
SUBSTITUTE SENATE BILL 5880

State of Washington

67th Legislature

2022 Regular Session

By Senate Business, Financial Services & Trade (originally sponsored by Senators Salomon, Conway, Keiser, Liias, Lovick, Nobles, and Van De Wege)

1 AN ACT Relating to fire protection sprinkler system contractors;
2 amending RCW 18.160.030, 18.160.050, 18.160.120, 18.270.050, and
3 18.270.070; and adding a new section to chapter 18.160 RCW.

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

5 **Sec. 1.** RCW 18.160.030 and 2003 c 74 s 1 are each amended to
6 read as follows:

7 (1) This chapter shall be administered by the state director of
8 fire protection.

9 (2) The state director of fire protection shall have the
10 authority, and it shall be his or her duty to:

11 (a) Issue such administrative regulations as necessary for the
12 administration of this chapter;

13 (b)(i) Set reasonable fees for licenses, certificates, testing,
14 and other aspects of the administration of this chapter. However, the
15 license fee for fire protection sprinkler system contractors engaged
16 solely in the installation, inspection, maintenance, or servicing of
17 NFPA 13-D fire protection sprinkler systems shall not exceed (~~one~~
18 ~~hundred dollars~~) \$125, and the license fee for fire protection
19 sprinkler system contractors engaged solely in the installation,
20 inspection, maintenance, or servicing of NFPA 13-R fire protection
21 sprinkler systems shall not exceed (~~three hundred dollars~~) \$375;

1 (ii) Adopt rules establishing a special category restricted to
2 contractors registered under chapter 18.27 RCW who install
3 underground systems that service fire protection sprinkler systems.
4 The rules shall be adopted within ninety days of March 31, 1992;

5 (iii) Subject to RCW 18.160.120, adopt rules defining infractions
6 under this chapter and fines to be assessed for those infractions;

7 (c) Enforce the provisions of this chapter;

8 (d) Conduct investigations of complaints to determine if any
9 infractions of this chapter or the regulations developed under this
10 chapter have occurred;

11 (e) Assign a certificate number to each certificate of competency
12 holder; and

13 (f) Adopt rules necessary to implement and administer a program
14 which requires the affixation of a seal any time a fire protection
15 sprinkler system is installed, which seal shall include the
16 certificate number of any certificate of competency holder who
17 installs, in whole or in part, the fire protection sprinkler system.

18 **Sec. 2.** RCW 18.160.050 and 2018 c 37 s 1 are each amended to
19 read as follows:

20 (1)(a) All certificate of competency holders that desire to
21 continue in the fire protection sprinkler business shall annually,
22 prior to January 1st, secure from the state director of fire
23 protection a renewal certificate of competency upon payment of the
24 fee as prescribed by the state director of fire protection.
25 Application for renewal shall be upon a form prescribed by the state
26 director of fire protection and the certificate holder shall furnish
27 the information required by the director.

28 (b) Failure of any certificate of competency holder to secure his
29 or her renewal certificate of competency within (~~sixty~~) 60 days
30 after the due date shall constitute sufficient cause for the state
31 director of fire protection to suspend the certificate of competency.

32 (c) The state director of fire protection may, upon the receipt
33 of payment of all delinquent fees including a late charge, restore a
34 certificate of competency that has been suspended for failure to pay
35 the renewal fee.

36 (d) A certificate of competency holder may voluntarily surrender
37 his or her certificate of competency to the state director of fire
38 protection and be relieved of the annual renewal fee. After
39 surrendering the certificate of competency, he or she shall not be

1 known as a certificate of competency holder and shall desist from the
2 practice thereof. Within two years from the time of surrender of the
3 certificate of competency, he or she may again qualify for a
4 certificate of competency, without examination, by the payment of the
5 required fee. If two or more years have elapsed, he or she shall
6 return to the status of a new applicant.

7 (2) (a) All licensed fire protection sprinkler system contractors
8 desiring to continue to be licensed shall annually, prior to January
9 1st, secure from the state director of fire protection a renewal
10 license upon payment of the fee as prescribed by the state director
11 of fire protection. Application for renewal shall be upon a form
12 prescribed by the state director of fire protection and the license
13 holder shall furnish the information required by the director.

14 (b) Failure of any license holder to secure his or her renewal
15 license within (~~sixty~~) 60 days after the due date shall constitute
16 sufficient cause for the state director of fire protection to suspend
17 the license.

18 (c) The state director of fire protection may, upon the receipt
19 of payment of all delinquent fees including a late charge, restore a
20 license that has been suspended for failure to pay the renewal fee.

