
HOUSE BILL 2513

State of Washington 58th Legislature 2004 Regular Session

By Representatives Hudgins, Holmquist and Pettigrew

Read first time 01/15/2004. Referred to Committee on Commerce & Labor.

1 AN ACT Relating to protecting the title of interior design;
2 amending RCW 18.08.410, 18.27.110, and 19.27.095; and adding a new
3 chapter to Title 19 RCW.

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

5 NEW SECTION. **Sec. 1.** The public will be benefited by ensuring
6 qualified interior designers are planning the interior spaces of
7 commercial and residential buildings. Interior design intersects
8 public health, safety, and welfare in multiple areas including, but not
9 limited to: Space planning; access and egress design; barrier-free
10 design; national, state, and local building and fire codes; and
11 standards and materials and their properties including flammability,
12 toxicity, slip resistance, indoor air quality, ergonomics,
13 conservation, illumination, and acoustics.

14 NEW SECTION. **Sec. 2.** As used in this chapter, unless the context
15 otherwise requires:

- 16 (1) "Department" means the department of licensing.
17 (2)(a) "Interior design" means client consultation and the
18 preparation and administration of design documents, including design

1 studies, drawings, schedules, specifications, and contracts relating to
2 the nonstructural and nonseismic interior elements of a building or
3 structure. "Interior design" includes but is not limited to space
4 plans, reflected ceiling plans, fire codes, permits, entrances, egress,
5 ergonomics, and the design or specification of fixtures, furnishings,
6 equipment, cabinetry, lighting, materials, finishes, and interior
7 construction that does not materially affect building systems.

8 (b) "Interior design" does not include the architectural and
9 engineering design of interior construction. Architectural and
10 engineering interior construction includes but is not limited to
11 structural, mechanical, plumbing, heating, air conditioning,
12 ventilation, electrical, and vertical transportation systems or any
13 other elements specifically reserved for architects registered under
14 chapter 18.08 RCW.

15 (3) "Interior designer" means an interior designer registered under
16 this chapter who is a registered design professional qualified by
17 education, experience, and examination to affect the function, safety,
18 and quality of interior spaces.

19 (4) "Nonstructural and nonseismic interior elements" means the
20 interior elements of a building or structure that are not load-bearing,
21 do not assist in the seismic design, and do not require design
22 computations for the building's structure. "Nonstructural and
23 nonseismic interior elements" includes but is not limited to ceilings
24 and partition systems. "Nonstructural and nonseismic interior
25 elements" does not include the structural frame system supporting a
26 building or structure.

27 (5) "Reflected ceiling plan" means a ceiling design drawing that
28 includes the locations of lighting fixtures and specifications of
29 ceiling materials, finishes, or other ceiling elements.

30 (6) "Registration" means the certificate of registration issued by
31 the department to an interior designer under this chapter.

32 (7) "Space planning" means the analysis of spatial and occupancy
33 requirements, including but not limited to preliminary space, final
34 space, furnishing, fixture, and equipment plans.

35 NEW SECTION. **Sec. 3.** (1) An applicant may qualify for
36 registration as an interior designer if the applicant pays any

1 applicable fee established by the department and shows to the
2 satisfaction of the department that the applicant:

3 (a)(i) Has a current certificate number issued by the national
4 council for interior design qualification; and

5 (ii) Has six years combined work experience and formal education in
6 interior design. At a minimum, there must be two years of formal
7 education in interior design; or

8 (b) Provides the department, by July 1, 2006, with proof of ten
9 years of work experience as an interior designer and two years of
10 formal education in interior design prior to the effective date of this
11 section.

12 (2) The department may also grant registration by reciprocity. An
13 applicant applying to the department for registration by reciprocity
14 must furnish satisfactory evidence that the applicant meets both of the
15 following requirements:

16 (a) Holds a valid registration or license issued by another
17 registration authority recognized by the department, where the
18 qualifications for registration or licensure are substantially
19 equivalent to those required by this chapter on the date of original
20 registration or licensure with the other registration authority; and

21 (b) Holds a current certificate number issued by the national
22 council for interior design qualification.

23 (3) The department must develop, in consultation with professional
24 organizations representing interior design, the necessary forms to use
25 in verifying education and work experience for registration.

26 NEW SECTION. **Sec. 4.** The department must grant a certificate of
27 registration to an applicant who meets the requirements of section 3 of
28 this act.

