

Part 1 - Licensing Requirements

Note: This part covers licensing requirements for elevator contractors and individuals working on conveyances.

AMENDATORY SECTION (Amending WSR 04-12-047, filed 5/28/04, effective 6/30/04)

WAC 296-96-00900 ~~((In general, who is required to be licensed under this chapter?))~~ **General license requirements.** (1) It is unlawful for any person, firm, partnership, corporation, or other entity to advertise, offer to do work, submit a bid, engage in, conduct, or carry on the business of installing, repairing or maintaining conveyances without having a current and valid elevator contractor or mechanic license, issued by the department in accordance with this chapter.

(2) Any person, firm, or company wishing to engage in the business of conveyance work regulated under chapter 70.87 RCW and this chapter ~~((must))~~ shall be a licensed elevator contractor.

~~((+2))~~ (3) Any person wishing to perform conveyance work regulated under chapter 70.87 RCW and this chapter ~~((must))~~ shall be a licensed elevator mechanic employed by a licensed elevator contractor except as allowed in RCW 70.87.270 and WAC 296-96-00902.

AMENDATORY SECTION (Amending WSR 13-24-066, filed 11/27/13, effective 1/1/14)

WAC 296-96-00902 ~~((Are there))~~ **Exceptions** ~~((from the))~~ **to elevator mechanic** ~~((licensing))~~ **license requirements** ~~((?))~~. ~~((Yes-))~~ (1) An elevator mechanic license ~~((s))~~ issued under chapter 70.87 RCW and this chapter ~~((are))~~ is not required for:

(a) Individuals who install signal systems, fans, electric light fixtures, illuminated thresholds, finished cab flooring materials that are identical to existing materials and feed wires to the terminals on the elevator main line control provided that the individual does not require access to the pit, hoistway, or top of the car for the installation of these items.

(b) An owner or regularly employed employee of the owner performing only maintenance work of conveyances in accordance with RCW 70.87.270.

(2) Elevator mechanic licenses may not be required for certain types of incidental work that is performed on conveyances when the appropriate lockout and tagout procedures have been performed by a licensed elevator mechanic in the appropriate category. The department ~~((must))~~ shall be notified in writing and ~~((must))~~ shall approve the scope of work prior to it being performed.

(3) An elevator mechanic license in accordance with RCW 70.87.230, is not required when dismantling or removing a conveyance,

~~((as long as))~~ if the building or structure ~~((as defined by its foundation outline is totally))~~ is secure from public and unauthorized access, and:

(a) The entire building or portion thereof containing the conveyance(s) is completely demolished down to and including the foundation; or

(b) The entire building or portion thereof containing the conveyance(s) is returned to the basic supporting walls, floors, and roof.

Otherwise, the work is to be performed by a licensed elevator mechanic who works for a licensed elevator contractor.

(4) For license categories (01), (02), (03), (05), (06), (07), and (08) an individual is not required to be licensed if the individual is employed as a helper/apprentice working under the general direction of a licensed elevator mechanic provided the licensed mechanic:

(a) Is working in the same license category or as a category (01) mechanic; and

(b) Is on the same job site as the helper/apprentice at least seventy-five percent of each working day when performing installations, alterations, repairs and callbacks;

There shall not be more than one helper/apprentice assigned to a licensed elevator mechanic at any time;

(c) Provides the necessary education, assistance and supervision to ensure that the maintenance work is performed safely and to code.

(5) For license category (04), an individual is not required to be licensed if the helper/apprentice is working under the general direction of a licensed elevator mechanic provided the mechanic:

(a) Is working in the same license category or as a category (01) mechanic; and

(b) Is on the same job site as the helper/apprentice at least one hundred percent of each working day when performing installation, alterations, repairs and callbacks.

There shall not be more than three helpers/apprentices assigned to a licensed elevator mechanic at any time.

AMENDATORY SECTION (Amending WSR 13-24-066, filed 11/27/13, effective 1/1/14)

WAC 296-96-00903 ((Are there)) Exceptions ((from the)) to elevator contractor ((licensing)) license requirements(?). ((Yes-)) Elevator contractor licenses issued under chapter 70.87 RCW and this chapter are not required for:

(1) An owner or regularly employed employee of the owner performing only maintenance work of conveyances in accordance with RCW 70.87.270.

(2) A public agency that employs licensed elevator mechanics to perform maintenance.

(3) Demolition of a conveyance as outlined in RCW 70.87.230 and WAC 296-96-00902.

