

WAC 296-46B-935 Administrator certificate. General.

(1) The department will deny application, renewal, change of assignment, reinstatement, or issuance of an administrator or master electrician certificate if an individual owes money as a result of an outstanding final judgment(s) under chapter 19.28 RCW.

(2) For special accommodation see WAC 296-46B-960.

(3) An applicant will not be issued a specialty administrator certificate that is a subspecialty of a certificate the applicant currently holds (i.e., the applicant is not eligible to take the domestic well administrator examination if the applicant currently possesses a pump and irrigation administrator certificate).

Qualifying for examination.

(4) There are no qualification requirements for taking an administrator certificate examination. No department approval is required. Applicants ~~To arrange for examination, individuals~~ should contact the testing agency designated by the department.

Commented [ME1]: Further explanation of what preceding "no qualification requirements" means.

Commented [ME2]: Clarifies purpose of contacting a testing agency. Using the term "individuals" instead of "applicants" eliminates any inference that administrators have to apply for the department approval before arranging for an administrator examination.

Commented [ME3]: Adding specifics as to which testing agency. RCWs 19.28.051, 19.28.201, and 19.28.440 allow department use of a testing agency

directly after obtaining or reactivating a unique candidate identification number as required under WAC 296-46B-960(1)(c).

Original - Administrator certificates.

(5) The scope of work for ~~electrical~~ administrators is described in WAC 296-46B-920. Except for exempt telecommunications work under RCW 19.28.511, administrators are not exempt from requirements under RCW 19.28.161 when they are performing work in the electrical construction trade for a contractor required to be licensed under RCW 19.28.041 or RCW 19.28.420. The department will issue an original administrator certificate to a general administrator, or specialty administrator who:

(a) Successfully completes the appropriate administrator examination; and

(b) Submits the appropriate examination passing report from the testing agency designated by the department with the applicant's: Date of birth, full legal name, mailing address, and ~~Social Security number~~ unique candidate identification number; and

Commented [ME4]: New requirement for administrators to obtain/reactivate a unique candidate identification number. This change facilitates identification by means other than use of candidate's personal information e.g., SSN, driver license number, etc.

Unique candidate identification numbers are already used to identify master electrician and electrician exam candidates.

Implementation will enhance communications related to administrator candidate status between the department and their testing agency.

Commented [ME5]: Striking term "electrical". This subsection applies to all administrators, not limited to electrical administrators.

Commented [ME6]: No new requirements or limitations. Added information to prevent misconception. The term "scope of work" in the preceding sentence infers that administrators can physically perform that work. Administrators are only certified to perform duties outlined in RCW 19.28.061 or RCW 19.28.430.

Commented [ME7]: No new requirements or limitations. Identifying testing agency. RCWs 19.28.051, 19.28.201, and 19.28.440 allow department use of a testing agency

Commented [ME8]: No new requirements or limitations. Corrects omission of a requirement to provide a full legal name at the time they apply for certification. Present version of the rule assumes passing score reports from testing agencies provide the legal name of the candidate.

Commented [ME9]: Eliminates department rule requirement for candidate to provide their Social Security number to the testing agency. Instead of a being identified by their Social Security number, candidates will be identified by their unique candidate identification number provided by the department.

(c) Pays all appropriate fees as listed in WAC 296-46B-909.

For an examination report to be considered, all the above must be submitted within ~~ninety~~ 90 days after the completion of the examination. After ~~ninety~~ 90 days, the applicant will be required to successfully retake the complete examination. An individual's original administrator certificate will expire on their birth date at least one year, and not more than three years, from the date of original issue.

Commented [ME10]: According to Part IV. Instructions On Style: Numbers ten or greater, and any decimals or fractions, should be written in Arabic numerals.

Commented [ME11]: According to Part IV. Instructions On Style: Numbers ten or greater, and any decimals or fractions, should be written in Arabic numerals.

Combination - Specialty administrator certificate.

(6) The department may issue a combination specialty administrator certificate to an individual who qualifies for more than one specialty administrators' certificate. The combination specialty administrators' certificate will plainly indicate the specialty administrator's certificate(s) the holder has qualified for. Telecommunications cannot be issued a combination because the renewal requirements are different from those required for electrical administrators.

Renewal - Administrator certificate.

