

WAC 212-80-063 Contractor responsibilities, certificate of competency holder employment. (1) Any fire protection sprinkler system contractor must have at least one full-time certificate of competency holder, consistent with the license level as provided by WAC 212-80-018, employed to conduct business.

(2) If a certificate of competency holder leaves the employment of the fire protection sprinkler system contractor, the contractor must comply with the following:

(a) From the date of separation of the design-only certificate of competency holder, the contractor will have six months or until the expiration of the current license, whichever occurs last, to come into compliance. In order to be issued a new license, the contractor must employ a new person (either as owner or full-time employee) with the appropriate certificate level consistent with the contractor's license level as provided by WAC 212-80-018.

(b) The licensed contractor must notify the director of the loss of the primary design certificate of competency holder within 30 calendar days. For the purposes of this subsection, 30 calendar days commence on the certificate of competency holder's last day of employment for compensation. The licensed contractor's failure to notify the director:

- (i) Within 30 calendar days is a Level 1 violation.
- (ii) Within 60 calendar days is a Level 2 violation.
- (iii) After 180 calendar days is a Level 3 violation.

(c) A fire protection sprinkler system contractor may renew a license without employing a design certificate of competency holder if the six-month period crosses into a new license year and all appropriate fees are paid at the time of renewal. During the period in which the licensed contractor does not have a design certificate of competency holder, the licensed contractor must limit work on fire protection sprinkler systems to:

(i) Completing the active phase of existing work in progress which has been approved by the authority having jurisdiction, and may not receive new approvals from the authority having jurisdiction without a design certificate of competency holder's number on the documents; or

(ii) Continuing installation on approved design plans, however, the contractor's material and test certificate for the system must be stamped by a certificate of competency holder in the full-time employ of the installing contractor.

(d) If a contractor fails to employ a design certificate of competency holder as required in this chapter, and the director has renewed the license, the director will suspend the contractor's license pursuant to WAC 212-80-205. The suspension will remain in effect until the contractor has a full-time design certificate of competency holder or a hearings officer denies the director's petition to suspend the license.

(e) When a licensed contractor no longer employs a design certificate of competency holder, and the contractor has not hired another design certificate of competency holder, the contractor may not bid on the design, installation, or repair of a fire protection sprinkler system, or any part of such system, that requires work inconsistent with the previously employed design certificate of competency holder's level.

(f) Any contractor that uses a current or former employee's certification stamp on any technical drawings not prepared by the design certificate of competency holder is in violation of this chapter.

(g) Failure to comply with (c) through (f) of this subsection constitutes a Level 3 violation.

(3) If a certificate of competency holder leaves the employment of a Level U or I&T fire protection sprinkler system contractor, the contractor must comply with the following:

(a) The licensed contractor is prohibited from continuing the supervision of underground fire sprinkler pipe installation and inspection, testing, and maintenance, of fire protection sprinkler systems. Failure to comply with this subsection constitutes a Level 3 violation and the director may summarily revoke the contractor's license.

(b) The contractor must immediately cease bidding on or starting any sprinkler work without the appropriate specialty certificate of competency holder.

(c) The contractor must notify the director within 30 days after the specialty certificate of competency holder's last day of employment for compensation. Failure to comply with this subsection constitutes a Level 2 violation and the director may suspend the contractor's license pursuant to WAC 212-80-205.

(4) The contractor is responsible for the work and actions of its employees regardless of the contractor's knowledge of any wrongdoing. The director may refuse to issue or renew a license to engage in the fire protection sprinkler system business for any of the reasons listed in WAC 212-80-205. The director may suspend or revoke the license or the certificate of competency holder's certificate to engage in the fire protection sprinkler system business for any of the reasons listed in WAC 212-80-205.

[Statutory Authority: Chapters 18.160 and 18.270 RCW. WSR 22-22-072, § 212-80-063, filed 10/31/22, effective 1/1/23. Statutory Authority: RCW 18.270.900 and 18.160.030. WSR 14-03-019, § 212-80-063, filed 1/7/14, effective 2/7/14. Statutory Authority: RCW 18.270.900. WSR 09-01-114, § 212-80-063, filed 12/19/08, effective 1/19/09. Statutory Authority: Chapters 43.43 and 18.160 RCW. WSR 05-05-006, amended and recodified as § 212-80-063, filed 2/4/05, effective 3/7/05. Statutory Authority: Chapters 43.63A and 18.160 RCW. WSR 94-24-032, § 212-80-110, filed 12/1/94, effective 1/1/95; WSR 91-14-086 (Order 91-06), § 212-80-110, filed 7/1/91, effective 8/1/91.]