~~WAC 296-96-00904 ((What must you do to become and remain a licensed)) License requirements for elevator contractors((?)). (1) ((Obtain and maintain a valid specialty or general contractor registration under chapter 18.27 RCW to engage in the business of conveyance work.~~

~~(2)) Any sole proprietor, firm or corporation wishing to engage in the business of installation, alteration, service, replacement of maintenance of equipment covered by this chapter within the state of Washington shall apply for a license with the department of labor and industries.~~

~~The entities above shall obtain and maintain a valid specialty or general contractor registration under chapter 18.27 RCW to engage in the business of conveyance work.~~

~~(2) The potential licensee shall complete and submit a department-approved application. As part of the application the following shall be provided:~~

~~(a) ((Specify)) The employee who is the licensed elevator contractor's primary point of contact.~~

~~(b) The number of years the applicant has been engaged in the business of installing, constructing, altering, replacing, maintaining, removing, dismantling and/or servicing conveyances.~~

~~(c) Documentation that at least one licensed elevator mechanic is employed by the applicant.~~

~~(3) The person representing the company, firm or ((company)) corporation who is applying for the elevator contractor's license ((must)) shall be considered the company's primary point of contact and shall:~~

~~((i)) (a) Provide acceptable proof to the department that shows that the person representing the company, firm, or ((company)) corporation has five years of work experience in performing conveyance work as verified by current and previous state of Washington elevator ((contractor)) licenses ((to do business)); or~~

~~((ii)) (b) Pass a written examination administered by the department on chapter 70.87 RCW and this chapter. ((In the case of a firm or company, the exam will be administered to the designated primary point of contact.)~~

~~((iii)) (c) Failure to pass the examination will require the submittal of a new application.~~

~~((3)) (4) Pay the fees specified in WAC 296-96-00922.~~

~~((4)) (5) The department may deny application or renewal of a license under this section if the applicant owes outstanding final judgments to the department.~~

~~((5)) (6) If the primary point of contact identified in subsection (2)(a) of this section separates employment, his/her relationship or designation is terminated, or death of the designated individual occurs, the elevator contractor ((must)) shall, within ninety days, designate a new individual who has ((successfully completed the elevator contractor examination and)) met the requirement noted above to serve as the elevator contractor's primary point of contact. The elevator contractor shall inform the department of the change in writing or the ((elevator contractor)) contractor's license will be automatically suspended.~~

~~((6) ASME A17.1-8.11.1.7 Unique or product specific procedures or methods.))~~ (7) Where unique or product-specific procedures or methods are required to inspect or test equipment, such procedures or methods shall be:

(a) Provided in the maintenance control program.

(b) Provided by the manufacturer or installer or their license may be suspended.

~~((b))~~ (c) Available to owners for their use or used by their qualified service provider.

~~((e))~~ (d) Accessible on-site to elevator personnel (see also ASME A17.1-8.6.1.2.1(f)).

(e) Where special tools or devices are necessary for maintenance and testing of conveyances, they shall remain on-site for the life of the conveyance.

~~((7) ASME A17.1-8.6.1.2.1 A written maintenance control program shall be in place to maintain the equipment in compliance with the requirements of ASME A17.1-8.6 and this chapter.))~~ (8) Contractor licenses may be revoked for failure to comply with this subsection.

Legal maintenance contracts notwithstanding, all elevator companies and other approved maintenance providers (see RCW 70.87.270) who continuously demonstrate noncompliance with the maintenance, examination, testing, documentation, and performance of work outlined in ASME A17.1/CSA B44 and this chapter(, specifically Part D, Section VI,)) shall:

(a) Be notified in writing by the department outlining the reason or reasons for noncompliance;

(b) Respond to the department inquiry within fifteen days;

(c) Outline a solution(s) agreeable to the department within thirty days;

(i) Otherwise the elevator company's license may be suspended until such a time as they can demonstrate compliance; and

(ii) Other approved maintenance providers shall cease maintenance, examination, and testing until such a time as they can demonstrate compliance. Continuous demonstrations of maintenance, examination, and testing noncompliance shall result in approval being revoked.

AMENDATORY SECTION (Amending WSR 13-24-066, filed 11/27/13, effective 1/1/14)

WAC 296-96-00906 ~~((What must you do to become a licensed))~~ License requirements for elevator mechanics(?). (1) Any person wishing to engage in the installation, alteration, service, replacement or maintenance of equipment covered by this chapter within the state of Washington shall apply for a license with the department of labor and industries.

(2) Applicants for a category (01) license as identified under WAC 296-96-00910 shall demonstrate at least one of the following qualifications in order to obtain a license without an exam:

(a) Successfully completed an apprenticeship training program for elevator mechanics and have passed the final examination required by such program; or

(b) Performed at least five thousand four hundred hours of acceptable work experience in construction, installation, maintenance,

service or repair of elevators or other conveyances subject to this chapter, as verified by current and prior employers, and have passed a nationally recognized elevator mechanic's examination, such as that administered by the National Elevator Industry Education Program or as approved by the department; or

(c) Possess an elevator mechanic's license from another state that has standards substantially equal to those established in this chapter.

(3) Any person wishing to obtain a category (01) license coming from another state without licensing may obtain a license with examination by paying the required fee and submitting an application with documentation demonstrating the applicant has worked as an elevator mechanic without supervision for at least five thousand four hundred hours.

