

1 ENGROSSED HOUSE
2 BILL NO. 2344

By: Roberts (Dustin) of the
House

3 and

4 Simpson of the Senate
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6
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8 An Act relating to labor; amending 40 O.S. 2011,
9 Section 141.9 and 141.16, which relate to the Boiler
10 and Pressure Vessel Safety Act; removing certain
11 requirements for inspection agencies; modifying
12 renewal of certificates of competency; removing
13 certain fee; and providing an effective date.

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

15 SECTION 1. AMENDATORY 40 O.S. 2011, Section 141.9, is
16 amended to read as follows:

17 Section 141.9 A. 1. Certificates of competency designating
18 special inspectors of boilers and pressure vessels shall be issued
19 by the Commissioner upon request of any authorized inspection
20 agency, which has been licensed or registered by the appropriate
21 authority of this state. ~~All such authorized inspection agencies~~
22 ~~shall provide boiler and pressure vessel insurance coverage and be~~
23 ~~actively engaged in writing this type coverage in this state;~~
24

1 2. Before receiving a certificate of competency, each inspector
2 shall receive a passing grade on the examination provided for by
3 Section ~~10~~ 141.10 of this ~~act~~ title, or shall hold a commission or
4 certificate of competency as an inspector of boilers or pressure
5 vessels from a state that has a standard of examination equal to
6 that of this state, or a commission as an inspector of boilers and
7 pressure vessels issued by the National Board of Boiler and Pressure
8 Vessel Inspectors~~†~~.

9 3. Special inspectors shall not receive any salary or expenses
10 from this state, and a certificate of competency shall be valid only
11 as long as such special inspectors are in full-time employment of an
12 authorized inspection agency~~†~~.

13 4. Special inspectors may inspect all boilers and pressure
14 vessels ~~insured~~ covered by their respective authorized inspection
15 agency~~†~~ and.

16 5. The ~~insurance company~~ authorized inspection agency shall
17 apply on or before January 31 of each year for renewal of
18 certificates of competency for each special inspector employed who
19 inspects boilers and pressure vessels insured in this state. The
20 fee must accompany application.

21 B. 1. Certificates of competency designating owner-user
22 inspectors of boilers or pressure vessels or both shall be issued by
23 the Commissioner upon request of any company operating boilers or
24 pressure vessels or both in this state. The owner-user shall

1 maintain a regularly established inspection department which is
2 under the supervision of one or more technically competent
3 individuals whose qualifications and whose organization and
4 inspection procedures are in accordance with paragraph 4 of
5 subsection A of Section ~~3~~ 141.3 of this ~~act~~ title and acceptable to
6 the Commissioner of Labor. Boilers and pressure vessels shall be
7 inspected regularly and in accordance with applicable provisions of
8 the rules and regulations adopted by the Commissioner pursuant to
9 this act~~r~~.

10 2. Before receiving a certificate of competency, each inspector
11 shall attain a passing grade on the examination provided for by
12 Section ~~10~~ 141.10 of this ~~act~~ title, or shall hold a certificate of
13 competency as an inspector from a state that has a standard of
14 examination equal to that of this state, or who holds a valid
15 commission issued in accordance with the constitution and bylaws of
16 the National Board of Boiler and Pressure Vessel Inspectors~~r~~.

17 3. A certificate of competency as an owner-user inspector shall
18 be issued only if, in addition to meeting the requirements in
19 paragraph 2 of this subsection, the inspector is continuously
20 employed by the company and is responsible for making inspection of
21 boilers and pressure vessels used by such company~~r~~.

22 4. Owner-user inspectors shall not receive any salary or
23 expenses from this state and a certificate of competency shall be
24 valid only as long as such owner-user inspector is employed full

1 time by a qualified owner-user inspection agency, in accordance with
2 the applicable provisions of the rules and regulations adopted
3 pursuant to this act~~+~~.

4 5. The owner-user inspection agency will apply on or before
5 January 31 of each year for renewal of competency for each owner-
6 user inspector employed in this state. The fee must accompany
7 application;~~and.~~.

8 6. Such owner-user inspectors may inspect all pressure vessels
9 operated by their respective companies and, when so inspected, the
10 owners and users of such pressure vessels shall be exempt from the
11 payment to the state of the inspection fees provided for in Section
12 ~~16~~ 141.16 of this ~~act~~ title.

13 SECTION 2. AMENDATORY 40 O.S. 2011, Section 141.16, is
14 amended to read as follows:

15 Section 141.16

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

- | | | |
|----|---|---------|
| 18 | (1) with manway state inspector | \$75.00 |
| 19 | (2) without manway state inspector | \$50.00 |
| 20 | (3) any size special - or owner/user | |
| 21 | inspector | \$50.00 |
| 22 | (4) each public hot water supply heater | |
| 23 | (biennially) | \$5.00 |

24

1 (5) each public boiler
2 inspection/certification \$25.00

3 b. Only one certificate of operation fee per year may be
4 charged; except an additional fee equal to the
5 certificate of operation fee may be charged for
6 witnessing a hydrostatic test required after repairs,
7 provided a fee equal to the total fees identified in
8 division (1) or (2) of subparagraph a of this
9 paragraph, whichever is appropriate, and subparagraph
10 f of paragraph 2 of this subsection may be charged
11 when the pressure-retaining item is not prepared and
12 ready pursuant to rules promulgated by the
13 Commissioner of Labor at the time of the inspection.

14 2. Other Fees

15 a. hydrostatic test of steam pipeline per day \$150.00
16 (for each additional half-day or part
17 thereof) \$75.00
18 b. shop review fees \$3,000.00
19 c. licensing fees
20 (1) repair, service, install (annually) \$50.00
21 (2) ~~installer technician (one-time~~
22 ~~issuance)~~ \$50.00
23 ~~(3)~~ boiler operator (biennially) \$50.00
24 d. certificate of competency fee \$15.00

1	e.	examination fee	\$50.00
2	f.	boiler or pressure vessel inspection	
3		fee for certificate inspections by	
4		state inspectors	\$155.00
5	g.	authorized inspector services for weld	
6		repairs or alterations, per eight-hour	
7		day or part thereof	\$300.00
8	h.	a fee as established by rule may be	
9		assessed for the issuance of duplicate	
10		licenses and certificates, not to exceed	\$10.00

11 B. All institutions owned or operated by the State of Oklahoma
12 or its agencies or by any county, municipality or school district,
13 and such institutions or agencies, and all owners or users of
14 boilers or pressure vessels of historical significance as specified
15 in subsection D of Section 141.5 of this title are exempt from the
16 payment of only those fees provided for in paragraph 2 of subsection
17 A of this section.

18 C. 1. Except for the revenue listed in paragraph 2 of this
19 subsection, the Commissioner shall account for and transfer all fees
20 so received to the State Treasury to the credit of the General
21 Revenue Fund, together with a detailed report of same.

22 2. The Commissioner shall account for and deposit all fee
23 revenue received and listed in this paragraph to the Department of
24 Labor Revolving Fund:

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

5 b. all fees listed in divisions (4) and (5) of
6 subparagraph a of paragraph 1 of subsection A of this
7 section, and

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

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

11 SECTION 3. This act shall become effective November 1, 2014.

12 Passed the House of Representatives the 26th day of February,
13 2014.

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16 Presiding Officer of the House
of Representatives

17 Passed the Senate the ___ day of _____, 2014.

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19 _____
20 Presiding Officer of the Senate