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# 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-       Chief boiler and pressure vessel inspector;  
5 appointment; requirements. The director shall appoint a chief  
6 boiler and pressure vessel inspector who shall represent the  
7 State as a voting member of the National Board and serve as a  
8 member of the American Society of Mechanical Engineers'  
9 conference committee."

10          SECTION 2. Section 397-3, Hawaii Revised Statutes, is  
11 amended by adding three new definitions to be appropriately  
12 inserted and to read as follows:

13          "Chief boiler inspector" means a department employee who  
14 is duly appointed by the director as the chief boiler and  
15 pressure vessel inspector.

16          "Exclusive employment" means an employment status in which  
17 an individual is employed by a single employer on a full-time or



1 part-time basis, devotes the individual's full time to  
2 fulfilling duties as an employee of the employer, and does not  
3 undertake or engage in any other employment, occupation, or  
4 business enterprise.

5 "Owner-user inspection organization" means an owner or user  
6 of a pressure retaining item, whose organization and inspection  
7 procedures meet the requirements of the National Board and are  
8 approved by the director."

9 SECTION 3. Section 397-6, Hawaii Revised Statutes, is  
10 amended by amending subsection (a) to read as follows:

11 "(a) All safety inspections required under this chapter of  
12 pressure retaining items shall be performed by deputy boiler  
13 inspectors in the employ of the department who are qualified  
14 boiler inspectors [~~and, when authorized by~~]; provided that the  
15 director[~~r~~] may authorize the safety inspections to be performed  
16 by [~~special~~]:

17 (1) Special inspectors, who are qualified boiler  
18 inspectors in the [~~employ~~] exclusive employment of  
19 insurance companies insuring pressure retaining items  
20 in this State[~~r~~]; or



1        (2) Owner-user inspectors, who are qualified boiler  
2        inspectors in the exclusive employment of an  
3        owner-user inspection organization."

4        SECTION 4. Section 397-13, Hawaii Revised Statutes, is  
5 amended by amending subsection (d) to read as follows:

6        "(d) No later than [~~ten~~] thirteen years from the date of  
7 the establishment of the revolving fund, the director shall  
8 reimburse the general fund for the amount of any initial  
9 appropriation that was made by the general revenues of the State  
10 to the revolving fund."

11        SECTION 5. Statutory material to be repealed is bracketed  
12 and stricken. New statutory material is underscored.

13        SECTION 6. This Act shall take effect upon its approval.



**Report Title:**

Director of Labor and Industrial Relations; Boiler and Elevator Safety Law

**Description:**

Requires the Director of Labor and Industrial Relations to appoint a Chief Boiler and Pressure Vessel Inspector. Allows the Director of Labor and Industrial Relations to authorize qualified boiler inspectors who are in the exclusive employment of an owner-user inspection organization to perform safety inspections of pressure retaining items. Extends the time by which the Director of Labor and Industrial Relations is required to reimburse the general fund for the initial appropriation made to the Boiler and Elevator Revolving Fund from 10 to 13 years from the date that the fund was established. (SD2)

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

