
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) Moneys in the special fund shall be used for operating
10 costs to carry out the purposes of this chapter. Funds may be
11 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 the safe installation and use of 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~~
13 ~~or regulation~~] rules of the department [~~promulgated~~] adopted
14 pursuant to this 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
20 inspected by this chapter or by any [~~rule or~~
21 ~~regulation~~] rules of the 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~~] rules of the
4 department.

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

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

12 (1) SCHEDULE A: Boiler and Pressure System Fees

13 (A) Installation, repair, and alteration permit fees:

14 (i) Power boilers (shall pass a hydrostatic test
15 unless indicated otherwise):

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

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

20 Greater than or equal to five hundred
21 and less than or equal to three thousand

22 square feet of heating surface \$400



1	<u>Greater than three thousand square feet</u>	
2	<u>of heating surface</u>	<u>\$750</u>
3	(ii) <u>Heating boiler</u>	<u>\$190</u>
4	<u>Retrofit</u>	<u>\$160</u>
5	(iii) <u>Pressure vessel</u>	<u>\$175</u>
6	<u>Retrofit</u>	<u>\$130</u>
7	(iv) <u>Sterilizers and steam kettles</u>	<u>\$150</u>
8	<u>Retrofit</u>	<u>\$110</u>
9	(v) <u>Repair application fee</u>	<u>\$200</u>
10	(vi) <u>Alteration application fee</u>	<u>\$500</u>
11	(B) <u>Examination and license fees:</u>	
12	(i) <u>Boiler inspectors certificate of</u>	
13	<u>competency examination fee</u>	<u>\$300</u>
14	(ii) <u>Review of shops and facilities for the</u>	
15	<u>issuance of National Board or ASME</u>	
16	<u>certificates of authorization</u>	<u>\$1,500</u>
17	(iii) <u>Review of shops and facilities for the</u>	
18	<u>issuance of Non-Boiler External</u>	
19	<u>Piping (NBEP) certificate of</u>	
20	<u>authorization</u>	<u>\$750</u>



1	(iv) <u>Boiler inspector's Hawaii commission,</u>	
2	<u>initial and renewal</u>	<u>\$75.</u>
3	(C) <u>Internal and external inspection fees:</u>	
4	(i) <u>Power boilers:</u>	
5	<u>Without manholes</u>	<u>\$150</u>
6	<u>With manholes but not over</u>	
7	<u>three thousand square feet of</u>	
8	<u>heating surface</u>	<u>\$180</u>
9	<u>With manholes between three thousand</u>	
10	<u>and ten thousand square feet of</u>	
11	<u>heating surface</u>	<u>\$260</u>
12	<u>With manholes and over ten thousand</u>	
13	<u>square feet of heating surface</u>	<u>\$450</u>
14	(ii) <u>Heating boilers:</u>	
15	<u>Hot water supply</u>	<u>\$130</u>
16	<u>Steam and water heating</u>	
17	<u>without manholes</u>	<u>\$110</u>
18	<u>Steam, over one hundred but not</u>	
19	<u>over five hundred square feet of</u>	
20	<u>heating surface</u>	<u>\$140</u>



1	<u>All with manholes and steam over</u>	
2	<u>five hundred square feet</u>	
3	<u>of heating surface</u>	<u>\$170</u>
4	(iii) <u>Pressure vessels:</u>	
5	<u>Routine inspections</u>	<u>\$65</u>
6	<u>Internal for air or water service</u>	<u>\$130</u>
7	<u>Ultrasonic testing</u>	<u>\$130</u>
8	(iv) <u>For all other types of inspections</u>	
9	<u>an hourly fee is assessed</u>	<u>\$100</u>
10	(v) <u>Hydrostatic test</u>	<u>\$300</u>
11	(vi) <u>School "specials" (non-code objects)</u>	<u>\$10</u>
12	(D) <u>Reports and permit processing fees:</u>	
13	(i) <u>Report and permit</u>	<u>\$25</u>
14	(ii) <u>Permit reprint</u>	<u>\$20</u>
15	(iii) <u>Signed permit card (old issue)</u>	<u>\$10</u>
16	(iv) <u>Owner portal</u>	<u>\$5</u>
17	(2) <u>SCHEDULE B: Elevator and kindred equipment fees</u>	
18	(A) <u>Installation and alteration permits:</u>	
19	(i) <u>Alteration involving only the replacement</u>	
20	<u>of up to two parts such as a valve, a jack,</u>	
21	<u>or a cylinder</u>	<u>\$150</u>



1 (ii) Alteration involving only cosmetic changes
2 such as car interior modernizations \$300

3 (iii) Alterations of more than two parts, or
4 components or subsystems or both:

5	<u>1-3 floors</u>	<u>\$600</u>
6	<u>4-9 floors</u>	<u>\$650</u>
7	<u>10-19 floors</u>	<u>\$700</u>
8	<u>20-29 floors</u>	<u>\$750</u>
9	<u>30-39 floors</u>	<u>\$800</u>
10	<u>40 or more floors</u>	<u>\$900</u>

11 (iv) Where alterations to four or more units at
12 the same location are identical, the fee for
13 each additional alteration permit shall be
14 reduced by fifty per cent. The applications
15 shall be submitted at the same time to
16 qualify for the fee reduction.