21 (3) The initial certificate of competency or license fee shall be
22 prorated based upon the portion of the year such certificate of
23 competency or license is in effect, prior to renewal on January 1st.

24 (4) The fire protection contractor license fund is created in the
25 custody of the state treasurer. (~~All~~) Except for penalties received
26 under RCW 18.160.120, all receipts from license and certificate fees
27 and charges or from the money generated by the rules and regulations
28 promulgated under this chapter shall be deposited into the fund.
29 Expenditures from the fund may be used only for purposes authorized
30 under this chapter and for providing assistance in identifying fire
31 sprinkler system components that have been subject to either a recall
32 or voluntary replacement program by a manufacturer of fire sprinkler
33 products, a nationally recognized testing laboratory, or the federal
34 consumer product safety commission; and for use in developing and
35 publishing educational materials related to the effectiveness of
36 residential fire sprinklers. Assistance shall include, but is not
37 limited to, aiding in the identification of recalled components,
38 information sharing strategies aimed at ensuring the consumer is made
39 aware of recalls and voluntary replacement programs, and providing
40 training and assistance to local fire authorities, the fire sprinkler

1 industry, and the public. Only the state director of fire protection
2 or the director's designee may authorize expenditures from the fund.
3 The fund is subject to allotment procedures under chapter 43.88 RCW,
4 but no appropriation is required for expenditures.

5 **Sec. 3.** RCW 18.160.120 and 2003 c 74 s 2 are each amended to
6 read as follows:

7 (1) A fire protection sprinkler system contractor found to have
8 committed an infraction under this chapter as defined in rule under
9 RCW 18.160.030(2)(b)(iii) shall be assessed a fine of not less than
10 ~~((two hundred dollars))~~ \$300 and not more than ~~((five thousand~~
11 ~~dollars))~~ \$7,500 for the first infraction, a fine of not less than
12 \$400 and not more than \$10,000 for a second infraction by the same
13 contractor, and a fine of not less than \$1,000 and not more than
14 \$15,000 for the third and any subsequent infractions by the same
15 contractor.

16 (2) A fire protection sprinkler system contractor who fails to
17 obtain a certificate of competency under RCW 18.160.040 shall be
18 assessed a fine of not less than ~~((one thousand dollars))~~ \$1,500 and
19 not more than ~~((five thousand dollars))~~ \$7,500 for the first
20 infraction, and a fine of not less than \$2,500 and not more than
21 \$10,000 for a second infraction by the same contractor, and a fine of
22 not less than \$5,000 and not more than \$25,000 for the third and any
23 subsequent infractions by the same contractor.

24 (3) All fines collected under this section shall be deposited
25 into the fire protection ~~((contractor license fund))~~ compliance
26 account.

27 NEW SECTION. **Sec. 4.** A new section is added to chapter 18.160
28 RCW to read as follows:

29 The fire protection compliance account is created in the custody
30 of the state treasurer. All fines collected under RCW 18.160.120 and
31 the rules and regulations adopted under RCW 18.160.120 must be
32 deposited into the account. Expenditures from the account may only be
33 used for the purposes of enforcing this chapter. Only the state
34 director of fire protection or their designee may authorize
35 expenditures from the account. The account is subject to allotment
36 procedures under chapter 43.88 RCW, but no appropriation is required
37 for expenditures.

1 **Sec. 5.** RCW 18.270.050 and 2007 c 435 s 6 are each amended to
2 read as follows:

3 (1) A certificate expires on December 31st.

4 (2) The certificate shall be renewed every other year.

5 (3) Before the expiration date of the certificate, every
6 applicant shall reapply to the director on an application form
7 provided by the director and pay the application fee as provided by
8 rule.

9 (4) If a certificate is not renewed before its expiration date,
10 an applicant must:

11 (a) Apply to the director on an application form provided by the
12 director;

13 (b) Pay an application fee to the director as provided by rule;

14 (c) Pay an examination fee as provided by rule; and

15 (d) Successfully pass the written examination required by this
16 chapter.

17 (5) Upon approval of a certificate renewal, the director must
18 provide the certificate holder with the renewal directly through
19 certified mail.

20 **Sec. 6.** RCW 18.270.070 and 2007 c 435 s 8 are each amended to
21 read as follows:

22 An authorized representative of the director (~~may~~) must
23 investigate alleged violations of this chapter. Upon request of an
24 authorized representative, a person performing fire protection
25 sprinkler fitting or residential sprinkler fitting work must produce
26 evidence of a certificate issued by the director in accordance with
27 this chapter. Failure to produce such evidence is an infraction as
28 provided by RCW 18.270.020.

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