STATE OF OKLAHOMA

2nd Session of the 54th Legislature (2014)

HOUSE BILL 2344 By: Roberts (Dustin)

AS INTRODUCED

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

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

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

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

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

certificate of competency as an inspector of boilers or pressure vessels from a state that has a standard of examination equal to that of this state, or a commission as an inspector of boilers and pressure vessels issued by the National Board of Boiler and Pressure Vessel Inspectors;

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

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

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

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

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

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

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

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

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

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

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

Section 141.16

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

(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	$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	$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 Department of Labor Revolving Fund:

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.

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

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