



2019/2020 Agency Request Bills

Summaries

The Department of Labor & Industries (L&I) requested four proposals in the 2019-2020 legislative biennium.

SSB 5471 (King) – *passed the legislature - effective date 7/28/2019*; 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

This bill extends 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 bill relieves the burden of more frequent renewal requests and provides 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 bill increases the number of Elevator Safety Advisory Committee (ESAC) members from seven to nine, and provides 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 bill allows homeowners to remove stairchair lifts or platform lifts in their own residence without being subject to a misdemeanor. The bill does not allow installation or alteration of these lifts, only removal. The law previously allowed 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.

HB 1486 (Mosbrucker) – *passed the legislature – effective date 7/28/2019*; 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.

This bill gives L&I the authority to delegate inspection duties through contract to a qualified entity, including private third parties. This creates another option so that L&I can make sure all of these buildings are properly inspected before being shipped into the state.

SB 5795 (Zeiger) – passed the legislature – effective date 7/28/2019; Increasing consumer protections for residential homeowners who engage construction contractors

Every construction contractor wishing to do business in Washington must register with L&I. Registration includes:

- completing an application and submitting it to the department,
- purchasing a surety bond and liability insurance, and
- paying the registration fee of \$117.90 for two years.

General contractors are required to purchase a \$12,000 bond. Specialty contractors must get a \$6,000 bond. Insurance requirements are either a \$50,000 property damage policy and \$200,000 public liability policy, or a \$250,000 combined single limit policy.

This bill uses existing authority to require up to three times the current bond amount if a registered contractor has a final judgment against their bond in the past five years. Previous law required three final judgments, but that criterion had never been met. This bill also establishes a workgroup to consider a series of topics to increase consumer protections, including whether:

- bond amounts are sufficient;
- additional criteria for contractors would provide a greater level of protection;
- strategies to discourage the transfer of a business for the purpose of evading penalties or judgments under this chapter are needed; and
- incentives to adopt industry best practices are appropriate.

SB 5566 (Braun) – passed the legislature – effective date 7/28/2019 Setting Fees for the Administration of the Prevailing Wage Program

Contractors doing construction, maintenance or repair on public works are required to conform with the Prevailing Wage law. That law requires contractors to file with L&I an “intent to pay prevailing wages” and an “affidavit of wages paid” once the work is complete. Each form currently requires a fee of \$40.

For the 2019-2021 biennium, this bill cuts in half - from \$40 to \$20 - fees for approval of statements of intent to pay prevailing wages and the certification of affidavits of wages paid in the Prevailing Wage Program. This reduction is estimated to save contractors about \$4.9 million in the 2019-2021 biennium.

In future years, it gives the director discretion to lower fees from the current \$40 when the revenue generated exceeds the level necessary to administer the program. It retains the current \$40 cap to ensure higher fees cannot be charged.

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