(4) Conditions for temporary elevator mechanics: In the event an elevator contractor encounters a verifiable shortage of licensed mechanics, an elevator contractor may request that the department issue temporary elevator mechanic licenses to persons certified by the licensed elevator contractor to have an acceptable combination of documented experience and education to perform elevator work without direct and immediate supervision. Each license shall recite that it is valid for thirty days to the holder as long as he or she is employed by the licensed elevator contractor that certified the individual as qualified.

As part of the initial licensing process the applicant shall: Have seventy-five percent of both education and training hours to obtain a license (see WAC 296-96-00908).

(5) Conditions for emergency elevator mechanics: If the governor should declare a state of emergency due to a disaster, or an act of God, or other extenuating circumstances and the number of persons in the state holding valid licenses is insufficient to cope with the emergency, an elevator contractor may request emergency elevator mechanic licenses for persons who are not licensed to perform work subject to this chapter but are certified by the elevator contractor to have an acceptable combination of documented experience and education to perform elevator work without direct and immediate supervision. Each such license shall be valid for a period of thirty days and renewable as long as the emergency exists.

(6) The department may deny renewal or application, or suspend an individual's license if they have an outstanding final judgment.

(7) Qualify for licensing:

(a) For conveyance work covered by all categories identified in WAC 296-96-00910 except personnel hoists (04), material lifts (05), residential conveyances (06), residential inclined elevators (07) and temporary licenses (09), the applicant (~~must~~) shall comply with the applicable mechanic licensing requirements as follows:

(i) Test.

(A) The applicant (~~must~~) shall provide acceptable proof to the department that shows the necessary combination of documented experience and education credits in the applicable license category (see WAC 296-96-00910) of not less than three years' work experience in the elevator industry under the general direction of a licensed elevator mechanic performing conveyance work in the same category as verified by current and previous employers licensed to do business in this state or as an employee of a public agency;

Acceptable proof may include department-approved forms documenting years of experience, affidavits, letters from previous employers,

declarations of experience, education credits, copies of contractor registration information, etc. Additional documentation may be requested by the department to verify the information provided on the application; and

(B) Pass an examination administered by the department on chapter 70.87 RCW and this chapter; or

(ii) National exam/education.

(A) Have obtained a certificate of completion and successfully passed the mechanic examination of a nationally recognized training program for the elevator industry such as the National Elevator Industry Educational Program or its equivalent; or

(B) Have obtained a certificate of completion of an apprenticeship program for an elevator mechanic, having standards substantially equal to those of chapter 70.87 RCW and this chapter, and registered with the Washington state apprenticeship and training council under chapter 49.04 RCW; or

(iii) Reciprocity. The applicant (~~must~~) shall provide acceptable proof to the department that shows that the applicant is holding a valid license from a state having entered into a reciprocal agreement with the department and having standards substantially equal to those of chapter 70.87 RCW and this chapter.

(b) For conveyance work performed on personnel hoists as identified in WAC 296-96-00910(4):

(i) Test. The applicant shall provide acceptable proof to the department that shows the necessary combination of documented experience and education credits in the applicable license category (see WAC 296-96-00910) of not less than one year's work experience in the elevator industry or not less than three years (for the purpose of this category one year will be equivalent to seven hundred hours) documented experience and education credits in conveyance work under the general direction of a licensed elevator mechanic as described in category (04) performing conveyance work in the same category as verified by current and previous employers licensed to do business in this state; and

(ii) Pass an examination administered by the department on chapter 70.87 RCW, A10.4 and this chapter.

(iii) Reciprocity. The applicant shall provide acceptable proof to the department that shows the applicant is holding a valid license from a state having entered into a reciprocal agreement with the department and having standards substantially equal to those of chapter 70.87 RCW and this chapter.

(c) For conveyance work performed on material lifts as identified in WAC 296-96-00910(5):

(i) Test. (~~+~~) The applicant and the licensed elevator contractor/employer (~~must~~) shall comply with the provisions of RCW 70.87.245; and

(ii) The applicant (~~must~~) shall pass an examination administered by the department on chapter 70.87 RCW and this chapter;

(~~e~~) (d) For residential conveyance work covered by category (06) as identified in WAC 296-96-00910:

(i) Test. (~~+~~) The applicant (~~must~~) shall provide acceptable proof to the department that shows the necessary combination of documented experience and education credits in the applicable license category (see WAC 296-96-00910) of not less than two years' work experience in the elevator industry performing conveyance work as verified by current and previous employers licensed to do business in this state; and

(ii) Pass an examination administered by the department on chapter 70.87 RCW and this chapter.

~~((d))~~ (e) For residential inclined conveyance work covered by category (07) as identified in WAC 296-96-00910;

(i) Test. ~~((i))~~ The applicant ~~((must))~~ shall provide acceptable proof to the department that shows the necessary combination of documented experience and education credits in the applicable license category (see WAC 296-96-00910) of not less than one year's work experience in the elevator industry or not less than three years' documented experience and education credits in conveyance work as described in category (01) performing conveyance work as verified by current and previous employers licensed to do business in this state; and

(ii) Pass an examination administered by the department on chapter 70.87 RCW and this chapter.

