

JAN 20 2012

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. (a) There is established in the state treasury the
6 boiler and elevator special fund, into which shall be deposited
7 all fees collected pursuant to section 397-5 and appropriations
8 from the legislature. All interest and investment moneys earned
9 on any moneys in the special fund shall become part of the
10 special fund.
- 11 (b) The purpose of the special fund is to provide for
12 sufficient operating costs to carry out the purposes of this
13 chapter. Moneys in the fund may be expended for:
- 14 (1) Personnel and operating expenses;
15 (2) Staff training and staff certification fees and
16 expenses;



- 1 (3) Preparation and dissemination of public information on
2 safe installation and use of equipment regulated by
3 this chapter;
- 4 (4) Preparation of annual reports to the legislature as
5 required by this chapter; and
- 6 (5) Reimbursement to the general fund over a five-year
7 period to pay back the original start up
8 appropriation.

9 (c) The director shall submit a report to the legislature
10 on the status of the boiler and elevator special fund, including
11 expenditures and program results, not less than twenty days
12 prior to the convening of each regular session."

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

15 **"§397-5 Fees.** (a) The director may prescribe reasonable
16 fees to be charged for inspection, examination, other services
17 rendered and for permits, certificates, or licenses, the
18 issuance of which are required by this chapter or by any rule or
19 regulation of the department promulgated pursuant to this
20 chapter, and for:

- 21 (1) [~~Inspection~~] Inspections by the department of any
22 boiler, pressure system, amusement ride, and elevator



1 and kindred equipment for which a permit or
2 certificate is required for its installation,
3 operation or use and which is required to be inspected
4 by this chapter or by any rule or regulation of the
5 department; and

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

9 (b) All fees received by the department pursuant to this
10 section shall be paid into the [~~general fund of the State.~~]
11 boiler and elevator special fund.

12 (c) Effective July 1, 2012, the fees for inspections,
13 permits, and examinations of boilers, pressure systems,
14 elevators, and kindred equipment shall be as prescribed by the
15 schedules in this section until the director adopts rules
16 pursuant to chapter 91 to amend the fees specified in this
17 section.

18 SCHEDULE A: Boiler and Pressure System Fees

19 Installation, repair and alteration permit fees:

20 (1) Power boilers shall pass a hydrostatic test unless
21 indicated otherwise:



1	<u>Miniature electric (no hydrostatic test</u>	
2	<u>required)</u>	<u>\$190</u>
3	<u>Less than 500 square feet of heating</u>	
4	<u>surface</u>	<u>\$250</u>
5	<u>Greater than or equal to 500 and less</u>	
6	<u>than or equal to 3000 square feet of</u>	
7	<u>heating surface</u>	<u>\$400</u>
8	<u>Greater than 3000 square feet of</u>	
9	<u>heating surface</u>	<u>\$750</u>
10	(2) <u>Heating boiler</u>	<u>\$190</u>
11	<u>Retrofit</u>	<u>\$160</u>
12	(3) <u>Pressure vessel</u>	<u>\$175</u>
13	<u>Retrofit</u>	<u>\$130</u>
14	(4) <u>Sterilizers and steam kettles</u>	<u>\$150</u>
15	<u>Retrofit</u>	<u>\$110</u>
16	(5) <u>Repair application fee</u>	<u>\$200</u>
17	(6) <u>Alteration application fee</u>	<u>\$500</u>
18	<u>Examination and License Fees:</u>	
19	(1) <u>Boiler Inspectors certificate of</u>	
20	<u>competency examination fee</u>	<u>\$300</u>



1	<u>(2) Review of shops and facilities for the</u>	
2	<u>issuance of National Board or ASME</u>	
3	<u>certificates of authorization</u>	<u>\$1,500</u>
4	<u>(3) Review of shops and facilities for the</u>	
5	<u>issuance of Non-Boiler External Piping</u>	
6	<u>(NBEP) certificate of authorization</u>	<u>\$750</u>
7	<u>(4) Boiler inspector's Hawaii Commission,</u>	
8	<u>Initial and renewal</u>	<u>\$75</u>
9	<u>Internal and External Inspection Fees:</u>	
10	<u>(1) Power boilers:</u>	
11	<u>Without manholes</u>	<u>\$150</u>
12	<u>With manholes but not over 3,000 square</u>	
13	<u>feet of heating surface</u>	<u>\$180</u>
14	<u>With manholes greater than or equal to</u>	
15	<u>3,000 and less than or equal to 10,000</u>	
16	<u>square feet of heating surface</u>	<u>\$260</u>
17	<u>With manholes and over 10,000 square</u>	
18	<u>feet of heating surface</u>	<u>\$450</u>
19	<u>(2) Heating boilers:</u>	
20	<u>Hot water supply</u>	<u>\$130</u>
21	<u>Steam and water heating without</u>	
22	<u>manholes</u>	<u>\$110</u>



