

Original sponsor: Rules/Governor

Offered: 4/28/81  
Referred: State Affairs

1 IN THE HOUSE

BY THE LABOR AND  
COMMERCE COMMITTEE

2 SENATE CS FOR HOUSE BILL NO. 115 (L&C)  
3 IN THE LEGISLATURE OF THE STATE OF ALASKA  
4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to boilers and pressure vessels."

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

8 \* Section 1. AS 18.60.210 is repealed and reenacted to read:

9 Sec. 18.60.210. EXEMPTIONS. (a) AS 18.60.180 - 18.60.390 do not  
10 apply to the following:

11 (1) boilers and unfired pressure vessels under federal  
12 regulation;

13 (2) unfired pressure vessels meeting the requirements of the  
14 Department of Transportation and Public Facilities for shipment of  
15 liquids or gases under pressure;

16 (3) air tanks located on vehicles operating under the rules  
17 of another state authority and used for carrying passengers or freight;

18 (4) air tanks installed on the right-of-way of railroads and  
19 used directly in the operation of trains;

20 (5) unfired pressure vessels having a volume of five cubic  
21 feet or less or vessels having an inside diameter not exceeding six  
22 inches;

23 (6) unfired pressure vessels designed for a pressure not  
24 exceeding 15 pounds per square inch when not located in a place of  
25 public assembly;

26 (7) manually fired miniature boilers for model locomotive,  
27 boat, tractor, or stationary engines constructed or maintained as a  
28 hobby for exhibition use, having a volume less than five cubic feet and  
29 grate area less than two square feet and equipped with an American

1 Society of Mechanical Engineers coded safety valve of adequate capacity  
2 and size, a water level indicator and pressure gauge;

3 (8) Except as provided in (c) of this section, antique  
4 manually fired boilers of locomotive, boat, tractor, or stationary  
5 engines constructed or maintained as a hobby and equipped with an  
6 American Society of Mechanical Engineers coded safety valve of adequate  
7 capacity and size.

8 (b) The following boilers and unfired pressure vessels are exempt  
9 from the requirements of AS 18.60.320 - 18.60.360:

10 (1) boilers and unfired pressure vessels located on farms  
11 and used solely for agricultural purposes;

12 (2) steam and hot water heating boilers, used exclusively  
13 for heating purposes, which are located in private residences or in  
14 apartment houses of less than six families;

15 (3) unfired pressure vessels containing only cold water  
16 under pressure for domestic supply purposes, including those containing  
17 air, the compression of which serves only as a cushion or airlift  
18 pumping system;

19 (4) unfired pressure vessels containing liquified petroleum  
20 gas;

21 (5) unfired pressure vessels operating entirely full of  
22 water, and hot water supply boilers or domestic water heaters, if none  
23 of the following limitations is exceeded:

24 (A) a heat input of 200,000 British thermal units per  
25 hour (57,143 watts);

26 (B) a water temperature of 210 degrees Fahrenheit (99  
27 degrees centigrade);

28 (C) a maximum water-containing capacity of 120 gallons  
29 (454.2 liters);

1 (6) coil type boilers unless the water-containing capacity  
2 is six gallons (22.8 liters) or greater, the water temperature exceeds  
3 350 degrees Fahrenheit (176.5 degrees centigrade), steam is generated  
4 in the coil, or the diameter of the tubing is greater than three-  
5 quarters of an inch (18.75 millimeters).

6 (c) Notwithstanding (a)(8) of this section, an antique manually  
7 fired boiler may not be used for exhibition purposes without a special  
8 operating permit issued by the Department of Labor.

9 \* Sec. 2. AS 18.60.230 is amended to read:

10 Sec. 18.60.230. APPOINTMENT OF DEPUTY INSPECTORS. The Department  
11 of Labor shall employ deputy inspectors who [HAVE HAD NOT LESS THAN  
12 FIVE YEARS' PRACTICAL EXPERIENCE IN THE CONSTRUCTION, MAINTENANCE,  
13 REPAIR, OR OPERATION OF HIGH PRESSURE BOILERS AND UNFIRED PRESSURE  
14 VESSELS AS A MECHANICAL ENGINEER, STEAM ENGINEER, BOILERMAKER, OR  
15 BOILER INSPECTOR, AND WHO] have passed the examination provided for in  
16 AS 18.60.290.

