

Hi Ron –

You raised a question about whether the city could require an individual to have a NICET level II license for an electrician for the installation of a fire alarm system. In my opinion, the answer is “no” you cannot.

I primarily base my conclusion on the state statutory provisions in RCW 19.28.211, which you are aware of. This statute is concerned with the requirements for a certificate of competence for a master electrician, journey level electrician, or specialty electrician.

And this statute contains a pretty clear and comprehensive preemption clause in Section (4):

(4) The certificates of competency and temporary permits provided for in this chapter grant the holder the right to work in the electrical construction trade as a master electrician, journey level electrician, or specialty electrician in accordance with their provisions throughout the state and within any of its political subdivisions without additional proof of competency or any other license, permit, or fee to engage in such work.

In my opinion, this preemption clause overrides any local requirement adopted by a local jurisdiction for additional licensing or permits for electricians, even if those requirements are contained in a NFPA regulation. The NFPA regulations are not part of the state building code or fire code that must be adopted and enforced by every local government but are an additional code adopted by Camas. It is fine to adopt it, but specific provisions in that code cannot override the state statutory preemption which limits the ability of a local government to impose additional licensing or permitting requirements in this field.

So that is my conclusion. I actually was not able to locate the L and I decision that you refer to – it sounds like that decision reached a similar conclusion. However, if you have a citation for that decision, I would be glad to review it also in conjunction with this opinion.

I hope this provides some guidance.

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