1	<u>Steam, over 100 but not over 500 square</u>	
2	<u>feet of heating surface</u>	<u>\$140</u>
3	<u>All with manholes and steam over 500</u>	
4	<u>square feet of heating surface</u>	<u>\$170</u>
5	(3) <u>Pressure vessels:</u>	
6	<u>Routine inspections</u>	<u>\$65</u>
7	<u>Internal for air or water service</u>	<u>\$130</u>
8	<u>Ultrasonic testing</u>	<u>\$130</u>
9	(4) <u>For all other types of inspections an</u>	
10	<u>hourly fee is assessed</u>	<u>\$100</u>
11	(5) <u>Hydrostatic test</u>	<u>\$300</u>
12	(6) <u>School "specials" (non-code objects)</u>	<u>\$10</u>
13	<u>Reports and Permit Processing Fees:</u>	
14	(1) <u>Report and permit</u>	<u>\$25</u>
15	(2) <u>Permit reprint</u>	<u>\$20</u>
16	(3) <u>Signed permit card (old issue)</u>	<u>\$10</u>
17	(4) <u>Owner portal</u>	<u>\$5</u>
18	<u>SCHEDULE B: Elevator and Kindred Equipment Fees</u>	
19	<u>Installation and Alteration Permits:</u>	
20	(1) <u>Alteration involving only the</u>	
21	<u>replacement of up to two parts such as</u>	
22	<u>a valve, a jack, or a cylinder</u>	<u>\$150</u>



1	<u>(2) Alteration involving only cosmetic</u>	
2	<u>changes such as car interior</u>	
3	<u>modernizations</u>	<u>\$300</u>
4	<u>(3) Alterations of more than two parts, or</u>	
5	<u>components, and/or subsystems:</u>	
6	<u>1 - 3 floors</u>	<u>\$600</u>
7	<u>4 - 9 floors</u>	<u>\$650</u>
8	<u>10 - 19 floors</u>	<u>\$700</u>
9	<u>20 - 29 floors</u>	<u>\$750</u>
10	<u>30 - 39 floors</u>	<u>\$800</u>
11	<u>40 or more floors</u>	<u>\$900</u>
12	<u>(4) Where alterations to four or more units at the same</u>	
13	<u>location are identical, the fee for each additional</u>	
14	<u>alteration permit shall be reduced by 50 per cent.</u>	
15	<u>The applications shall be submitted at the same time</u>	
16	<u>to qualify for the fee reduction.</u>	
17	<u>(5) Installation of new elevators</u>	
18	<u>(including material lifts) and kindred</u>	
19	<u>equipment:</u>	
20	<u>Dumbwaiter</u>	<u>\$500</u>
21	<u>Escalator, moving walk, or moving ramp</u>	<u>\$500</u>
22	<u>Hand elevator, manlift, or stage lift</u>	<u>\$500</u>



1	<u>Wheelchair or stairway lifts</u>	<u>\$500</u>
2	<u>Elevator, 1 - 3 floors</u>	<u>\$600</u>
3	<u>Elevator, 4 - 9 floors</u>	<u>\$650</u>
4	<u>Elevator, 10 - 19 floors</u>	<u>\$700</u>
5	<u>Elevator, 20 - 29 floors</u>	<u>\$750</u>
6	<u>Elevator, 30 - 39 floors</u>	<u>\$800</u>
7	<u>Elevator, 40 or more floors</u>	<u>\$900</u>
8	<u>Aerial tramways</u>	<u>\$900</u>
9	<u>Personnel hoists</u>	<u>\$250</u>
10	<u>Inclined tunnel lifts</u>	<u>\$500</u>
11	<u>For elevators, such as observation or deep well</u>	
12	<u>elevators, which have considerable rise but few</u>	
13	<u>openings, each ten feet of vertical rise shall be</u>	
14	<u>considered one floor in determining installation or</u>	
15	<u>alteration permit fees.</u>	
16	<u>(6) Temporary use permits (construction</u>	
17	<u>car)</u>	<u>\$450</u>
18	<u>(7) For each valid alteration or installation permit, the</u>	
19	<u>department shall provide one inspection per unit.</u>	
20	<u>(8) The fee for each additional inspection or witnessing</u>	
21	<u>of tests, or both, shall be \$300 per day for up to two</u>	
22	<u>hours and \$600 per day for more than two hours if</u>	



1 during the normal workday. Fees for overtime hours
2 shall be \$600 per day for up to two hours and \$1,200
3 per day for more than two hours.

