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HOUSE BILL 1496

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State of Washington

54th Legislature

1995 Regular Session

By Representatives Basich, Hatfield, Quall, Grant, Valle, Ogden and Mastin

Read first time 01/27/95. Referred to Committee on Commerce & Labor.

1 AN ACT Relating to exempting volunteer repair and construction  
2 crews from certain contractor registration requirements; amending RCW  
3 18.27.090; and declaring an emergency.

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

5 **Sec. 1.** RCW 18.27.090 and 1987 c 313 s 1 are each amended to read  
6 as follows:

7 This chapter shall not apply to:

8 (1) An authorized representative of the United States government,  
9 the state of Washington, or any incorporated city, town, county,  
10 township, irrigation district, reclamation district, or other municipal  
11 or political corporation or subdivision of this state;

12 (2) Officers of a court when they are acting within the scope of  
13 their office;

14 (3) Public utilities operating under the regulations of the  
15 utilities and transportation commission in construction, maintenance,  
16 or development work incidental to their own business;

17 (4) Any construction, repair, or operation incidental to the  
18 discovering or producing of petroleum or gas, or the drilling, testing,  
19 abandoning, or other operation of any petroleum or gas well or any

1 surface or underground mine or mineral deposit when performed by an  
2 owner or lessee;

3 (5) The sale or installation of any finished products, materials,  
4 or articles of merchandise which are not actually fabricated into and  
5 do not become a permanent fixed part of a structure;

6 (6) Any construction, alteration, improvement, or repair of  
7 personal property, except this chapter shall apply to all  
8 mobile/manufactured housing. A mobile/manufactured home may be  
9 installed, set up, or repaired by the registered or legal owner, by a  
10 contractor licensed under this chapter, or by a mobile/manufactured  
11 home retail dealer or manufacturer licensed under chapter 46.70 RCW who  
12 shall warranty service and repairs under chapter 46.70 RCW;

13 (7) Any construction, alteration, improvement, or repair carried on  
14 within the limits and boundaries of any site or reservation under the  
15 legal jurisdiction of the federal government;

16 (8) Any person who only furnished materials, supplies, or equipment  
17 without fabricating them into, or consuming them in the performance of,  
18 the work of the contractor;

19 (9) Any work or operation on one undertaking or project by one or  
20 more contracts, the aggregate contract price of which for labor and  
21 materials and all other items is less than five hundred dollars, such  
22 work or operations being considered as of a casual, minor, or  
23 inconsequential nature. The exemption prescribed in this subsection  
24 does not apply in any instance wherein the work or construction is only  
25 a part of a larger or major operation, whether undertaken by the same  
26 or a different contractor, or in which a division of the operation is  
27 made into contracts of amounts less than five hundred dollars for the  
28 purpose of evasion of this chapter or otherwise. The exemption  
29 prescribed in this subsection does not apply to a person who advertises  
30 or puts out any sign or card or other device which might indicate to  
31 the public that he is a contractor, or that he is qualified to engage  
32 in the business of contractor;

33 (10) Any construction or operation incidental to the construction  
34 and repair of irrigation and drainage ditches of regularly constituted  
35 irrigation districts or reclamation districts; or to farming, dairying,  
36 agriculture, viticulture, horticulture, or stock or poultry raising; or  
37 to clearing or other work upon land in rural districts for fire  
38 prevention purposes; except when any of the above work is performed by  
39 a registered contractor;

1 (11) An owner who contracts for a project with a registered  
2 contractor;

3 (12) Any person working on his own property, whether occupied by  
4 him or not, and any person working on his residence, whether owned by  
5 him or not but this exemption shall not apply to any person otherwise  
6 covered by this chapter who constructs an improvement on his own  
7 property with the intention and for the purpose of selling the improved  
8 property;

9 (13) Owners of commercial properties who use their own employees to  
10 do maintenance, repair, and alteration work in or upon their own  
11 properties;

12 (14) A licensed architect or civil or professional engineer acting  
13 solely in his professional capacity, an electrician licensed under the  
14 laws of the state of Washington, or a plumber licensed under the laws  
15 of the state of Washington or licensed by a political subdivision of  
16 the state of Washington while operating within the boundaries of such  
17 political subdivision. The exemption provided in this subsection is  
18 applicable only when the licensee is operating within the scope of his  
19 license;

20 (15) Any person who engages in the activities herein regulated as  
21 an employee of a registered contractor with wages as his sole  
22 compensation or as an employee with wages as his sole compensation;

23 (16) Contractors on highway projects who have been prequalified as  
24 required by chapter 13 of the Laws of 1961, RCW 47.28.070, with the  
25 department of transportation to perform highway construction,  
26 reconstruction, or maintenance work;

27 (17) Any person or nonprofit organization that volunteers its labor  
28 to a property owner and receives no compensation for the voluntary  
29 service.

30 NEW SECTION. **Sec. 2.** This act is necessary for the immediate  
31 preservation of the public peace, health, or safety, or support of the  
32 state government and its existing public institutions, and shall take  
33 effect immediately.

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