~~((e))~~ (f) For temporary mechanic licenses as identified in WAC 296-96-00910 category (09) the applicant ~~((must))~~ shall provide acceptable proof from a licensed elevator contractor that attests that the ~~((temporary mechanic is certified as qualified and))~~ individual is competent to perform work under chapter 70.87 RCW and this chapter.

~~((2))~~ (8) Complete and submit a department-approved application.

An applicant who is required to take an examination under the provisions of this section may not perform the duties of a licensed elevator mechanic until the applicant has been notified by the department that he/she has passed the examination.

~~((3))~~ (9) Pay the fees specified in WAC 296-96-00922.

~~((4))~~ (10) The department may deny application of a license under this section if the applicant owes outstanding final judgments to the department or does not meet the minimum criteria established in the elevator laws and rules.

AMENDATORY SECTION (Amending WSR 13-24-066, filed 11/27/13, effective 1/1/14)

WAC 296-96-00907 ((ASME A17.1-8.11.1.5)) Making safety devices ineffective. ~~((No person shall at any time make any required safety device or electrical protective device ineffective, except where necessary during tests and inspections. Such devices must be restored to their normal operating condition in conformity with the applicable requirements prior to returning the equipment to service (see ASME A17.1-2.26.7).))~~ If a required safety device or electrical protective device is found ineffective during ~~((the course of))~~ normal operation the conveyance ~~((must))~~ shall be immediately taken out of service. If the authorized mechanic or elevator company is found responsible for disabling the device(s) and placing the conveyance back into service they may have their ~~((license))~~ license(s) suspended until they can demonstrate conformity to ~~((the))~~ this chapter (examples include, but are not limited to: Safety circuit, door and gate, terminal slowdowns, door reopening devices, anti-egress devices, or over current protection devices).

NEW SECTION

WAC 296-96-00908 Elevator mechanic experience and education requirements. (1) General.

(a) Applicants for an elevator mechanic license shall have an acceptable combination of documented experience and education credits in the category of license sought as prescribed in Table 1 of this section to qualify for licensing.

(b) An acceptable combination of documented experience and education credits is determined by the department.

(c) The total number of hours for acceptable years' experience performing conveyance work is determined by the department.

(2) Acceptable education credit requirements.

(a) Applicants for an elevator mechanic license shall earn a certain number of education credits every year. The number of education credits required depends upon the number of hours required for the license category.

(b) An "education credit," for the purposes of this chapter, is equivalent to one hour of educational training.

(c) Credit may be earned by one or more of the following methods:

(i) In-person college or trade school course work;

(ii) On-line courses;

(iii) Industry-sponsored programs;

(iv) Company and manufacturer-specific training.

(d) Education credits may be carried over from one twelve-month period to a subsequent twelve-month period until the appropriate number of work experience hours can be obtained for the applicant to qualify for the written examination.

(e) Elevator companies are responsible for determining the best way to train their employees in order to meet the educational requirements for the particular category of license sought.

(3) Acceptable experience requirements.

(a) Applicants for an elevator mechanic license shall obtain hands-on work experience on conveyance system installations, maintenance, repair, service, and testing with the exception of the category (08) license.

(b) Applicants pursuing the category (08) license shall obtain hands-on work experience on conveyance system maintenance and nonalteration repair and replacement.

(4) Acceptable proof of experience and education credits.

(a) The applicant shall provide the department with a complete list of education credits and copies of certificates of successful completion before the applicant can take the written examination administered by the department.

(b) For an initial license, the applicant may need to take and pass the written examination. To qualify for the written examination or a license, the applicant shall earn a certain number of education and work experience hours. The department recommends these hours include the following subjects depending on the type of licensing category:

- Basic safety, electricity, rigging and hoisting.
- Basic introduction to maintenance practices.
- Electrical theory, electronics, and electrical operation.
- Electrical wiring, equipment, installation and maintenance.
- Conveyance safety testing.
- Suspension maintenance and testing.

- Installation of pits, rails, machine rooms, and hoistways.
- Hydraulic theory, operation, and installation.
- Elevator doors and door operators.
- Conveyance installation and related construction.
- Escalators/moving walks installation, maintenance and testing.
- Applicable national and state codes (ASME, NFPA, ADA, WAC, etc.).

(c) A detailed list of courses meeting the requirements of this chapter will be maintained by the department.

