

SB 10

THE STATE SENATE
Thursday, February 13, 2003

Senate Bill No. 10
As Amended

SENATE BILL NO. 10 - By: COATES of the Senate and CALVEY of the House.

An Act relating to labor; amending 40 O.S. 2001, Section 141.1, which relates to the Boiler and Pressure Vessel Safety Act; clarifying measurement; amending 59 O.S. 2001, Sections 1633 and 1634, which relate to the Oklahoma Welding Act; updating references; and providing an effective date.

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

SECTION 1. AMENDATORY 40 O.S. 2001, Section 141.1, is amended to read as follows:

Section 141.1 This act shall be known and may be cited as the "Boiler and Pressure Vessel Safety Act", and, except as otherwise herein provided, shall apply to all boilers and pressure vessels.

For the purpose of this act, the following definitions apply:

1. "Boiler" means a closed vessel in which water is heated, steam is generated, steam is superheated, or any combination thereof, under pressure or vacuum, for external use to itself, by the direct application of heat. The term "boiler" includes fired units for heating or vaporizing liquids other than water where these units are separate from processing systems and complete within themselves:

- 1 a. "power boiler" means a boiler in which steam or other
2 vapor is generated at a pressure of more than fifteen
3 (15) pounds per square inch gauge, or as further
4 defined in American Society of Mechanical Engineers
5 Boiler and Pressure Vessel Code Section I,
- 6 b. "high-temperature water boiler" means a water boiler
7 intended for operation at pressures in excess of one
8 hundred sixty (160) pounds per square inch gauge; or
9 temperatures in excess of two hundred fifty degrees
10 Fahrenheit (250° F), or as further defined in
11 American Society of Mechanical Engineers Boiler and
12 Pressure Vessel Code Section I,
- 13 c. "low pressure steam boiler" means a steam boiler
14 operating at pressures not exceeding fifteen (15)
15 pounds per square inch gauge, or as further defined
16 in American Society of Mechanical Engineers Boiler
17 and Pressure Vessel Code Section IV,
- 18 d. "hot water heating boiler" means a heating boiler
19 operating at pressures not exceeding one hundred
20 sixty (160) pounds per square inch gauge - one
21 thousand one hundred three (1,103) kilopascals and/or
22 temperatures not exceeding two hundred fifty degrees
23 Fahrenheit (250° F), one hundred twenty-one degrees

1 Celsius (121° C), at or near the boiler outlet, or as
2 further defined in American Society of Mechanical
3 Engineers Boiler and Pressure Vessel Code Section IV,
4 e. "hot water supply boiler" means a supply boiler
5 operating at pressures not exceeding one hundred
6 sixty (160) pounds per square inch gauge - one
7 thousand one hundred three (1,103) kilopascals and/or
8 temperatures not exceeding two hundred fifty degrees
9 Fahrenheit (250° F), one hundred twenty-one degrees
10 Celsius (121° C), at or near the boiler outlet, or as
11 further defined in American Society of Mechanical
12 Engineers Boiler and Pressure Vessel Code Section IV,
13 and
14 f. "hot water supply heater" means a closed vessel in
15 which water is heated by the combustion of fuels,
16 electricity or any other source and withdrawn for use
17 external to the system at pressures not exceeding one
18 hundred sixty (160) pounds per square inch gauge and
19 shall include all controls and devices necessary to
20 prevent water temperature from exceeding two hundred
21 ten degrees Fahrenheit (210° F), ~~one hundred~~
22 ~~twenty-one degrees Celsius (121° C)~~ **ninety-eight**
23 **point nine degrees Celsius (98.9° C);**

1 2. "Pressure vessel" means a vessel in which pressure is
2 obtained from an external source or by the application of heat other
3 than those vessels defined in paragraph 1 of this section or as
4 further defined in American Society of Mechanical Engineers Boiler
5 and Pressure Vessel Code Section VIII, Division I;

6 3. "Certificate of operation" means an annual certificate,
7 unless otherwise provided for in this act, issued by the
8 Commissioner of Labor permitting the operation of a boiler or
9 pressure vessel which has been inspected as provided for in this
10 act;

11 4. "Steam lines" means piping of welded construction in which
12 steam is contained and/or transported at a pressure in excess of
13 fifteen (15) pounds per square inch gauge; and

14 5. "Commissioner" means the Commissioner of Labor or ~~his~~ the
15 Commissioner's duly authorized representative.