(7) An individual must apply for renewal of their administrator certificate on or before the expiration date of the certificate. The individual may not apply for renewal more than ~~ninety~~ 90 days prior to the expiration date. Renewed electrical administrator certificates are valid for three years, ~~with the exception of~~ Renewed telecommunications administrators administrator certificates are valid, ~~who will be renewed~~ for two years. An assigned administrator will be automatically unassigned from the contractor by the department if they fail to renew their administrator certificate before 10:50 PM Pacific Standard Time on the certificate expiration date. Further effects and actions related to unassignment are described in (8) (c) through (f) of this section.

Commented [ME12]: No new requirements or limitations. According to Part IV. Instructions On Style: Numbers ten or greater, and any decimals or fractions, should be written in Arabic numerals.

Commented [ME13]: No new requirements or limitations. No change to intervals, restated in plain talk.

Commented [ME14]: No new requirements or limitations. Provides specifics as to what happens and when an administrator fails to renew their certificate as required by this subsection: "An individual must apply for renewal of their administrator certificate on or before the expiration date of the certificate."

An expired or inactive administrator does not possess a valid certificate. And individual must have a valid certificate to be designated as an assigned administrator under RCW 19.28.061 and 19.28.430

Similar reference to unassignment in (11) (b) of the section. Automatic unassignment happens when an administrator certificate becomes invalid due to expiration or inactive status.

(8) An individual may renew their administrator certificate within ~~ninety~~ 90 days after the expiration date of the certificate without reexamination if the individual applies for renewal and pays the late renewal fee listed in WAC 296-46B-909 no later than 10:50 PM Pacific Standard Time 90 days after the certificate expiration date.

Commented [ME15]: According to Part IV. Instructions On Style: Numbers ten or greater, and any decimals or fractions, should be written in Arabic numerals.

Commented [ME16]: No new requirements or limitations. For clarity, the word "after" applies to the expiration date of the certificate.

Commented [ME17]: No new requirements or limitations. For clarity, the word "pay" is part of the application for renewal process.

Commented [ME18]: No new requirements or limitations. Clarification of the 90 day after deadline.

(9) All renewals received ~~more than ninety days after the expiration date of the certificate~~ later than allowed by (8) of this section will be denied. The administrator will be required to pass the appropriate administrator examination before being recertified.

Commented [ME19]: No new requirements or limitations. Further clarification of the 90 day after expiration deadline.

(10) All applicants for certificate renewal must:

(a) Submit a complete renewal application;

(b) Pay all appropriate fees as listed in WAC 296-46B-909;

and

(c) Complete the continuing education requirements described in WAC 296-46B-970. Continuing education classes are only valid when all the requirements of WAC 296-46B-970 are completed.

Telecommunications administrators are not required to provide continuing education information.

Continuing education for pump and irrigation (03) and domestic pump (03A) administrators may be comprised of ~~fifty~~ 50 percent electrical and ~~fifty~~ 50 percent plumbing instruction.

Commented [ME20]: According to Part IV. Instructions On Style: Numbers ten or greater, and any decimals or fractions, should be written in Arabic numerals.

(11) (a) An individual who has not completed the required hours of continuing education can renew an administrator's

Commented [ME21]: According to Part IV. Instructions On Style: Numbers ten or greater, and any decimals or fractions, should be written in Arabic numerals.

certificate if the department receives the individual
individual's application~~applies~~ for renewal on or before 10:50
PM Pacific Standard Time on their certificate expiration date
~~the certificate expires~~ and pays the appropriate renewal fee
before that time. However, the certificate will be placed in an
inactive status. To maintain inactive status, the certificate
must be renewed no later than allowed under (8) of this section.
An unexpired inactive certificate will be returned to
active status upon validation, by the department, of the
required continuing education requirements.

(b) When the certificate is placed in inactive status, an
assigned administrator will be automatically unassigned from the
~~electrical~~ contractor at 11:01 PM Pacific Standard Time on their
certificate expiration date if completion of required hours of
approved continuing education are not reported to the department
by the provider before 10:50 PM Pacific Standard Time on their
certificate expiration date. |

(c) The department must notify the ~~electrical~~ contractor
~~will be notified~~ of the unassignment ~~and has ninety days to~~

Commented [ME22]: No new requirements or limitations. Amending for clarity as to what "if the individual applies for renewal" really means.

