
A BILL FOR AN ACT

RELATING TO THE BOILER AND ELEVATOR SAFETY LAW.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Chapter 397, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§397- Boiler and elevator special fund; establishment;
5 purposes; annual report. (a) There is established in the state
6 treasury a boiler and elevator special fund into which shall be
7 deposited all fees collected pursuant to section 397-5 and any
8 interest and investment moneys earned on any moneys in the fund.

9 (b) The purpose of the special fund is to provide for
10 sufficient operating costs to carry out the purpose of this
11 chapter. Funds may be used for:

12 (1) Personnel and operating expenses;

13 (2) Staff training and staff certification fees and
14 expenses;

15 (3) Preparation and dissemination of public information on
16 safe installation and use of the equipment regulated
17 by this chapter; and



1 (4) Preparation of annual reports to the legislature as
2 required by this chapter.

3 (c) The director shall submit an annual report to the
4 legislature on the status of the fund, including expenditures
5 and program results, no later than twenty days prior to the
6 convening of each regular session."

7 SECTION 2. Section 397-5, Hawaii Revised Statutes, is
8 amended to read as follows:

9 "**§397-5 Fees.** (a) The director may prescribe reasonable
10 fees to be charged for inspection, examination, other services
11 rendered and for permits, certificates, or licenses, the
12 issuance of which are required by this chapter or by any rule or
13 regulation of the department promulgated pursuant to this
14 chapter, and for:

15 (1) [~~+(Inspection)+~~] Inspections by the department of any
16 boiler, pressure system, amusement ride, and elevator
17 and kindred equipment for which a permit or
18 certificate is required for its installation,
19 operation or use and which is required to be inspected
20 by this chapter or by any rule or regulation of the
21 department; and



1 (2) Examination of any person applying for permits,
2 certificates or licenses as required by this chapter
3 or by any rule or regulation of the department.

4 [~~(b) All fees received by the department pursuant to this~~
5 ~~section shall be paid into the general fund of the State.~~]

6 (b) Effective July 1, 2012, the fees for inspections,
7 permits, and examinations of boilers and pressure systems and
8 elevators and kindred equipment shall be as prescribed by the
9 schedules in this section until such time as the director amends
10 such fees by rulemaking in accordance with chapter 91.

11 SCHEDULE A: Boiler and Pressure System Fees

12 Installation, Repair and Alteration Permit Fees:

13 (1) Power boilers shall pass a hydrostatic test unless
14 indicated otherwise:

15 Miniature electric (no hydrostatic test
16 required) \$190

17 Less than five hundred square feet
18 of heating surface \$250

19 Greater than or equal to five hundred and less than
20 or equal to three thousand square feet
21 of heating surface \$400

22 Greater than three thousand square feet of



1	<u>heating Surface</u>	\$750
2	(2) <u>Heating boiler</u>	\$190
3	<u>Retrofit</u>	\$160
4	(3) <u>Pressure vessel</u>	\$175
5	<u>Retrofit</u>	\$130
6	(4) <u>Sterilizers and steam kettles</u>	\$150
7	<u>Retrofit</u>	\$110
8	(5) <u>Repair application fee</u>	\$200
9	(6) <u>Alteration application fee</u>	\$500
10	<u>Examination and License Fees:</u>	
11	(1) <u>Boiler Inspectors certificate of competency</u>	
12	<u>examination fee</u>	\$300
13	(2) <u>Review of shops and facilities for the issuance</u>	
14	<u>of National Board or ASME certificates of</u>	
15	<u>authorization</u>	\$1,500
16	(3) <u>Review of shops and facilities for the issuance</u>	
17	<u>of Non-Boiler External Piping (NBEP) certificate of</u>	
18	<u>authorization</u>	\$750
19	(4) <u>Boiler inspector's Hawaii Commission,</u>	
20	<u>Initial and renewal</u>	\$75
21	<u>Internal and External Inspection Fees:</u>	
22	(1) <u>Power boilers:</u>	



1	<u>Without manholes</u>	<u>\$150</u>
2	<u>With manholes but not over three thousand square</u>	
3	<u>feet of heating surface</u>	<u>\$180</u>
4	<u>With manholes between three thousand and ten thousand</u>	
5	<u>square feet of heating surface</u>	<u>\$260</u>
6	<u>With manholes and over ten thousand square</u>	
7	<u>feet of heating surface</u>	<u>\$450</u>
8	(2) <u>Heating boilers:</u>	
9	<u>Hot water supply</u>	<u>\$130</u>
10	<u>Steam and water heating without manholes</u>	<u>\$110</u>
11	<u>Steam, over one hundred but not over five hundred</u>	
12	<u>square feet of heating surface</u>	<u>\$140</u>
13	<u>All with manholes and steam over five hundred square</u>	
14	<u>feet of heating surface</u>	<u>\$170</u>
15	(3) <u>Pressure vessels:</u>	
16	<u>Routine inspections</u>	<u>\$65</u>
17	<u>Internal for air or water service</u>	<u>\$130</u>
18	<u>Ultrasonic testing</u>	<u>\$130</u>
19	(4) <u>For all other types of inspections</u>	
20	<u>an hourly fee is assessed</u>	<u>\$100</u>
21	(5) <u>Hydrostatic test</u>	<u>\$300</u>
22	(6) <u>School "specials" (non-code objects)</u>	<u>\$10</u>



