) The supervising plumber is no more than ~~((forty))~~ 40 miles
39 from the jobsite; and

1 (C) The scope of work on the trainee's jobsite is service
2 plumbing in a residential structure.

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

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

13 (i) Not more than three trainees working on any one residential
14 structure jobsite for every certified specialty plumber or journey
15 level plumber working as a specialty plumber;

16 (ii) Not more than one trainee working on any one jobsite for
17 every certified journey level plumber working as a journey level
18 plumber; and

19 (iii) Not more than one trainee working on any one jobsite for
20 every certified residential service plumber.

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

24 (5) An individual who has a current training certificate and who
25 has successfully completed or is currently enrolled in a medical gas
26 piping installer training course approved by the department may work
27 on medical gas piping systems if the individual is under the direct
28 supervision of a certified medical gas piping installer who holds a
29 medical gas piping installer endorsement one hundred percent of a
30 working day on a one-to-one ratio.

31 (6) The training to become a certified plumber must include not
32 less than (~~sixteen~~) 16 hours of classroom training established by
33 the director with the advice of the advisory board. The classroom
34 training must include, but not be limited to, electrical wiring
35 safety, grounding, bonding, and other related items plumbers need to
36 know to work under this chapter.

37 (7) All persons who are certified plumbers before January 1,
38 2003, are deemed to have received the classroom training required in
39 subsection (6) of this section.

1 (8) (a) The department shall instruct the advisory board of
2 plumbers to convene a subgroup that includes the statewide
3 association representing plumbing, heating, and cooling contractors;
4 the union representing plumbers and pipefitters; the association
5 representing plumbing contractors who employ union plumbers and
6 pipefitters; and other directly affected stakeholders after the
7 completion of the 2023 legislative session, the 2024 legislative
8 session, and every three years thereafter.

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

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