Commented [ME23]: Not a new requirement, amending to add information to avoid any misunderstanding about the duration of inactive status.

Commented [VL24]: Relocated from (c) of the subsection. "To maintain inactive status, the certificate must be renewed no later than allowed under (8) of this section." is a reworded version of "If the certificate renewal date occurs during the inactive period, the certificate must be renewed on or before the renewal date to allow the return to current status." in (c) of this subsection.

Commented [ME25]: No new requirements or limitations. Provides specifics as to what happens when an administrator fails to complete education requirements and chooses to renew into inactive status.

An expired or inactive administrator does not possess a valid certificate. And individual must have a valid certificate to be designated as an assigned administrator under RCW 19.28.061 and 19.28.430

Similar reference to unassignment in (7) of the section. Automatic unassignment happens when an administrator certificate becomes invalid due to expiration or inactive status.

Commented [ME26]: No new requirements or limitations. Style correction. Active voice rather than passive.

~~replace the administrator. An assignment fee will then be required per WAC 296-46B-909.~~

Commented [ME27]: Relocated and reiterated in subsections (d) and (e) of this subsection.

~~The inactive certificate will be returned to current status upon validation, by the department, of the required continuing education requirements. If the certificate renewal date occurs during the inactive period, the certificate must be renewed on or before the renewal date to allow the return to current status.~~

Commented [ME28]: Relocated to (a) of this subsection.

Commented [VL29]: Relocated to (a) of this subsection and reworded as follows: "To maintain inactive status, the certificate must be renewed no later than allowed under (8) of this section."

(d) Upon the unassignment of a designated administrator, the contractor's license is automatically suspended if they do not have an administrator or master electrician designated by assignment within 90 days, or within 180 days as allowed under RCW 19.28.061(1) and RCW 19.28.430(1), as applicable.

Commented [ME30]: Not a new requirement or limitation. Subsection is informational, explains process.

(e) Restoring assignment designation requires a completed assignment request prescribed by the department and payment of an assignment of administrator or master electrician fee required under WAC 296-46B-909.

(f) To reinstate a contractor license suspended under (d) of this subsection, contractors must designate an administrator or master electrician as described in (e) of this subsection,

apply for reinstatement as prescribed by the department, and pay a reinstatement fee required under WAC 296-46B-909.

Commented [ME31]: Not a new requirement or limitation. Subsection is informational, explains process.

(12) An individual may renew a suspended administrator's certificate by submitting a complete renewal application including obtaining and submitting the continuing education required for renewal. However, the certificate will remain in a suspended status for the duration of the suspension period. Before the suspended administrator's certificate can be activated, the holder must pass the appropriate administrator examination in accordance with RCW 19.28.061 (2) (a) .

(13) An individual may not renew a revoked administrator's certificate.

[Statutory Authority: Chapter 19.28 RCW, RCW 19.28.031 and 19.28.251. WSR 20-11-053 and 20-14-083, § 296-46B-935, filed 5/19/20 and 6/30/20, effective 10/29/20. Statutory Authority: Chapter 19.28 RCW, RCW 19.28.010 and 19.28.031. WSR 17-12-021, § 296-46B-935, filed 5/30/17, effective 7/1/17. Statutory Authority: Chapter 19.28 RCW. WSR 14-11-075, § 296-46B-935, filed 5/20/14, effective 7/1/14; WSR 13-03-128, § 296-46B-935, filed 1/22/13, effective 3/1/13. Statutory Authority: RCW 19.28.006, 19.28.010, 19.28.031, 19.28.041, 19.28.061, 19.28.101, 19.28.131, 19.28.161, 19.28.171, 19.28.191, 19.28.201, 19.28.211, 19.28.241, 19.28.251, 19.28.281,

