

ENROLLED SENATE  
BILL NO. 170

By: Johnson (Mike) and Myers of  
the Senate

and

Miller and Martin (Scott)  
of the House

An Act relating to labor; amending 40 O.S. 2001, Section 141.16, as last amended by Section 1, Chapter 260, O.S.L. 2008 (40 O.S. Supp. 2008, Section 141.16), which relates to the Boiler and Pressure Vessel Safety Act; modifying certain 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. 2001, Section 141.16, as last amended by Section 1, Chapter 260, O.S.L. 2008 (40 O.S. Supp. 2008, Section 141.16), is amended to read as follows:

Section 141.16

A. 1. a. Annual certificate of operation fee shall be as follows:

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| (1) with manway state inspector                | \$75.00 |
| (2) without manway state inspector             | \$50.00 |
| (3) any size special - or owner/user inspector | \$50.00 |

- (4) each public hot water supply heater  
(biennially) \$5.00
- (5) each public boiler  
inspection/certification \$25.00

b. 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, provided a fee equal to the total fees identified in division (1) or (2) of subparagraph a of this paragraph, whichever is appropriate, and subparagraph f of paragraph 2 of this subsection may be charged when the pressure-retaining item is not prepared and ready pursuant to rules promulgated by the Commissioner of Labor at the time of the inspection.

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 fees ~~\$1,250.00~~  
  
\$3,000.00
- c. licensing fees
  - (1) repair, service, install (annually) \$50.00
  - (2) installer technician (one-time issuance) \$50.00
  - (3) boiler operator (biennially) \$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
- \$155.00
- g. authorized inspector services for weld repairs or alterations, per eight-hour day or part thereof \$300.00
- h. a fee as established by rule may be assessed for the issuance of duplicate licenses and certificates, not to exceed \$10.00

B. 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 as specified in subsection D of Section 141.5 of this title are exempt from the payment of only those fees provided for in paragraph 2 of subsection A of this section.

C. 1. Except for the revenue listed in paragraph 2 of this subsection, the Commissioner 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.

2. The Commissioner shall account for and deposit all fee revenue received and listed in this paragraph to the Safety Standards Revolving Fund created pursuant to subsection E of this section:

- a. Twenty-five Dollars (\$25.00) of each certificate of operation fee collected under divisions (1), (2) and (3) of subparagraph a of paragraph 1 of subsection A of this section,
- b. all fees listed in divisions (4) and (5) of subparagraph a of paragraph 1 of subsection A of this section, and

c. all fees listed in subparagraphs b, g and h of paragraph 2 of subsection A of this section.

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

E. There is hereby created in the State Treasury a revolving fund for the Department of Labor to be designated the "Safety Standards Revolving Fund". The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of monies collected by the Department and specifically designated for deposit pursuant to the Boiler and Pressure Vessel Safety Act. Expenditures from said fund shall be made upon warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of State Finance for approval and payment.

SECTION 2. This act shall become effective July 1, 2009.

SECTION 3. 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.

Passed the Senate the 21st day of May, 2009.

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Presiding Officer of the Senate

Passed the House of Representatives the 21st day of May, 2009.

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Presiding Officer of the House  
of Representatives