(5) **Experience and education hours required by category.** Applicants for an elevator mechanic license shall complete the following education and work experience hours in the applicable licensing category to qualify for written examination or a license:

**Table 1
Experience and Education Hours**

| License Category | Minimum Hours of Education Credits Required to be Eligible for Licensing | Total Minimum Hours of Combined Education Credits and Work Experience to be Eligible for Licensing |
|------------------------------------|---|---|
| Category (01) | 144 hours per twelve-month period for three consecutive twelve-month periods for a total of 432 hours | 1,800 hours per twelve-month period for three consecutive twelve-month periods for a total of 5,400 hours |
| Category (02) | 90 hours per twelve-month period for three consecutive twelve-month periods for a total of 270 hours | 1,800 hours per twelve-month period for three consecutive twelve-month periods for a total of 5,400 hours |
| Category (03) | 90 hours per twelve-month period for three consecutive twelve-month periods for a total of 270 hours | 1,800 hours per twelve-month period for three consecutive twelve-month periods for a total of 5,400 hours |
| Category (04) | 80 hours total | 700 hours will be the equivalency of 1 year for a total of 2,100 hours (3 years) |
| Category (05) ¹ | N/A | N/A |
| Category (06) | 40 hours per twelve-month period for two consecutive twelve-month periods for a total of 80 hours | 1,200 hours per twelve-month period for two consecutive twelve-month periods for a total of 2,400 hours |
| Category (07) | 40 hours per twelve-month period for one twelve-month period for a total of 40 hours | 1,800 hours per twelve-month period for three consecutive twelve-month periods for a total of 5,400 hours |
| Category (08) | 144 hours per twelve-month period for three consecutive twelve-month periods for a total of 432 hours | 1,800 hours per twelve-month period for three consecutive twelve-month periods for a total of 5,400 hours |
| Category (09) ² | 75% of the educational hours in the category of the license sought | 75% of the experience hours in the category of the license sought |
| Category (10) Emergency License | As certified by the elevator contractor | As certified by the elevator contractor |

Notes:

¹Category (05): The applicant shall meet the experience and education requirements per RCW 70.87.245.

²Category (09): The applicant shall meet the experience and education requirements per WAC 296-96-00906 and 296-96-00912.

AMENDATORY SECTION (Amending WSR 13-24-066, filed 11/27/13, effective 1/1/14)

WAC 296-96-00910 ((~~What are the~~)) Elevator mechanic license categories((?)). The following are the licensing categories for qualified elevator mechanics or temporary elevator mechanics:

(1) **Category (01):** A general elevator mechanic license encompasses ~~((mechanical and electrical operation, construction,))~~ the installation, alteration, maintenance, inspection, relocation, decommission, removal, and repair of all types of elevators and other conveyances in any location covered under chapter 70.87 RCW and this chapter.

(2) **Category (02):** This license is limited to the ~~((mechanical and electrical operation, construction,))~~ installation, alteration, maintenance, inspection, relocation, decommission, removal, and repair of the following commercial and residential conveyances:

(a) Residential conveyances:

- (i) Wheelchair lifts*;
- (ii) Dumbwaiters;
- (iii) Incline chairlifts* and
- (iv) Residential elevators(~~(+)~~).

*License is not required to remove these.

(b) Commercial conveyances:

- (i) Wheelchair lifts;
- (ii) Dumbwaiters; ~~((and))~~
- (iii) Incline chairlifts(~~(-)~~); and
- (iv) LULA elevators.

(3) **Category (03):** This license is limited to the ~~((mechanical and electrical operation, construction,))~~ installation, alteration, maintenance, inspection, relocation, decommission, removal, and repair of the following conveyances in industrial sites and grain terminals:

- (a) Electric and hand powered manlifts;
- (b) Special purpose elevators; and
- (c) Belt manlifts.

(4) **Category (04):** This license is limited to the ~~((mechanical and electrical operation, construction,))~~ installation, alteration, maintenance, inspection, relocation, decommission, removal, and repair of the following conveyances:

- (a) Temporary personnel hoists;
- (b) Temporary material hoists; and
- (c) Special purpose elevators.

(5) **Category (05):** This license is limited to the ~~((mechanical and electrical operation, construction,))~~ installation, alteration, maintenance, inspection, relocation, decommission, removal, and repair of material lifts.

(6) **Category (06):**

(a) This license is limited to the ~~((mechanical and electrical operation, construction,))~~ installation, alteration, maintenance, inspection, relocation, decommission, and repair of the following conveyances:

- (i) Residential wheelchair lifts;
- (ii) Residential dumbwaiters; and
- (iii) Residential incline chairlifts.

(b) Work experience on conveyances in (a)(i), (ii), and (iii) of this subsection may not be all inclusively applied toward the category (02) license requirements.

Note: Maintenance work performed by the owner or at the direction of the owner is exempted from licensing requirements ~~((provided that))~~ if the owner resides in the residence at which the conveyance is located and the conveyance is not accessible to the ~~((general))~~ public. Such exempt work does not count toward work experience for licensure.

(7) **Category (07):** This license is limited to the ~~((mechanical and electrical operation, construction,))~~ installation, alteration, maintenance, inspection, relocation, decommission, and repair of residential inclined elevators.

Note: Maintenance work performed by the owner or at the direction of the owner is exempted from licensing requirements (~~provided that~~) if the owner resides in the residence at which the conveyance is located and the conveyance is not accessible to the (~~general~~) public. Such exempt work does not count toward work experience for licensure.