19.28.311, 19.28.321, 19.28.400, 19.28.420, 19.28.490, 19.28.551. WSR 09-20-032, § 296-46B-935, filed 9/29/09, effective 10/31/09; WSR 08-24-048, § 296-46B-935, filed 11/25/08, effective 12/31/08; WSR 06-24-041, § 296-46B-935, filed 11/30/06, effective 12/31/06; WSR 05-10-024, § 296-46B-935, filed 4/26/05, effective 6/30/05. Statutory Authority: RCW 19.28.006, 19.28.010, 19.28.031, 19.28.041, 19.28.061, 19.28.101, 19.28.131, 19.28.161, 19.28.171, 19.28.191, 19.28.201, 19.28.211, 19.28.241, 19.28.251, 19.28.271, 19.28.311, 19.28.321, 19.28.400, 19.28.420, 19.28.490, 19.28.551, 2003 c 399, 2003 c 211, 2003 c 78, and 2003 c 242. WSR 04-12-049, § 296-46B-935, filed 5/28/04, effective 6/30/04. Statutory Authority: RCW 19.28.006, 19.28.010, 19.28.031, 19.28.041, 19.28.061, 19.28.101, 19.28.131, 19.28.161, 19.28.171, 19.28.191, 19.28.201, 19.28.211, 19.28.241, 19.28.251, 19.28.271, 19.28.311, 19.28.321, 19.28.400, 19.28.420, 19.28.490, 19.28.551, 2002 c 249, chapters 34.05 and 19.28 RCW. WSR 03-09-111, § 296-46B-935, filed 4/22/03, effective 4/22/03.]

WAC 296-46B-960 Administrator, master electrician, and electrician certificate of competency examinations. General.

(1) (a) The minimum passing score on any examination or examination section is 70 percent. ~~If examination is requested to be administered by the department, an application is required and the examination must be successfully completed within one~~

Commented [ME32]: Including term in title for clarity. Term used throughout the section.

~~year of application or the individual must submit a new application for exam including all appropriate fees.~~

Commented [VL33]: Relocated to (1) (e) of this section.

(b) For approval for all master electrician and electrician examinations, individuals must submit an application as prescribed by the department and pay all appropriate fees listed under WAC 296-46B-909. The department shall notify applicants of approval or denial of their application. After approval, the department shall provide the candidate a unique candidate identification number and instructions for arranging for examination. If the individual does not successfully complete the examination the within two years of the date of department approval, they must submit a new application for examination approval to the department and pay all appropriate fees listed under WAC 296-46B-909.

Commented [ME34]: Speaks to current requirements and process.

(c) For all administrator examinations, there are no qualification requirements, no department approval required. Before contacting the testing agency designated by the department to arrange for an examination, individuals must request a unique candidate identification number from the department. At the time of request, they must provide their full

legal name, date of birth, mailing address, email address, and Social Security number using a method prescribed by the department. When a candidate fails to successfully complete an administrator examination within two years of the date the department provides the individual a unique candidate identification number, the candidate must reactivate the number through a method prescribed by the department and begin a new two-year examination period and retake all sections of the examination. Reactivation expires two years from the date of reactivation and may be reactivated as needed until the candidate successfully completes the examination. Whenever the need arises for previously certified administrator to retest, the candidate must reactivate their unique candidate identification number by contacting the department. |

(d) For examinations administered by a department designated testing agency, examination fees are set by the testing agency. Candidates must contact the testing agency directly to arrange for payment.

(e) When the department has a contract with a testing agency to administer examinations, department administered

Commented [ME35]: Establishes requirement for administrators to obtain a unique candidate identification number from the department prior to arranging for an examination. At present, Establishing a department issued unique identifier will end the practice of candidates using their Social Security number as their unique identifier. Explains current requirements and process.

Commented [ME36]: Explanation of process. No new requirements.

examinations not available unless allowed at the department's discretion. For department-administered examinations, an application for a department-administered examination is required and applicants must pay all appropriate examination fees listed under WAC 296-46B-909. If the individual does not successfully complete the examination within two years of the date of department approval, they must submit a new application for examination approval to the department and pay all appropriate fees listed under WAC 296-46B-909.

Commented [ME37]: Explanation of process.
No new requirements.

(2) All examinations are open book.

(a) Candidates may use:

(i) Any original copyrighted material;

(ii) A silent, nonprinting, nonprogrammable calculator that is not designed for preprogrammed electrical calculations;

(iii) Copies of chapter 19.28 RCW and this chapter; or

(iv) A foreign language dictionary that does not contain definitions.

(b) Candidates may not use:

(i) Copies of copyrighted material;

(ii) Copies of internet publications, except for RCWs or WACs;

(iii) Personal notes; or

(iv) A personal computing device of any type other than the calculator in (a)(ii) of this subsection.