17 \* Sec. 3. AS 18.60.240 is amended to read:

18 Sec. 18.60.240. APPOINTMENT AND QUALIFICATIONS OF SPECIAL INSPEC-  
19 TORS. In addition to the deputy boiler inspectors provided for in  
20 AS 18.60.230, the Department of Labor shall, upon the request of a  
21 company authorized by the Department of Commerce and Economic Develop-  
22 ment under AS 21.09 to insure against loss from explosion of boilers  
23 and unfired pressure vessels as described in AS 21.12.070(a)(7), or  
24 upon the request of a company operating unfired pressure vessels, issue  
25 to an inspector of the company a state commission as a special inspec-  
26 tor. However, to be eligible for a commission as special inspector, a  
27 person must have passed [SHALL SATISFACTORILY PASS] the examination  
28 provided for in AS 18.60.290, [OR INSTEAD OF THE EXAMINATION MAY HOLD A  
29 CERTIFICATE OF COMPETENCY AS AN INSPECTOR OF BOILERS AND UNFIRED PRES-

1 SURE VESSELS FOR A STATE THAT HAS A STANDARD OF EXAMINATION SUBSTAN-  
2 Tially EQUAL TO THAT OF THIS STATE,) or [MAY] hold a certificate as an  
3 inspector of boilers from the National Board of Boiler and Pressure  
4 Vessel Inspectors. [A COMMISSION AS A SPECIAL INSPECTOR FOR A COMPANY  
5 OPERATING UNFIRED PRESSURE VESSELS IN THIS STATE MAY BE ISSUED IF, IN  
6 ADDITION TO MEETING THE REQUIREMENTS IN THIS SECTION, A PERSON IS  
7 CONTINUOUSLY EMPLOYED BY THE COMPANY FOR THE PURPOSE OF MAKING INSPEC-  
8 TIONS OF UNFIRED PRESSURE VESSELS USED OR TO BE USED BY THE COMPANY.]

9 \* Sec. 4. AS 18.60.270 is amended to read:

10 Sec. 18.60.270. REPORT OF INSPECTION. (a) Each company em-  
11 ploying a special inspector shall, within 30 days following each in-  
12 spection for certification as required by AS 18.60.390 for a boiler or  
13 unfired pressure vessel [INTERNAL BOILER OR UNFIRED PRESSURE VESSEL  
14 INSPECTION BY ITS INSPECTOR], file a report of the inspection with the  
15 Department of Labor upon forms adopted by the department [AMERICAN  
16 SOCIETY OF MECHANICAL ENGINEERS. THE REPORT OF AN EXTERNAL INSPECTION  
17 IS NOT REQUIRED EXCEPT WHEN SUCH INSPECTOR DISCLOSES THAT THE BOILER OR  
18 UNFIRED PRESSURE VESSEL IS IN A DANGEROUS CONDITION].

19 (b) In addition, a special inspector shall file with the depart-  
20 ment a report of an inspection which discloses a condition dangerous  
21 to life or property in a boiler or unfired pressure vessel.

22 \* Sec. 5. AS 18.60.290 is amended to read:

23 Sec. 18.60.290. EXAMINATION FOR DEPUTY AND SPECIAL INSPECTORS.  
24 The Department of Labor shall give the examination for the position of  
25 deputy inspector or special inspector using the standard National  
26 Board of Boiler and Pressure Vessel Inspectors examination. The exam-  
27 ination shall be in writing. [THE EXAMINATION SHALL BE LIMITED TO  
28 THE SUBJECT MATTER WHICH WILL AID IN DETERMINING THE FITNESS AND  
29 COMPETENCY OF THE APPLICANT.] If an applicant fails to pass the

1 examination, he may appeal to the department for another examination  
2 which shall be given by the department within the next calendar quarter  
3 [90 DAYS]. The applicant and his employer shall have access to the  
4 record of an applicant's examination.