1	<u>Reports and Permit Processing Fees:</u>	
2	(1) <u>Report and permit</u>	<u>\$25</u>
3	(2) <u>Permit reprint</u>	<u>\$20</u>
4	(3) <u>Signed permit card (old issue)</u>	<u>\$10</u>
5	(4) <u>Owner portal</u>	<u>\$5</u>

6 SCHEDULE B: Elevator and Kindred Equipment Fees

7	<u>Installation and Alteration Permits:</u>	
8	(1) <u>Alteration involving only the replacement of up</u>	
9	<u>to two (2) parts such as a valve, a jack, or</u>	
10	<u>a cylinder</u>	<u>\$150</u>
11	(2) <u>Alteration involving only cosmetic changes</u>	
12	<u>such as car interior modernizations</u>	<u>\$300</u>
13	(3) <u>Alterations of more than two parts, or components,</u>	
14	<u>and/or subsystems:</u>	
15	<u>1 - 3 floors</u>	<u>\$600</u>
16	<u>4 - 9 floors</u>	<u>\$650</u>
17	<u>10 - 19 floors</u>	<u>\$700</u>
18	<u>20 - 29 floors</u>	<u>\$750</u>
19	<u>30 - 39 floors</u>	<u>\$800</u>
20	<u>40 or more floors</u>	<u>\$900</u>
21	(4) <u>Where alterations to four or more units at the same</u>	
22	<u>location are identical, the fee for each additional</u>	



1 alteration permit shall be reduced by fifty per cent.
2 The applications must be submitted at the same time to
3 qualify for the fee reduction.

4 (5) Installation of new elevators (including material
5 lifts) and kindred equipment:

6	<u>Dumbwaiter</u>	<u>\$500</u>
7	<u>Escalator, moving walk, or moving ramp</u>	<u>\$500</u>
8	<u>Hand elevator, manlift, or stage lift</u>	<u>\$500</u>
9	<u>Wheelchair or stairway lifts</u>	<u>\$500</u>
10	<u>Elevator, 1 - 3 floors</u>	<u>\$600</u>
11	<u>Elevator, 4 - 9 floors</u>	<u>\$650</u>
12	<u>Elevator, 10 - 19 floors</u>	<u>\$700</u>
13	<u>Elevator, 20 - 29 floors</u>	<u>\$750</u>
14	<u>Elevator, 30 - 39 floors</u>	<u>\$800</u>
15	<u>Elevator, 40 or more floors</u>	<u>\$900</u>
16	<u>Aerial tramways</u>	<u>\$900</u>
17	<u>Personnel hoists</u>	<u>\$250</u>
18	<u>Inclined tunnel lifts</u>	<u>\$500</u>
19	<u>For elevators, such as observation or deep well</u>	
20	<u>elevators, which have considerable rise but few</u>	
21	<u>openings, each ten feet of vertical rise shall be</u>	



1 considered one floor in determining installation or
2 alteration permit fees.

3 (6) Temporary use permits (construction car) \$450

4 (7) For each valid alteration or installation permit, the
5 department shall provide one inspection per unit.

6 (8) The fee for each additional inspection or witnessing
7 of tests, or both, shall be \$300 per day for up to two
8 hours and \$600 per day for more than two hours if
9 during the normal workday. Fees for overtime hours
10 shall be \$600 per day for up to two hours and \$1,200
11 per day for more than two hours.

12 (9) Each installation or alteration permit shall be valid
13 for up to one year from date of issuance.