(3) (a) Administrator, master electrician, and electrician examinations may consist of multiple sections.

(b) For all administrator examinations, all sections must be successfully completed within a ~~two~~^{one}-year examination

period ~~after beginning the examination~~ on the date the

department provides or reactivates a candidate's unique

candidate identification number. ~~Within their two-year~~

examination period, candidates do not have to retake any

sections successfully completed within the two-year examination

period. ~~If all sections are not successfully completed within~~

the two-year examination period, the candidate must reactivate

their unique candidate identification number as prescribed by

the department and begin a new two-year examination period. When

beginning a new two-year examination period, candidates must

attempt all sections |

Commented [ME38]: Increasing duration of exam approval period from one year to two years for all administrator exams. Doing so makes it easier for candidates to do business with L&I. Renewing examination approval is an administrative task. Increasing duration of approval will not compromise confidentiality of exam questions and could free up resources to focus on more important work. Reduces candidate approval communications between the department and their testing agency. Number applicants reapplying for re-approval is not known. Most pass the examination in the first year.

Commented [ME39]: Amending when exam periods for administrator candidates begin.

Commented [ME40]: Explanation of process. No new requirements other than duration of exam period.

Commented [ME41]: Requires administrators to reactivate their unique candidate identification number. Nothing is presently required.

Explanation of process. No new requirements other than reactivation and duration of exam period.

(c) For all master electrician and electrician examinations, all sections must be successfully completed within a ~~one~~two-year examination period beginning with the date of the examination approval. Within the ~~one~~two-year examination period, the candidate does not have to retake any sections successfully completed within the examination period. If all sections are not successfully completed within the ~~one~~two-year examination period, the candidate must reapply for examination approval and begin a new two-year examination period ~~and retake all sections~~.
When beginning a two-year examination period, candidates must attempt all sections.

Commented [ME42]: Increasing duration of exam approval period from one year to two years for all master electrician and electrician examinations. Doing so makes it easier for candidates to do business with L&I. Renewing examination approval is an administrative task. Increasing duration of approval will not compromise confidentiality of exam questions and could free up resources to focus on more important work. Reduces candidate approval communications between the department and their testing agency. Number applicants reapplying for re-approval is not known. Most pass the examination in the first year.

Commented [ME43]: Explanation of process in plain language. No new requirements other than duration of exam period.

Special accommodations for examination.

(4) An applicant for an examination who, due to a specific physical, mental, sensory impairment, requires special accommodation in examination procedures, may submit a written request to the chief electrical inspector for the specific accommodation needed.

(a) The applicant must submit an individualized written opinion from a physician or other appropriate specialist:

(i) Verifying the existence of a specific physical, mental, sensory impairment;

(ii) Stating whether special accommodation is needed for a specific examination;

(iii) Stating what special accommodation is necessary; and

(iv) Stating if extra time for an examination is necessary and if so, how much time is required. The maximum allowance for extra time is double the normal time allowed.

(b) The written request for special accommodation and individualized written opinion should be submitted to the department only after the applicant has made application and received an examination approval from the department.

(5) An applicant for an examination who, due to limited English proficiency, requires special accommodation in examination procedures, including requesting extra time for examination, may submit a written request to the chief electrical inspector. The maximum allowance for extra time is double the normal time allowed. The written request should be submitted to the department after the applicant has made

application and received an examination approval from the department.

Failed examination appeal procedures.

(6) Any candidate who takes an examination and does not pass the examination may request a review of the examination.

(a) The department will not modify examination results unless the candidate presents clear and convincing evidence of error in the grading of the examination.

(b) The department will not consider any challenge to examination grading unless the total of the potentially revised score would result in a passing score.

(7) The procedure for requesting an informal review of examination results is as follows:

(a) The request must be made in writing to the chief electrical inspector and must be received within 20 days of the date of the examination and must request a rescore of the examination. The written request must include the appropriate fees for examination review described in WAC 296-46B-909.

(b) The following procedures apply to a review of the results of the examination:

(i) The candidate will be allowed one hour to review their examination.

(ii) The candidate must identify the challenged questions of the examination and must state the specific reason(s) why the results should be modified with multiple published reference material supporting the candidate's position.