5 \* Sec. 6. AS 18.60.300 is amended to read:

6 Sec. 18.60.300. REVOCATION OR SUSPENSION OF STATE COMMISSION.

7 (a) The Department of Labor may, after investigation, suspend or  
8 revoke a commission for (1) incompetence, (2) conviction of the crime  
9 of bribery (AS 11.56.100), receiving a bribe (AS 11.56.110), or perjury  
10 (AS 11.56.200), in connection with work as a special or deputy inspec-  
11 tor [UNTRUSTWORTHINESS], or (3) intentional [WILFUL] falsification of  
12 any material matter or statement in the [HIS] application or in an  
13 inspection report or in an administrative or judicial proceeding relat-  
14 ing to the enforcement of AS 18.60.180 - 18.60.395. A person whose  
15 commission has been suspended or revoked [, EXCEPT FOR UNTRUSTWORTHI-  
16 NESS,] may apply to the Department of Labor for reinstatement. The  
17 department may refuse to reinstate a commission for a person whose  
18 license was suspended or revoked [OR, IN THE CASE OF A REVOCATION, THE  
19 PERSON MAY APPLY 90 DAYS AFTER REVOCATION FOR A NEW EXAMINATION AND  
20 COMMISSION].

21 (b) A person whose commission has been suspended or revoked, or  
22 whose application for reinstatement has been denied, may appeal the  
23 suspension, [OR] revocation, or denial as provided in AS 18.60.370 and  
24 is entitled to be present and represented by counsel at the hearing.

25 \* Sec. 7. AS 18.60.320 is amended to read:

26 Sec. 18.60.320. INSPECTION OF BOILERS AND UNFIRED PRESSURE VES-  
27 SELS. (a) Each boiler and unfired pressure vessel used or proposed to  
28 be used in the state except boilers or unfired pressure vessels exempt  
29 under AS 18.60.210 shall be inspected as to construction, installation,

1 condition and operation, as follows: [.]

2 (1) Power boilers and high pressure or high temperature  
3 water boilers must be given a certificate inspection annually. The  
4 inspector may conduct an external inspection while the boiler is under  
5 pressure or an internal inspection if warranted [EACH POWER BOILER  
6 SHALL BE INSPECTED ANNUALLY BOTH INTERNALLY AND EXTERNALLY WHILE NOT  
7 UNDER PRESSURE AND, IF POSSIBLE, SHALL ALSO BE INSPECTED ANNUALLY  
8 EXTERNALLY WHILE UNDER PRESSURE].

9 (2) Low pressure steam or vapor heating boilers must be  
10 given a certificate inspection biennially with an internal inspection  
11 every four years if its construction permits such an inspection [EACH  
12 LOW PRESSURE HEATING BOILER SHALL BE INSPECTED BOTH INTERNALLY AND  
13 EXTERNALLY BIENNIALLY WHERE CONSTRUCTION PERMITS].

14 (3) Hot water heating, hot water supply, and coil heating  
15 boilers must be given a certificate inspection biennially with an in-  
16 ternal inspection at the discretion of the inspector [EACH UNFIRED  
17 PRESSURE VESSEL SUBJECT TO INTERNAL CORROSION SHALL BE INSPECTED BOTH  
18 INTERNALLY AND EXTERNALLY BIENNIALLY WHERE CONSTRUCTION PERMITS, EXCEPT  
19 THAT THE DEPARTMENT OF LABOR MAY, IN ITS DISCRETION, PROVIDE FOR LONGER  
20 PERIODS BETWEEN INSPECTIONS].

21 (4) Each unfired pressure vessel must [NOT SUBJECT TO IN-  
22 TERNAL CORROSION SHALL] be inspected internally and externally at  
23 intervals set by the Department of Labor. An [HOWEVER, AN] internal  
24 inspection of an [EACH] unfired pressure vessel is not required if  
25 [WHERE] its contents are known to be noncorrosive to the material of  
26 which the shell, head, or fittings are constructed, either from the  
27 chemical composition of the contents or from evidence that the contents  
28 are adequately treated with a corrosion inhibitor, and if [PROVIDED  
29 THAT] the vessel is constructed in accordance with

1 (A) [RULES AND] regulations of the Department of Labor,  
2 if any, [OR IN ACCORDANCE WITH STANDARDS SUBSTANTIALLY EQUIVALENT  
3 TO THE RULES AND REGULATIONS] in effect at the time of manufac-  
4 ture;

5 (B) standards set out in the American Society of  
6 Mechanical Engineers Boiler and Pressure Vessel Code in effect at  
7 the time of manufacture up to the effective date of this Act; or

8 (C) if the department adopts subsequent revisions of  
9 that code, the standards set out in those revisions as adopted  
10 by the department and in effect at the time of manufacture.