17 (v) Installation of new elevators (including
18 material lifts) and kindred equipment:

19	<u>Dumbwaiter</u>	<u>\$500</u>
20	<u>Escalator, moving walk,</u>	
21	<u>or moving ramp</u>	<u>\$500</u>



1	<u>Hand elevator, manlift,</u>	
2	<u>or stage lift</u>	<u>\$500</u>
3	<u>Wheelchair or stairway lifts</u>	<u>\$500</u>
4	<u>Elevator, 1-3 floors</u>	<u>\$600</u>
5	<u>Elevator, 4-9 floors</u>	<u>\$650</u>
6	<u>Elevator, 10-19 floors</u>	<u>\$700</u>
7	<u>Elevator, 20-29 floors</u>	<u>\$750</u>
8	<u>Elevator, 30-39 floors</u>	<u>\$800</u>
9	<u>Elevator, 40 or more floors</u>	<u>\$900</u>
10	<u>Aerial tramways</u>	<u>\$900</u>
11	<u>Personnel hoists</u>	<u>\$250</u>
12	<u>Inclined tunnel lifts</u>	<u>\$500</u>
13	<u>For elevators, such as observation or deep</u>	
14	<u>well elevators, that have considerable rise</u>	
15	<u>but few openings, each ten feet of vertical</u>	
16	<u>rise shall be considered one floor in</u>	
17	<u>determining installation or alteration</u>	
18	<u>permit fees.</u>	
19	(vi) <u>Temporary use permits</u>	
20	<u>(construction car)</u>	<u>\$450</u>



1 (vii) For each valid alteration or installation
2 permit, the department shall provide one
3 inspection per unit.

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

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

14 (B) Inspection Fees:

- 15 (i) Permit renewal inspection fees:
- | | |
|--|--------------|
| 16 <u>Dumbwaiter</u> | <u>\$140</u> |
| 17 <u>Escalator, moving walk or</u> | |
| 18 <u>moving ramp</u> | <u>\$150</u> |
| 19 <u>Hand elevator, manlift,</u> | |
| 20 <u>or stage lift</u> | <u>\$150</u> |
| 21 <u>Wheelchair or stairway lifts</u> | <u>\$150</u> |
| 22 <u>Hydraulic elevator - holed</u> | <u>\$150</u> |



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



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

5 (3) SCHEDULE C: Amusement Ride Fees

6 (A) Inspection Fees:

7 (i) Permit renewal inspection fees:

8 Amusement ride \$100

9 (ii) Permit renewal fees are per inspection,
10 which may constitute one day or part of the
11 day. If the inspector has to return on
12 another day or at another time within the
13 same day, additional fees shall be assessed
14 at the rate of \$300 per day for up to two
15 hours and \$600 per day for more than two
16 hours. Fees for overtime hours shall be
17 \$600 per day for up to two hours and \$1,200
18 per day for more than two hours."

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

21 "(e) Civil penalties owed under this chapter shall be paid
22 [~~to the department~~] into the general fund of the State and may



1 be recovered in a civil action in the name of the department and
2 the State brought in the district or circuit court for the
3 circuit where the violation is alleged to have occurred or where
4 the owner, user, contractor, or vendor has the owner's, user's,
5 contractor's, or vendor's principal office."

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

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



1 SECTION 6. There is appropriated out of the general
 2 revenues of the State of Hawaii the sum of \$ or so much
 3 thereof as may be necessary for fiscal year 2012-2013 for start
 4 up funds to be deposited to the credit of the boiler and
 5 elevator special fund; provided that the \$ in general
 6 revenues shall be paid back and deposited into the general fund
 7 by the department of labor and industrial relations within five
 8 years of the effective date of this Act.

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

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

15 SECTION 8. Statutory material to be repealed is bracketed
 16 and stricken. New statutory material is underscored.

17 SECTION 9. This Act shall take effect on July 1, 2030.



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 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 on July 1, 2030. (SB2220 HD2)

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