(iii) Within 15 days of the candidate's review, the department will review the examination and candidate's justification and notify the candidate in writing of the department's decision.

Failing an administrator certificate exam or electrician certificate of competency examination.

(8) Anyone failing an administrator or electrician competency examination may retake the examination by making arrangements with the department designated testing agency and paying the retesting fee.

Commented [ME44]: No new requirements or limitations. Identifying testing agency. RCWs 19.28.051, 19.28.201, and 19.28.440 allow department use of a testing agency

(9) If the individual makes a failing score within a two-year examination period described in (3) (b) and (c) of this section, the individual must wait ~~two weeks~~ 14 days before being

Commented [ME45]: Current rule assumes reader knows when a failing score is made. Amending to clarify to avoid reliance on assumption.

Commented [ME46]: Duration changed from weeks to days. No change to duration.

eligible to retest unless (10) of this section requires a 60 day waiting period between attempts.

Commented [ME47]: Adding cross reference to subsection (10) to increase reader understanding of waiting period required.

(10) If the individual fails one or more sections~~a part~~ of an electrician, administrator, or master electrician examination three times within a ~~one~~two-year examination period described in (3) (b) and (c) of this section, the individual must wait ~~three months~~60 days ~~to retake the failed portion of the examination to make another attempt.~~ The 60-day interval between attempts applies to all attempts until the individual successfully completes the examination.

Commented [ME48]: Correcting terminology. Examinations are comprised of sections, not parts.

Commented [ME49]: Increasing duration of exam approval period from one year to two years for all administrator, master electrician, and electrician examinations. Doing so makes it easier for candidates to do business with L&I. Renewing examination approval is an administrative task. Increasing duration of approval will not compromise confidentiality of exam questions and could free up resources to focus on more important work. Reduces candidate approval communications between the department and their testing agency. Number applicants reapplying for re-approval is not known. Most pass the examination in the first year.

Commented [ME50]: The term "two-year examination period" is used throughout the section. Amending to add "examination" to promote consistent terminology.

Commented [ME51]: Adding reference to "(3) (b) and (c) of this section" for clarity as to what period this subsection is referencing.

Commented [ME52]: Reducing duration of waiting period to ensure compliance with RCW 19.28.201 which states: "The department must, at least four times annually, administer the examination to ..."

Commented [ME53]: Applying plain talk principles. No change to meaning.

Commented [ME54]: Clarification to improve understanding of current rule requiring a waiting period between attempts. The waiting period does not reset at any time until the exam is successfully ...

Commented [VL55]: Housekeeping. Style correction. Using "under" instead of "per".

Commented [ME56]: Style correction. Using "under" instead of "per".

Commented [ME57]: Updating rule to reflect requirements of RCW 19.28.161(2) (c) (ii) added by passage of 2018's SSB 6126.

(11) Anyone failing an electrician competency examination may continue to work in the electrical trade if they have a valid electrical training certificate and work under the direct supervision of a certified journey level or specialty electrician in the proper ratio, ~~per~~ required under RCW 19.28.161. In addition, unless working in a specialty, apprentices and individuals learning the electrical construction trade must also have in their possession proof of department approved apprenticeship or training program registration.

Cheating on an examination.

(12) Anyone found cheating on an examination, attempting to bribe a proctor or other agent involved in administering an examination, or using inappropriate materials/equipment during an examination will be required to wait at least 11 months before being allowed to reexamine. All such reexaminations will be administered by the department in Tumwater, Washington and the candidate will be required to apply and schedule for the examination with the chief electrical inspector. The department may also file a civil penalty action under chapter 19.28 RCW.

Examination confidentiality.

(13) All examination questions are confidential. Examination candidates and persons who have taken an examination are not allowed to copy or otherwise make note of or share examination content, in any manner, outside the individual's examination environment. Examination candidates must agree, prior to beginning an examination, to keep all examination content confidential. The department may also file a civil penalty action under chapter 19.28 RCW.