11 (b) A grace period of two months beyond periods specified in  
12 (a)(1), (2), (3), and (4) of this section may elapse between certifi-  
13 cate inspections [HOWEVER, IN THE CASE OF POWER BOILERS A GRACE PERIOD  
14 OF TWO MONTHS LONGER THAN THE 12 MONTH PERIOD MAY ELAPSE BETWEEN IN-  
15 TERNAL INSPECTIONS OF A BOILER WHILE NOT UNDER PRESSURE OR BETWEEN  
16 EXTERNAL INSPECTIONS OF A BOILER WHILE UNDER PRESSURE. IN THE CASE OF  
17 LOW PRESSURE HEATING BOILERS NOT MORE THAN 26 MONTHS MAY ELAPSE BETWEEN  
18 INSPECTIONS, AND IN THE CASE OF UNFIRED PRESSURE VESSELS NOT MORE THAN  
19 TWO MONTHS LONGER THAN THE PERIOD BETWEEN INSPECTIONS PRESCRIBED BY THE  
20 DEPARTMENT OF LABOR MAY ELAPSE BETWEEN INTERNAL INSPECTIONS].

21 \* Sec. 8. AS 18.60.330 is repealed and reenacted to read:

22 Sec. 18.60.330. RULES OF INSPECTION. (a) Each inspection under  
23 AS 18.60.320 must be made by a deputy inspector, or by a special inspec-  
24 tor provided for in AS 18.60.230 - 18.60.240.

25 (b) Each boiler and unfired pressure vessel installed in the  
26 state must be inspected during installation by an inspector as required  
27 by regulations adopted by the department.

28 \* Sec. 9. AS 18.60.340(a) is amended to read:

29 (a) If, upon inspection, a boiler or an unfired pressure vessel

1 complies with the [RULES AND] regulations of the Department of Labor,  
2 the owner or user shall pay to the department [DEPUTY INSPECTOR] a  
3 certificate fee to be established by regulation by the commissioner of  
4 labor. The Department of Labor shall issue the owner or user an inspec-  
5 tion certificate showing the date of inspection and specifying the  
6 maximum pressure under which the boiler or unfired pressure vessel may  
7 be operated. [THE INSPECTION CERTIFICATE IS VALID FOR NOT MORE THAN 14  
8 MONTHS FROM ITS DATE IN THE CASE OF POWER BOILERS AND 26 MONTHS IN THE  
9 CASE OF LOW PRESSURE HEATING BOILERS, AND FOR NOT MORE THAN TWO MONTHS  
10 LONGER THAN THE AUTHORIZED INSPECTION PERIOD IN THE CASE OF UNFIRED  
11 PRESSURE VESSELS.] Certificates must [SHALL] be posted under glass in  
12 the room containing the boiler or unfired pressure vessel inspected.  
13 If the boiler or unfired pressure vessel is not located inside the  
14 building, the certificate must [SHALL] be posted in a location con-  
15 venient to the boiler or unfired pressure vessel, or in the case of a  
16 portable boiler or unfired pressure vessel the certificate must [SHALL]  
17 be kept in a metal container fastened to the boiler or vessel or in a  
18 tool box accompanying the boiler or unfired pressure vessel.

19 \* Sec. 10. AS 18.60.340(b) is repealed and reenacted to read:

20 (b) A company authorized by the Department of Commerce and Eco-  
21 nomic Development under AS 21.09 to insure boilers or unfired pressure  
22 vessels shall notify the Department of Labor each time it discontinues  
23 the insurance for a boiler or unfired pressure vessel located in the  
24 state. The department shall terminate the inspection certificate and  
25 require a reinspection if the insurance was terminated because of a  
26 condition dangerous to life or property.

27 \* Sec. 11. AS 18.60.360(b) is amended to read:

28 (b) The owner or user of a boiler or unfired pressure vessel  
29 which is inspected by a deputy inspector shall pay the department

1 [DEPUTY INSPECTOR], upon completion of the inspection, the appropriate  
2 inspection fee established under (a) of this section.

3 \* Sec. 12. AS 18.60.395(b)(2) is amended to read:

4 (2) third class -- boiler capacity not to exceed 3,500  
5 pounds of steam an hour or 3,500,000 British thermal units per hour for  
6 high temperature or high pressure water boilers.

7 \* Sec. 13. AS 18.60.395(b)(3) is amended to read:

8 (3) second class -- boiler capacity not to exceed 100,000  
9 pounds of steam an hour or 100,000,000 British thermal units per hour  
10 for high temperature or high pressure water boilers.

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