(8) **Category (08):** This license is limited to maintenance and nonalteration repair and replacement of all conveyances and is further limited to employees of public agencies to obtain and maintain the license. This work should not count towards other licenses.

(9) **Category (09):** (~~This~~) A temporary license is limited to the (mechanical and electrical operation, construction,) installation, alteration, maintenance, inspection, relocation, decommission, removal, and repair of conveyances(~~. This license is limited to individuals that are certified as qualified and competent by licensed elevator contractors and have met the education and training requirements in the category of license for the work performed. See policy number 07-16-104. The individual must be an employee of the licensed elevator contractor. The contractor shall furnish acceptable proof of competency as the department may require. Each license must recite that it is valid for a period of thirty days from the date of issuance and for such particular elevators or geographical areas as the department may designate, and otherwise entitles the licensee to the rights and privileges of an elevator mechanic license issued under chapter 70.87 RCW and this chapter.~~

Note: See policy number 07-16-104.)

in the category for which the license is sought. The license shall be issued pursuant to the conditions of RCW 70.87.250.

(10) **Category (10):** An emergency license is limited to the installation, alteration, maintenance, inspection, relocation, decommission, removal, and repair of conveyances by elevator mechanics that are certified by an elevator contractor to have an acceptable combination of documented experience and education to perform elevator work without direct and immediate supervision and is further limited for use during a state of emergency.

AMENDATORY SECTION (Amending WSR 13-24-066, filed 11/27/13, effective 1/1/14)

~~WAC 296-96-00912 ((How long is the elevator contractor, elevator mechanic, and temporary mechanics licensing period and what is required for renewal?)) License renewal requirements. ((1) Elevator contractors.~~

- ~~(a) The renewal period is two years from the date of issuance.~~
- ~~(b) As part of the renewal process the elevator contractor must:~~
 - ~~(i) Complete and submit a department approved application.~~
 - ~~(ii) Designate an employee as a primary point of contact.~~
 - ~~(iii) Pay the fees specified in WAC 296-96-00922.~~

~~(2) Elevator mechanics (category 01-08).~~

~~(a) The renewal period is two years from the date of your birth day. The initial license may be for a shorter period as follows. If your birth year is:~~

- ~~(i) In an even numbered year, your certificate will expire on your birth date in the next even numbered year.~~
- ~~(ii) In an odd numbered year, your certificate will expire on your birth date in the next odd numbered year.~~

~~(b) As part of the renewal process you must:~~

~~(i) Complete and submit a department approved application.~~

~~(ii) Have attended an approved continuing education course and submitted a certificate of completion for the course. The course must consist of not less than eight hours of instruction that must have been attended and completed within one year immediately preceding any license renewal.~~

~~(iii) Pay the fees specified in WAC 296-96-00922.~~

~~(3)) (1) An elevator contractor or elevator mechanic license issued pursuant to this chapter shall be valid for a period of two years and may be renewed by submission of a renewal application to the department, payment of a renewal fee as specified in WAC 296-96-00922 and proof of compliance with the requirements of this chapter.~~

~~(a) Elevator contractor licenses expire on the calendar date two years from issuance.~~

~~Upon renewal the elevator contractor shall verify the primary point of contact information is correct.~~

~~(b) Elevator mechanic licenses expire on the licensee's birth date in the calendar year two years from the year of application. It is noted that the initial license term may be valid for a longer or shorter period of time depending on when the licensee's birthday falls compared to the date on which the initial license was issued.~~

~~(i) If a license is issued in an even-numbered year, the license will expire on the license holder's birth date in the next even-numbered year.~~

~~(ii) If a license is issued in an odd-numbered year, the license will expire on the license holder's birth date in the next odd-numbered year.~~

~~(c) Renewal of an elevator mechanic license shall be conditioned upon completion of not less than eight hours of instruction within one year immediately preceding a license renewal application and submission of a certificate of completion for the course. Continuing education courses and instructors shall be approved by the department.~~

~~(2) Temporary elevator mechanics (category ((9)) (09)). The renewal is limited to ((two consecutive months and further limited by)) no greater than ((six permits issued)) twelve times in a twelve-month period. The limitation may be extended at the discretion of the department. Examples include, but are not limited to, abnormally high rate of construction((7)) or natural disaster ((~~or work stoppage~~)).~~

~~(a) The renewal period is thirty days from the date of issuance.~~

~~(b) As part of the renewal process ((you must)) the applicant shall:~~

~~(i) Complete and submit a department-approved application.~~

~~(ii) Pay the fees specified in WAC 296-96-00922.~~

~~(iii) Have seventy-five percent of both education and training hours to obtain a license (see ((education policy)) WAC 296-96-00908).~~

Note: The department may require the applicant demonstrate more than seventy-five percent of education hours if multiple temporary licenses are requested.