29 NEW SECTION. **Sec. 5.** (1) The renewal date for certificates of
30 registration shall be set by the director in accordance with RCW
31 43.24.086. An interior designer who fails to pay the renewal fee
32 within thirty days of the due date shall pay all delinquent fees plus
33 a penalty fee equal to one-third of the renewal fee. An interior
34 designer who fails to pay a renewal fee for a period of five years may
35 be reinstated under such circumstances as the department determines.

1 The renewal and penalty fees and the frequency of renewal assessment
2 must be adopted by the department by rule.

3 (2) An interior designer in good standing may withdraw from the
4 practice of interior design by giving written notice to the department,
5 and may within five years thereafter resume active practice upon
6 payment of the then-current renewal fee. An interior designer may be
7 reinstated after a withdrawal of more than five years under such
8 circumstances as the department determines by rule.

9 (3) An interior designer registered under this chapter must
10 complete one continuing education unit, equal to ten hours of
11 continuing education instruction, every two years. The department, in
12 consultation with professional organizations representing interior
13 design, must develop a form to verify continuing education.

14 NEW SECTION. **Sec. 6.** The director may issue a new certificate of
15 registration to replace a lost, destroyed, or mutilated certificate.
16 The director must charge a fee as determined by RCW 43.24.086 for the
17 issuance of the new certificate.

18 NEW SECTION. **Sec. 7.** A person may not use the title "interior
19 designer" in this state or any other title, designation, sign, card, or
20 device indicating that the person is an interior designer unless he or
21 she is registered under the provisions of this chapter. Every holder
22 of a certificate of registration under this chapter must display it in
23 a conspicuous place in the holder's principal office, place of
24 business, or employment. No corporation, firm, partnership, or
25 association may be granted a certificate of registration under this
26 chapter. This chapter does not prevent any individual from offering or
27 providing interior design services provided they do not use the title
28 "interior designer."

29 NEW SECTION. **Sec. 8.** (1) An interior designer registered under
30 this chapter must sign, seal, and date all drawings, plans,
31 specifications, and reports issued by the interior designer. An
32 interior designer must include the designer's registration number on
33 all drawings, plans, specifications, and reports issued by the interior
34 designer that are filed with the state or a local government for the
35 purpose of obtaining a building permit. An interior designer must

1 personally prepare or supervise the preparation of any document that is
2 signed and sealed by the interior designer or that lists the interior
3 designer's registration number.

4 (2) Design documents prepared by an interior designer and bearing
5 the interior designer's registration number must, if complete, be
6 accepted for filing by a state or local building official for purposes
7 of administering and enforcing the state building code. A local
8 building official is not required to accept for filing any design
9 document that does not comply with applicable state laws, rules, or
10 local ordinances.

11 (3) An interior designer is not liable for the construction of or
12 modification to structural or seismic elements of a building or other
13 structures that are built or modified under the supervision of an
14 architect certified under chapter 18.08 RCW or an engineer registered
15 under chapter 18.43 RCW.

16 (4) The department, in consultation with professional organizations
17 representing interior design, must develop the seal to be used by
18 interior designers registered by the state.

19 NEW SECTION. **Sec. 9.** An interior designer may affix their seal
20 and signature to interior design construction documents if required by
21 any state or local building department for the purpose of obtaining a
22 building permit.

23 NEW SECTION. **Sec. 10.** The uniform regulation of business and
24 professions act, chapter 18.235 RCW, governs unlicensed practice, the
25 issuance and denial of licenses, and the discipline of licensees under
26 this chapter.

27 NEW SECTION. **Sec. 11.** This act may be known and cited as the
28 interior design professionals act of 2004.

29 **Sec. 12.** RCW 18.08.410 and 1985 c 37 s 12 are each amended to read
30 as follows:

31 This chapter shall not affect or prevent:

32 (1) The practice of naval architecture, landscape architecture,
33 engineering, space planning, interior design or interior designers

1 registered under sections 1 through 11 of this act, or any legally
2 recognized profession or trade by persons not registered as architects;

3 (2) Drafters, clerks, project managers, superintendents, and other
4 employees of architects, engineers, naval architects, or landscape
5 architects from acting under the instructions, control, or supervision
6 of their employers;

7 (3) The construction, alteration, or supervision of construction of
8 buildings or structures by contractors or superintendents employed by
9 contractors or the preparation of shop drawings in connection
10 therewith;

11 (4) Owners or contractors from engaging persons who are not
12 architects to observe and supervise construction of a project;

13 (5) Any person from doing design work including preparing
14 construction contract documents and administration of the construction
15 contract for the erection, enlargement, repair, or alteration of a
16 structure or any appurtenance to a structure, if the structure is to be
17 used for a residential building of up to and including four dwelling
18 units or a farm building or is a structure used in connection with or
19 auxiliary to such residential building or farm building such as a
20 garage, barn, shed, or shelter for animals or machinery;

