

1 **SENATE FLOOR VERSION**

2 April 2, 2014

3 **AS AMENDED**

4 ENGROSSED HOUSE
5 BILL NO. 2344

6 By: Roberts (Dustin) of the
7 House

8 and

9 Simpson of the Senate

10 **[labor - Boiler and Pressure Vessel Safety Act -
11 inspection agencies - effective date]**

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

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

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

22 2. Before receiving a certificate of competency, each inspector
23 shall receive a passing grade on the examination provided for by
24 Section ~~10~~ 141.10 of this ~~act~~ title, or shall hold a commission or

1 certificate of competency as an inspector of boilers or pressure
2 vessels from a state that has a standard of examination equal to
3 that of this state, or a commission as an inspector of boilers and
4 pressure vessels issued by the National Board of Boiler and Pressure
5 Vessel Inspectors~~†~~.

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

10 4. Special inspectors may inspect all boilers and pressure
11 vessels ~~insured~~ covered by their respective authorized inspection
12 agency~~†~~ and.

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

18 B. 1. Certificates of competency designating owner-user
19 inspectors of boilers or pressure vessels or both shall be issued by
20 the Commissioner upon request of any company operating boilers or
21 pressure vessels or both in this state. The owner-user shall
22 maintain a regularly established inspection department which is
23 under the supervision of one or more technically competent
24 individuals whose qualifications and whose organization and

1 inspection procedures are in accordance with paragraph 4 of
2 subsection A of Section ~~3~~ 141.3 of this ~~act~~ title and acceptable to
3 the Commissioner of Labor. Boilers and pressure vessels shall be
4 inspected regularly and in accordance with applicable provisions of
5 the rules and regulations adopted by the Commissioner pursuant to
6 this act~~+~~.

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

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

19 4. Owner-user inspectors shall not receive any salary or
20 expenses from this state and a certificate of competency shall be
21 valid only as long as such owner-user inspector is employed full
22 time by a qualified owner-user inspection agency, in accordance with
23 the applicable provisions of the rules and regulations adopted
24 pursuant to this act~~+~~.

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

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

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

12 Section 141.16

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

- | | | |
|----|---|---------|
| 15 | (1) with manway state inspector | \$75.00 |
| 16 | (2) without manway state inspector | \$50.00 |
| 17 | (3) any size special - or owner/user | |
| 18 | inspector | \$50.00 |
| 19 | (4) each public hot water supply heater | |
| 20 | (biennially) | \$5.00 |
| 21 | (5) each public boiler | |
| 22 | inspection/certification | \$25.00 |

23 b. Only one certificate of operation fee per year may be
24 charged; except an additional fee equal to the

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

10 2. Other Fees

- | | | | |
|----|----|---|--------------------|
| 11 | a. | hydrostatic test of steam pipeline per day | \$150.00 |
| 12 | | (for each additional half-day or part | |
| 13 | | thereof) | \$75.00 |
| 14 | b. | shop review fees | \$3,000.00 |
| 15 | c. | licensing fees | |
| 16 | | (1) repair, service, install (annually) | \$50.00 |
| 17 | | (2) installer technician (one-time | |
| 18 | | issuance) | \$50.00 |
| 19 | | (3) boiler operator (biennially) | \$50.00 |
| 20 | d. | certificate of competency fee | \$15.00 |
| 21 | e. | examination fee | \$50.00 |
| 22 | f. | boiler or pressure vessel inspection | |
| 23 | | fee for certificate inspections by | |
| 24 | | state inspectors | \$155.00 |

1 g. authorized inspector services for weld
2 repairs or alterations, per eight-hour
3 day or part thereof \$300.00

4 h. a fee as established by rule may be
5 assessed for the issuance of duplicate
6 licenses and certificates, not to exceed \$10.00

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

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

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

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

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

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

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

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

8 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS
9 April 2, 2014 - DO PASS AS AMENDED

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