14 Inspection Fees:

15 (1) Permit renewal inspection fees:

16 Dumbwaiter \$140

17 Escalator, moving walk or moving ramp \$150

18 Hand elevator, manlift, or stage lift \$150

19 Wheelchair or stairway lifts \$150

20 Hydraulic elevator - holed \$150

21 Hydraulic elevator - holeless \$200



1	<u>Traction elevator:</u>	
2	<u>1 - 3 floor rise</u>	<u>\$225</u>
3	<u>4 - 9 floor rise</u>	<u>\$250</u>
4	<u>10 - 19 floor rise</u>	<u>\$275</u>
5	<u>20 - 29 floor rise</u>	<u>\$325</u>
6	<u>30 - 39 floor rise</u>	<u>\$400</u>
7	<u>40 or more floor rise</u>	<u>\$475</u>
8	<u>Aerial tramways</u>	<u>\$400</u>
9	<u>Personnel hoists</u>	<u>\$175</u>
10	<u>Inclined tunnel lifts</u>	<u>\$220</u>
11	(2) <u>Safety, Load or Internal Test (Witness Fees):</u>	
12	<u>3-Year safety test</u>	<u>\$200</u>
13	<u>5-Year safety test</u>	<u>\$300</u>
14	<u>Escalator internal</u>	<u>\$100</u>
15	(3) <u>Permit renewal and witness fees are per inspection,</u>	
16	<u>which may constitute one day or part of the day. If</u>	
17	<u>the inspector has to return on another day or at</u>	
18	<u>another time within the same day, additional fees</u>	
19	<u>shall be assessed at the rate of \$300 per day for up</u>	
20	<u>to two hours and \$600 per day for more than two hours.</u>	
21	<u>Fees for overtime hours shall be \$600 per day for up</u>	



1 to two hours and \$1,200 per day for more than two
2 hours.

3 SCHEDULE C: Amusement Ride Fees

4 Inspection Fees:

5 (1) Permit renewal inspection fees:

6 Amusement ride \$100

7 (2) Permit renewal fees are per inspection, which may
8 constitute one day or part of the day. If the
9 inspector has to return on another day or at another
10 time within the same day, additional fees shall be
11 assessed at the rate of \$300 per day for up to two
12 hours and \$600 per day for more than two hours. Fees
13 for overtime hours shall be \$600 per day for up to two
14 hours and \$1,200 per day for more than two hours."

15 SECTION 3. Section 397-8, Hawaii Revised Statutes, is
16 amended by amending subsection (e) to read as follows:

17 "(e) Civil penalties owed under this chapter shall be paid
18 to [~~the department~~] into the general fund of the state and may
19 be recovered in a civil action in the name of the department and
20 the State brought in the district or circuit court for the
21 circuit where the violation is alleged to have occurred or where



1 the owner, user, contractor or vendor has the owner's, user's,
2 contractor's, or vendor's principal office."

3 SECTION 4. The director of the department of labor and
4 industrial relations may establish ten additional permanent
5 positions in the boiler and elevator inspection branch, subject
6 to chapters 76 and 89 of the Hawaii Revised Statutes, to carry
7 out the purposes of chapter 397, Hawaii Revised Statutes. The
8 positions may include a branch manager, up to the equivalent of
9 six full-time elevator inspectors, one boiler inspector, and two
10 office assistants.

11 SECTION 5. The department of labor and industrial
12 relations shall submit an annual report to the legislature on
13 the status of the elevator and boiler inspection backlog,
14 including the number of inspections completed for the year and
15 the effect the increase in fees and establishment of the boiler
16 and elevator special fund have had on the elevator and boiler
17 inspection backlog, no later than twenty days prior to the
18 convening of each regular session commencing with the regular
19 session of 2013.

20 SECTION 6. There is appropriated out of the general
21 revenues of the State of Hawaii the sum of \$1,000,000 or so much
22 thereof as may be necessary, for fiscal year 2012-2013, as start



1 up funds to be deposited to the credit of the boiler and
2 elevator special fund; provided that the \$1,000,000 in general
3 revenues shall be paid back and deposited into the general fund
4 by the department of labor and industrial relations within five
5 years of the effective date of this Act.

6 SECTION 7. There is appropriated out of the boiler and
7 elevator special fund the sum of \$2,900,000 or so much thereof
8 as may be necessary for fiscal year 2012-2013 to be used for the
9 purposes of this Act.

10 The sum appropriated shall be expended by the department of
11 labor and industrial relations for the purposes of this Act.

12 SECTION 8. New statutory material is underscored.
13 Statutory material to be repealed is bracketed and stricken.

14 SECTION 9. This Act shall take effect on March 3, 2033.



Report Title:

Boiler and Elevator Safety Law; Special Fund; Appropriation

Description:

Establishes the Boiler and Elevator Special Fund for the purpose of collecting and depositing the fees charged for permits, inspections, and certificates of boilers, pressure systems elevators and kindred equipment, and amusement rides to provide sufficient operating funds for the Boiler and Elevator Inspection Branch. Requires repayment of the start-up general revenues deposited into the Special Fund within five years. Effective March 3, 2033. (HB2575 HD1)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