~~((4)) (3) The department may deny renewals of licenses under this section if the applicant owes outstanding final judgments to the department. Final judgment also includes any penalties assessed against an individual or firm owed the department because of an unappealed civil penalty or any outstanding fees due under chapter 70.87 RCW and this chapter.~~

~~((5)) (4) Renewals will be considered timely when the renewal application is received on or prior to the expiration date of the license.~~

~~((6) Late renewal is for))~~ (5) Renewals are considered late if the renewal applications are received after the expiration date of the license but no later than ninety days after the expiration of the licenses. If the application is not received within ninety days from license expiration, the licensee must reapply and pass the competency examination.

~~((7))~~ (6) A mechanic licensed in the state of Washington may take a withdrawal if they are no longer working for a company licensed in the state or no longer performing work that requires a license. A mechanic holding a valid license that wishes to withdraw their license ~~((must))~~ shall submit their request, in writing, to the department of labor and industries elevator section prior to the license expiration date. To cancel a withdrawal request and be reinstated, the mechanic ~~((must))~~ shall submit their request in writing, reapply, complete the ~~((current))~~ required continuing education, and pay the renewal licensing fee.

Part 2 - Continuing Education

AMENDATORY SECTION (Amending WSR 04-12-047, filed 5/28/04, effective 6/30/04)

WAC 296-96-00914 ~~((Where can you obtain information regarding department-approved))~~ Continuing education course providers((?)). The department ~~((will))~~ shall produce a list of all approved training course providers and/or course contact persons that provide continuing education courses required under chapter 70.87 RCW and this chapter. This list will be available to all renewal applicants who request it.

The department may also provide continuing education training.

AMENDATORY SECTION (Amending WSR 04-12-047, filed 5/28/04, effective 6/30/04)

WAC 296-96-00916 ~~((Who approves and what is the process for becoming a))~~ Continuing education course provider((?)) requirements.

(1) The department approves continuing education course providers.

(2) The department will review and approve courses.

(a) All providers seeking course approval ~~((must))~~ shall submit the required information to the department on a form provided by the department.

(b) The courses ~~((must))~~ shall be taught by instructors through continuing education providers; courses may include but are not limited to, association seminars and labor training programs.

(c) All instructors ~~((must))~~ shall be approved by the department and are exempt from the requirements of WAC 296-96-00912 (2)(b)(ii)

~~((with regard to))~~ regarding his or her application for license renewal, provided that such applicant was qualified as an instructor at any time during the one year immediately preceding the scheduled date for such renewal and the instructor ~~((must teach))~~ shall have taught two or more courses in the year preceding the renewal.

(d) All training courses ~~((must))~~ shall conform to and be based upon current standards and requirements governing the operation, construction, installation, alteration, inspection and repair of elevators and other conveyances.

(e) All course approval requests ~~((must))~~ shall include:

(i) A general description of the course, including its scope, the instructional materials to be used and the instructional methods to be followed;

(ii) A detailed course outline;

(iii) A sample copy of the certificate that will be provided to the attendee. The certificate shall note the name of the course, the number of hours as approved by the department, a course number if one has been assigned by the provider, the date the education was completed and the instructor's signature.

~~((iv))~~ (iv) The name and qualifications of the course instructor(s);

~~((iv))~~ (v) The locations where the course will be taught;

~~((v))~~ (vi) The days and hours the course will be offered; and

~~((vi))~~ (vii) The specific fees associated with the course, as well as, the total cost of the course.

(f) Training courses will be approved for a two-year period.

(g) It is the responsibility of the provider to annually review and update its courses and to notify the department of any changes.

(h) The department may withdraw its approval of any training course if it determines the provider is no longer in compliance with the requirements of this chapter. If the department withdraws its approval of a training course, it will give the provider written notification of the withdrawal, specifying the reasons for its decision.

(i) Approved training providers ~~((must))~~ shall keep uniform records, for a period of ten years, of attendance of licensees and these records ~~((must))~~ shall be available for inspection by the department at its request. The provider ~~((must))~~ shall submit a list of names of the attendees to the department on or before thirty days after the date of the course being held. Approved training providers are responsible for the security of all attendance records and certificates of completion. Falsifying or knowingly allowing another to falsify attendance records or certificates of completion constitutes grounds for suspension or revocation of the approval required under this section.

AMENDATORY SECTION (Amending WSR 04-12-047, filed 5/28/04, effective 6/30/04)

WAC 296-96-00918 ~~((Who is exempt from the))~~ Exemptions to continuing education requirements(?). The following individuals are exempt from continuing education requirements:

(1) A licensee who is unable to complete the continuing education course required under this section before the expiration of his or her license due to a temporary disability may apply for a waiver from the department. Application shall be made on a form provided by the department and signed under the penalty of perjury and accompanied by a

certified statement from a competent physician attesting to the temporary disability. Upon the termination of the temporary disability, the licensee (~~(must)~~) shall submit to the department a certified statement from the same physician, if practicable, attesting to the termination of the temporary disability at which time a waiver sticker, valid for ninety days, (~~(must)~~) shall be issued to the licensee and affixed to his or her license.