21 (6) Any person from doing design work including preparing
22 construction contract documents and administering the contract for
23 construction, erection, enlargement, alteration, or repairs of or to a
24 building of any occupancy up to four thousand square feet of
25 construction;

26 (7) Design-build construction by registered general contractors if
27 the structural design services are performed by a registered engineer;

28 (8) Any person from designing buildings or doing other design work
29 for any structure prior to the time of filing for a building permit; or

30 (9) Any person from designing buildings or doing other design work
31 for structures larger than those exempted under subsections (5) and (6)
32 of this section, if the plans, which may include such design work, are
33 stamped by a registered engineer or architect.

34 **Sec. 13.** RCW 18.27.110 and 1997 c 314 s 11 are each amended to
35 read as follows:

36 (1) No city, town, or county shall issue a construction building
37 permit for work which is to be done by any contractor required to be

1 registered under this chapter or an interior designer registered under
2 sections 1 through 11 of this act without verification that such
3 contractor or interior designer is currently registered as required by
4 law. When such verification is made, nothing contained in this section
5 is intended to be, nor shall be construed to create, or form the basis
6 for any liability under this chapter on the part of any city, town, or
7 county, or its officers, employees or agents. However, failure to
8 verify the contractor registration number or interior designer
9 registration number results in liability to the city, town, or county
10 to a penalty to be imposed according to RCW 18.27.100(7)(a).

11 (2) At the time of issuing the building permit, all cities, towns,
12 or counties are responsible for:

13 (a) Printing the contractor registration number or interior
14 designer registration number on the building permit; and

15 (b) Providing a written notice to the building permit applicant
16 informing them of contractor registration laws and the potential risk
17 and monetary liability to the homeowner for using an unregistered
18 contractor.

19 (3) If a building permit is obtained by an applicant or contractor
20 who falsifies information to obtain an exemption provided under RCW
21 18.27.090, the building permit shall be forfeited.

22 **Sec. 14.** RCW 19.27.095 and 1991 c 281 s 27 are each amended to
23 read as follows:

24 (1) A valid and fully complete building permit application for a
25 structure, that is permitted under the zoning or other land use control
26 ordinances in effect on the date of the application shall be considered
27 under the building permit ordinance in effect at the time of
28 application, and the zoning or other land use control ordinances in
29 effect on the date of application.

30 (2) The requirements for a fully completed application shall be
31 defined by local ordinance but for any construction project costing
32 more than five thousand dollars the application shall include, at a
33 minimum:

34 (a) The legal description, or the tax parcel number assigned
35 pursuant to RCW 84.40.160, and the street address if available, and may
36 include any other identification of the construction site by the prime
37 contractor;

1 (b) The property owner's name, address, and phone number;

2 (c)(i) The prime contractor's business name, address, phone number,
3 current state contractor registration number; or

4 (ii) The business name, address, phone number, and current
5 registration number of an interior designer licensed under sections 1
6 through 11 of this act; and

7 (d) Either:

8 (i) The name, address, and phone number of the office of the lender
9 administering the interim construction financing, if any; or

10 (ii) The name and address of the firm that has issued a payment
11 bond, if any, on behalf of the prime contractor for the protection of
12 the owner, if the bond is for an amount not less than fifty percent of
13 the total amount of the construction project.

14 (3) The information required on the building permit application by
15 subsection (2)(a) through (d) of this section shall be set forth on the
16 building permit document which is issued to the owner, and on the
17 inspection record card which shall be posted at the construction site.

18 (4) The information required by subsection (2) of this section and
19 information supplied by the applicant after the permit is issued under
20 subsection (5) of this section shall be kept on record in the office
21 where building permits are issued and made available to any person on
22 request. If a copy is requested, a reasonable charge may be made.

23 (5) If any of the information required by subsection (2)(d) of this
24 section is not available at the time the application is submitted, the
25 applicant shall so state and the application shall be processed
26 forthwith and the permit issued as if the information had been
27 supplied, and the lack of the information shall not cause the
28 application to be deemed incomplete for the purposes of vesting under
29 subsection (1) of this section. However, the applicant shall provide
30 the remaining information as soon as the applicant can reasonably
31 obtain such information.

32 (6) The limitations imposed by this section shall not restrict
33 conditions imposed under chapter 43.21C RCW.

34 NEW SECTION. **Sec. 15.** Sections 1 through 11 of this act
35 constitute a new chapter in Title 19 RCW.

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