[Statutory Authority: Chapter 19.28 RCW, RCW 19.28.031 and 19.28.251. WSR 24-05-085, § 296-46B-960, filed 2/21/24,

effective 4/1/24; WSR 19-15-117, § 296-46B-960, filed 7/23/19, effective 8/23/19. Statutory Authority: Chapter 19.28 RCW. WSR 14-11-075, § 296-46B-960, filed 5/20/14, effective 7/1/14; WSR 13-03-128, § 296-46B-960, filed 1/22/13, effective 3/1/13. Statutory Authority: RCW 19.28.006, 19.28.010, 19.28.031, 19.28.041, 19.28.061, 19.28.101, 19.28.131, 19.28.161, 19.28.171, 19.28.191, 19.28.201, 19.28.211, 19.28.241, 19.28.251, 19.28.281, 19.28.311, 19.28.321, 19.28.400, 19.28.420, 19.28.490, 19.28.551. WSR 09-20-032, § 296-46B-960, filed 9/29/09, effective 10/31/09; WSR 08-24-048, § 296-46B-960, filed 11/25/08, effective 12/31/08; WSR 06-24-041, § 296-46B-960, filed 11/30/06, effective 12/31/06; WSR 06-05-028, § 296-46B-960, filed 2/7/06, effective 5/1/06; WSR 05-10-024, § 296-46B-960, filed 4/26/05, effective 6/30/05. Statutory Authority: RCW 19.28.006, 19.28.010, 19.28.031, 19.28.041, 19.28.061, 19.28.101, 19.28.131, 19.28.161, 19.28.171, 19.28.191, 19.28.201, 19.28.211, 19.28.241, 19.28.251, 19.28.271, 19.28.311, 19.28.321, 19.28.400, 19.28.420, 19.28.490, 19.28.551, 2002 c 249, chapters 34.05 and 19.28 RCW. WSR 03-09-111, § 296-46B-960, filed 4/22/03, effective 4/22/03.]

New WAC Section - WAC 296-46B-941

(1) Effective January 1, 2026, in addition to department issued certifications required under RCW 19.28.161, installation and maintenance of electric vehicle supply equipment on all public works as defined in RCW 39.04.010 must be performed by:

Commented [VL(58): The department may adopt rules necessary to implement SSB 5528 according to Section 4 of SSB 5528

Commented [VL(59): This is a new section. No record of anything previously codified under 296-46B-941

Commented [VL(60): Relates effective date established by Section 3 of SSB 5528.

(a) Persons certified by the electric vehicle infrastructure training program or a similar nationally recognized program; or

Commented [VL(61): Relates certification requirement established in Section 1 of SSB 5528.

(b) Apprentices meeting the criteria of RCW 19.28.161(2) (a) (i) when the supervising journey level electrician is certified pursuant to (a) of this subsection.

Commented [VL(62): Relates exception provision for apprentices in Section 2 of SSB 5528

(2) Provisions of subsection (1) of this section do not apply if:

(a) The electric vehicle infrastructure training program or a similar nationally recognized program is not open to all journey level electricians installing and maintaining electric vehicle supply equipment.

Commented [VL(63): Relates exclusion in Section 1 of SSB 5528 = certification pursuant to SSB 5528. Certification required for electric vehicle supply equipment work not applicable if there are not programs available to all journey level electricians

(b) The installation of electric vehicle supply equipment is under contract before January 1, 2026.

Commented [VL(64): Relates exclusion found in Section 3 of SSB 5528

(3) Failing to be certified by the electric vehicle infrastructure training program or a similar nationally recognized program when required is a violation of this chapter. Violators are subject to civil penalties pursuant to WAC 296-46B-915(14).

Commented [VL(65): Existing subsection (14) of WAC 296-46B-915 Civil Penalty Schedule establishes penalties for violating any of the provisions of chapter 19.28 RCW or chapter 296-46B WAC which are not otherwise identified in the schedule. The department may adopt rules necessary to implement SSB 5528 according to Section 4 of SSB 5528

(4) Employing a person to install or maintain electric vehicle supply equipment who is not certified by the electric vehicle infrastructure training program or a similar nationally recognized program is a violation of this chapter. Violators are subject to civil penalties pursuant to WAC 296-46B-915(14).

Commented [VL(66): Existing subsection (14) of WAC 296-46B-915 Civil Penalty Schedule establishes penalties for violating any of the provisions of chapter 19.28 RCW or chapter 296-46B WAC which are not otherwise identified in the schedule. The department may adopt rules necessary to implement SSB 5528 according to Section 4 of SSB 5528

(5) Failure of the designated master electrician or administrator to insure that all persons installing electric vehicle supply equipment are certified by the electric vehicle infrastructure training program or a similar nationally recognized program when required by this section is a violation of this chapter. Violators are subject to civil penalties pursuant to WAC 296-46B-915(12) (d).