The licensee can work during the time that a certified statement from the physician releasing the licensee to return to work is submitted to the department. The licensee has ninety days from this date to take the required courses (~~(in order)~~) to renew his/her license. If the licensee has not taken the required courses on or before the ninetytieth day from the date the certified statement was sent in to the department, (~~(he/she)~~) the licensee will no longer be able to perform work.

(2) Approved instructors under WAC 296-96-00916 with regard to (~~(his or her)~~) the instructor's application for license renewal, (~~(provided that)~~) if such applicant was qualified as an instructor at any time during the one year immediately preceding the scheduled date for such renewal (~~(and that)~~). The instructor (~~(must teach)~~) shall have taught two or more courses in the year preceding the renewal.

Part 3 - License Examinations, Fees, and Penalties

AMENDATORY SECTION (Amending WSR 04-12-047, filed 5/28/04, effective 6/30/04)

WAC 296-96-00920 (~~((When and where are))~~) **Elevator licensing examinations** (~~((held?))~~). Examinations shall be held at locations and times when considered necessary by the department. The department will notify qualified applicants of the date, time, and location of the examination.

AMENDATORY SECTION (Amending WSR 14-06-041, filed 2/26/14, effective 4/1/14)

WAC 296-96-00922 (~~((What are the fees associated with))~~) **Licensing**(~~(?)~~) **fees**. The following are the department's elevator license fees:

| Type of Fee | Period Covered by Fee | Dollar Amount of Fee |
|--|-----------------------|----------------------|
| Elevator contractor/mechanic application fee (not required for renewal of valid license) | Per application | \$64.30 |
| Elevator contractor/mechanic examination fee | Per application | \$193.60*** |
| Reciprocity application fee | Per application* | \$64.30 |
| Elevator mechanic license | 2 years | \$129.00 |
| Elevator contractor license | 2 years | \$129.00 |
| Temporary elevator mechanic license | 30 days | \$32.00 |
| <u>Emergency elevator mechanic license</u> | <u>30 days</u> | <u>\$32.00</u> |
| Elevator mechanic/contractor timely renewal fee | 2 years | \$129.00 |
| Elevator mechanic/contractor late renewal fee | 2 years | \$258.30 |
| Training provider application/renewal fee | 2 years | \$129.00 |
| Continuing education course fee by approved training provider | 1 year** | Not applicable |
| Replacement of any licenses | | \$19.20 |
| Refund processing fee | | \$38.50 |

* Reciprocity application is only allowed for applicants who are applying for licensing based upon possession of a valid license that was obtained in state(s) with which the department has a reciprocity (agreement).

** This fee is paid directly to the continuing education training course provider approved by the department.

*** This fee may be collected by an outside vendor for some exams and may differ from the fee shown above.

AMENDATORY SECTION (Amending WSR 07-24-041, filed 11/30/07, effective 1/1/08)

~~WAC 296-96-00924 ((What procedures does the department follow when issuing a)) Civil ((penalty)) penalties for licensing violations((?)).~~ (1) If the department determines that ((an individual)) a

person, firm, or company has violated the licensing requirements of chapter 70.87 RCW or this chapter, the department may issue a civil penalty describing the reasons for the violation(s). The department may issue a civil penalty to:

(a) A person, firm, or company who is advertising, offering to do work or submitting a bid to perform conveyance work, or employing elevator mechanics and does not have a valid elevator contractor's license as required under chapter 70.87 RCW or this chapter; or

(b) An individual who is offering to do work or working under chapter 70.87 RCW or this chapter and does not have a valid elevator mechanic license.

(2) A person, firm, or company may appeal a civil penalty issued under chapter 70.87 RCW or this chapter.

(3) A person, firm, or company cited for a violation under chapter 70.87 RCW or this chapter may be assessed a civil (monetary) penalty based upon the following schedule:

| | |
|----------------------------------|-----------------|
| <u>First violation</u> | <u>\$500.00</u> |
| <u>Each additional violation</u> | <u>\$500.00</u> |

(4) Each day a person, firm, or company is in violation may be considered a separate violation.

(5) Each job site at which a person, firm, or company is in violation may be considered a separate violation.

(6) The department shall serve notice by certified mail to a person, firm, or company for a violation of chapter 70.87 RCW or this chapter. A violation will be considered served on the date it is mailed to his or her last known address on record with the department.

AMENDATORY SECTION (Amending WSR 04-12-047, filed 5/28/04, effective 6/30/04)

WAC 296-96-00930 (~~((What if I owe))~~) **Outstanding** (~~((final))~~) **judgments** (~~((to the department?))~~). The department may deny renewal or application of, or suspend (~~((your))~~) a license if (~~((you have an))~~) there are any outstanding final judgments.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 296-96-00926 What are the civil (monetary) penalties for violating the licensing requirements of chapter 70.87 RCW or this chapter?