

STATE OF OKLAHOMA

2nd Session of the 45th Legislature (1996)

HOUSE BILL NO. 2638

By: Ferguson

AS INTRODUCED

An Act relating to labor; amending 40 O.S. 1991, Sections 141.5 and 141.16, as amended by Section 1, Chapter 305, O.S.L. 1992 (40 O.S. Supp. 1995, Section 141.16), which relates to the Boiler and Pressure Vessel Safety Act; authorizing certain tractors to receive special installation and operating permits; exempting scale model steam tractors for exhibit use only from certain boiler inspection fees; providing an effective date; and declaring an emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 40 O.S. 1991, Section 141.5, is amended to read as follows:

Section 141.5 A. The maximum allowable working pressure of a boiler stamped with the American Society of Mechanical Engineers Code symbol or a pressure vessel stamped with the American Society of Mechanical Engineers or American Petroleum Institute - American Society of Mechanical Engineers Code symbol shall be determined by the applicable sections of the code under which it was constructed and stamped.

B. The maximum allowable working pressure of a boiler or pressure vessel which is not stamped and does not carry the ASME or the API-ASME Code symbol shall be computed in accordance with standard engineering practice using a factor of safety established by rules adopted by the Commissioner of Labor.

C. This act shall not be construed as in any way preventing the use, sale or reinstallation of a boiler or pressure vessel referred to in subsection B of this section, provided the Commissioner of Labor gives a specific ruling that such boiler or pressure vessel conforms to its rules ~~and regulations~~, and provided further, upon inspection it has been found to be in safe condition.

D. ~~If a~~ A special installation and operating permit may be granted by the Commissioner if:

1. A boiler or pressure vessel is of historical significance;

or

2. A scale model steam tractor is used for exhibition only; and

3. The vessel or tractor cannot comply with the construction requirements of the rules ~~and regulations of this act~~, a special installation and operating permit may be granted by the Commissioner of the Boiler and Pressure Vessel Safety Act.

SECTION 2. AMENDATORY 40 O.S. 1991, Section 141.16, as amended by Section 1, Chapter 305, O.S.L. 1992 (40 O.S. Supp. 1995, Section 141.16), is amended to read as follows:

Section 141.16 A. Schedule of Fees

1. Annual certificate of operation fee

- | | | | |
|----|--|----|-------|
| a. | with manway state inspector | \$ | 50.00 |
| b. | without manway state inspector | \$ | 25.00 |
| c. | any size special - or owner/user inspector | \$ | 25.00 |

Note: Only one certificate of operation fee per year may be charged; except an additional fee equal to the certificate of operation fee may be charged for witnessing a hydrostatic test required after repairs.

2. Other Fees

- a. hydrostatic test of steam pipeline per day \$ 150.00
(for each additional half-day or part thereof) \$
75.00
- b. shop review \$1,250.00
- c. licensing fee \$ 50.00
- d. certificate of competency fee \$ 15.00
- e. examination fee \$ 50.00
- f. boiler or pressure vessel inspection fee for
certificate inspections by state inspectors \$
100.00

B. Exemptions. All institutions owned or operated by the State of Oklahoma or its agencies or by any county, municipality or school district, and such institutions or agencies, and all owners or users of boilers or pressure vessels of historical significance or scale model steam tractors used for exhibition only as specified in subsection D of Section 141.5 of this title, are exempt from the payment of any fees provided for herein.

C. Disposition of fees. The Commissioner of Labor shall account for and transfer all fees so received to the State Treasury to the credit of the General Revenue Fund together with a detailed report of same.

D. All fees shall be paid directly to the Department of Labor.

SECTION 3. This act shall become effective July 1, 1996.

SECTION 4. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.