16 SECTION 2. AMENDATORY 59 O.S. 2001, Section 1633, is
17 amended to read as follows:

18 Section 1633. A. The welding inspector shall be recertified
19 upon payment of the current fee and successful reexamination of
20 complete facilities every year. However, renewal applicants who
21 attest to continual or uninterrupted activity in the practice of
22 welding inspection and who re comply with the provisions of Sections
23 ~~141~~ 141.1 through ~~147~~ 141.20 of Title 40 of the Oklahoma Statutes

1 and ~~rule number 36 of the Oklahoma Boiler Code Manual~~ 380:25-13-3 of
2 the Oklahoma Administrative Code shall be recertified upon payment
3 of the current certification fee without reexamination.

4 B. Application for renewal of a certification that has expired
5 shall be considered a new application.

6 C. The welding inspector shall be responsible for maintaining a
7 current address with the State Department of Labor, Boiler Inspector
8 Department, for mailing of renewal notices.

9 SECTION 3. AMENDATORY 59 O.S. 2001, Section 1634, is
10 amended to read as follows:

11 Section 1634. A. The following ~~United States of America~~
12 ~~National Standard Institute~~ American Society of Mechanical Engineers
13 Codes, based upon the latest edition, shall be the piping codes for
14 this state:

- 15 1. The power piping code, ASME B31.1;
- 16 2. The fuel gas piping code, ASME B31.2;
- 17 3. The gas transmission and distribution piping system code,
18 ASME B31.8;
- 19 4. The ~~petroleum refining process~~ process piping code, ASME B31.3; and
- 20 5. The ~~liquid petroleum transportation piping system~~ liquid
21 transportation systems for hydrocarbons, liquid petroleum gas,
22 anhydrous ammonia and alcohols code, ASME 31.4.

1 The provisions of this act shall apply only to weldments required by
2 the above codes.

3 B. All welders prior to performing weldments within this state
4 on any piping enumerated in subsection A shall be tested, qualified
5 and certified by the Commissioner of Labor pursuant to this act.

6 C. It shall be mandatory upon the owner, or a contractor to
7 whom a contract is awarded and upon any welders wherein welders are
8 to perform weldments on any piping enumerated in subsection A, upon
9 any subcontractor under ~~him~~ the owner or a contractor, to ~~insure~~
10 ensure that all welders performing weldments within this state shall
11 be certified by the Commissioner of Labor before any weldments are
12 fabricated.

13 D. Penalties:

14 1. Any welder who violates or omits to comply with any of the
15 provisions of this section, and any officer, agent or representative
16 of any owner or any contractor or subcontractor who violates or
17 omits to comply with any of the provisions of this section shall be
18 subjected to the penalties provided in this title.

19 2. The Commissioner of Labor is empowered to issue cease and
20 desist orders against violations of this act until such time as
21 compliance of the law is met. If an owner, welder, contractor
22 and/or subcontractor fails to obey the orders issued by the
23 Commissioner of Labor, the Attorney General shall review the case

1 and initiate necessary proceedings for contempt of the
2 Commissioner's order and/or ask for an injunction in the district
3 court as deemed appropriate to the facts of the case.

4 3. No person, firm or corporation or agent thereof shall in any
5 manner interfere with the performance of the duties of any inspector
6 or representative of the Commissioner of Labor for the
7 implementation of this act.

8 SECTION 4. This act shall become effective November 1, 2003.

9 COMMITTEE REPORT BY: COMMITTEE ON BUSINESS & LABOR, dated 2-10-03 -
10 DO PASS, As Amended and Coauthored.