Commented [VL(67): Existing subsection (12) (d) of WAC 296-46B-915 Civil Penalty Schedule establishes penalties for "Failing to ensure that inspections are obtained and that all electrical labels, permits, and certificates required to perform electrical work are used.". The department may adopt rules necessary to implement SSB 5528 according to Section 4 of SSB 5528

(6) Similar nationally recognized programs must meet all following requirements:

(a) Allow program enrollment for all journey level electricians.

(b) Be approved by the department. Approval begins on the date of department approval and is not applicable before that date. Department approval expires every three years.

(c) Pay initial program review and renewal fees to the department equal to fees in WAC 296-46B-909(6) at the time of initial application or program renewal.

(d) Provide and maintain public access to certification records through a public website. Public certification records must include all of the following for each holder of program certification:

(i) Holder's full legal name including first name, middle name, and last name.

(ii) A unique numeric or alphanumeric certification identifier for each holder.

(iii) Department issued certificate number if used to qualify holder for program enrollment or certification.

(iv) Name of the program completed

(v) Certification expiration date.

(d) Certification records identified in subsections (6)(d)(i), through (6)(d)(iii) of this section must be searchable through the website required by subsection (6)(d) of this section.

(e) Consist of curriculum:

(i) Substantially similar in content, duration, and completion requirements to the electric vehicle infrastructure training program curriculum.

(ii) Developed in conjunction with two or more of each of the following: Automakers, electric utilities, and manufacturers

Commented [VL68]: Establishes requirements for similar nationally recognized programs. The department may adopt rules necessary to implement SSB 5528 according to Section 4 of SSB 5528

Commented [VL69]: Establishes requirement for approval and expiration of approval for similar nationally recognized programs. The department may adopt rules necessary to implement SSB 5528 according to Section 4 of SSB 5528

Commented [VL70]: We cannot gift state services for initial review and renewal. Establishes fees for approval and renewal similar nationally recognized programs. The department may adopt rules necessary to implement SSB 5528 according to Section 4 of SSB 5528

Commented [VL71]: Necessary to verify third party certification for enforcement of certification requirements of SSB 5522 by state and city inspectors. The department may adopt rules necessary to implement SSB 5528 according to Section 4 of SSB 5528

Commented [VL72]: Necessary to verify third party certification for enforcement of certification requirements of SSB 5522 by state and city inspectors. The department may adopt rules necessary to implement SSB 5528 according to Section 4 of SSB 5528

of electric vehicle supply equipment. Documentation of collaboration must prove active participation by all parties in the development or revision of program curriculum.

(f) Within 30 days after the date of program completion, a similar nationally recognized program must issue a durable plastic wallet sized card to each person completing the program. At a minimum, the card must include the holder's information in subsections (4) (c) (i) thorough (v) of this section.

(5) When installing or maintaining electric vehicle supply equipment, holders of similar nationally recognized program certification must carry the certification card issued by the program on their person and present it upon request of an electrical inspector.

Commented [VL(73)]: Necessary to verify third party certification for enforcement of certification requirements of SSB 5522 by state and city inspectors. The department may adopt rules necessary to implement SSB 5528 according to Section 4 of SSB 5528

(7) For the purposes of this section:

(a) "Certified by the electric vehicle infrastructure training program or a similar nationally recognized program" means: Having proof of valid unexpired certification issued by the electric vehicle infrastructure training program or a similar nationally recognized program.

Commented [VL(74)]: Definitions provided to implement to SSB 5525. The department may adopt rules necessary to implement SSB 5528 according to Section 4 of SSB 5528

(b) "Electric vehicle infrastructure training program" means: Electric Vehicle Infrastructure Training Program (EVITP™).

(c) "Electric vehicle supply equipment" means: Equipment for plug-in charging, including the ungrounded, grounded, and equipment grounding conductors, and the electric vehicle connectors, attachment plugs, personal protection system, and all other fittings, devices, power outlets, or apparatus installed specifically for the purpose of transferring energy between the premises wiring system and the electric vehicle.

(d) "Similar nationally recognized program" means: A program approved by the department.