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

6 Inspection Fees:

7 (1) Permit renewal inspection fees:

8	<u>Amusement ride</u>	<u>\$100</u>
9	<u>Dumbwaiter</u>	<u>\$140</u>
10	<u>Escalator, moving walk or moving ramp</u>	<u>\$150</u>
11	<u>Hand elevator, manlift, or stage lift</u>	<u>\$150</u>
12	<u>Wheelchair or stairway lifts</u>	<u>\$150</u>
13	<u>Hydraulic elevator - holed</u>	<u>\$150</u>
14	<u>Hydraulic elevator - holeless</u>	<u>\$200</u>
15	<u>Traction elevator:</u>	
16	<u>1 - 3 floor rise</u>	<u>\$225</u>
17	<u>4 - 9 floor rise</u>	<u>\$250</u>
18	<u>10 - 19 floor rise</u>	<u>\$275</u>
19	<u>20 - 29 floor rise</u>	<u>\$325</u>
20	<u>30 - 39 floor rise</u>	<u>\$400</u>
21	<u>40 or more floor rise</u>	<u>\$475</u>
22	<u>Aerial tramways</u>	<u>\$400</u>



1	<u>Personnel hoists</u>	\$175
2	<u>Inclined tunnel lifts</u>	\$220
3	(2) <u>Safety, Load or Internal Test (Witness Fees):</u>	
4	<u>3-year safety test</u>	\$200
5	<u>5-year safety test</u>	\$300
6	<u>Escalator internal</u>	\$100
7	(3) <u>Permit renewal and witness fees are per inspection,</u>	
8	<u>which may constitute one day or part of the day. If</u>	
9	<u>the inspector has to return on another day or at</u>	
10	<u>another time within the same day, additional fees</u>	
11	<u>shall be assessed at the rate of \$300 per day for up</u>	
12	<u>to two hours and \$600 per day for more than two hours.</u>	
13	<u>Fees for overtime hours shall be \$600 per day for up</u>	
14	<u>to two hours and \$1,200 per day for more than two</u>	
15	<u>hours."</u>	

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

18 "(e) Civil penalties owed under this chapter shall be paid
 19 to the department and deposited into the general fund. Civil
 20 penalties owed under this chapter may be recovered in a civil
 21 action in the name of the department and the State brought in
 22 the district or circuit court for the circuit where the



1 violation is alleged to have occurred or where the owner, user,
2 contractor or vendor has the owner's, user's, contractor's, or
3 vendor's principal office."

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

10 (b) To enable the hiring and retention of quality
11 inspectors and supervisory personnel, the director shall have
12 the authority to set compensation, incentives, and other working
13 conditions that may differ from that administered by the
14 department of human resources development. The appropriate
15 collective bargaining unit shall be consulted prior to
16 implementing any changes to working conditions.

17 SECTION 5. There is appropriated out of the general
18 revenues of the State of Hawaii the sum of \$1,000,000 or so much
19 thereof as may be necessary for fiscal year 2012-2013 for start-
20 up costs to be deposited to the credit of the boiler and
21 elevator special fund.



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


3 SECTION 6. There is appropriated out of the boiler and
4 elevator special fund the sum of \$2,900,000 or so much thereof
5 as may be necessary for fiscal year 2012-2013 for the department
6 of labor and industrial relations to carry out the purposes of
7 this Act, including the hiring of necessary staff.

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

10 SECTION 7. Statutory material to be repealed is bracketed
11 and stricken. New statutory material is underscored.

12 SECTION 8. This Act shall take effect on July 1, 2012.

13

INTRODUCED BY: 



S.B. NO. 2220

Report Title:

Boiler and Elevator Safety; Boiler and Elevator Special Fund;
Appropriation

Description:

Establishes the boiler and elevator special fund to collect and deposit fees for inspections, permits, and examinations of boilers, pressure systems, elevators, and kindred equipment; provides for sufficient operating costs to carry out the purpose of the boiler and elevator safety law. Authorizes the director of labor and industrial relations to establish up to ten additional positions, including elevator and boiler inspectors. Appropriates funds for start up costs and hiring of necessary staff.

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