



GOV. MSG. NO. 1205

EXECUTIVE CHAMBERS  
HONOLULU

NEIL ABERCROMBIE  
GOVERNOR

June 01, 2012

The Honorable Shan Tsutsui, President  
and Members of the Senate  
Twenty-Sixth State Legislature  
State Capitol, Room 409  
Honolulu, Hawaii 96813

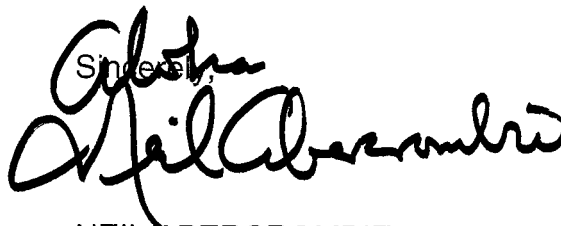
The Honorable Calvin Say, Speaker  
and Members of the House  
Twenty-Sixth State Legislature  
State Capitol, Room 431  
Honolulu, Hawaii 96813

Dear President Tsutsui, Speaker Say and Members of the Legislature:

This is to inform you that on June 01, 2012, the following bill was signed into law:

SB2220 SD1 HD2 CD1

RELATING TO THE BOILER AND ELEVATOR  
SAFETY LAW.  
**Act 103 (12)**

Sincerely,  


NEIL ABERCROMBIE  
Governor, State of Hawaii

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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-     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 any  
8 appropriation from the legislature. All interest and investment  
9 moneys earned on any moneys in the special fund shall become  
10 part of the 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 as required by this  
7       section.

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

12      (d) No later than five years from the date of the  
13      establishment of the special fund, the director shall reimburse  
14      the general fund for the amount of any initial appropriation  
15      that was made by the general revenues of the State to the  
16      special fund."

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

19      "**§397-5 Fees.** (a) The director may prescribe reasonable  
20      fees to be charged for inspection, examination, other services  
21      rendered and for permits, certificates, or licenses, the  
22      issuance of which are required by this chapter or by any [rule



1 ~~or regulation]~~ rules of the department [~~promulgated]~~ adopted  
2 pursuant to this chapter, and for:

3 (1) [~~Inspection]~~ Inspections by the department of any  
4 boiler, pressure system, amusement ride, and elevator  
5 and kindred equipment for which a permit or  
6 certificate is required for its installation,  
7 operation, or use, and which is required to be  
8 inspected by this chapter or by any [~~rule or~~  
9 ~~regulation]~~ rules of the department; and

10 (2) Examination of any person applying for permits,  
11 certificates, or licenses as required by this chapter  
12 or by any [~~rule or regulation]~~ rules of the  
13 department.

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

17 (c) Effective July 1, 2012, the fees for inspections,  
18 permits, and examinations of boilers, pressure systems,  
19 elevators, kindred equipment, and amusement rides shall be as  
20 prescribed by the schedules in this section; provided that the  
21 director may adopt rules pursuant to chapter 91 to amend the  
22 fees specified in this section.





1	(1) <u>Boiler inspectors certificate of</u>	
2	<u>competency examination fee</u>	<u>\$300</u>
3	(2) <u>Review of shops and facilities for the</u>	
4	<u>issuance of National Board or American</u>	
5	<u>Society of Mechanical Engineers</u>	
6	<u>certificate of authorization</u>	<u>\$1,500</u>
7	(3) <u>Review of shops and facilities for the</u>	
8	<u>issuance of Non-Boiler External Piping</u>	
9	<u>certificate of authorization</u>	<u>\$750</u>
10	(4) <u>Boiler inspector's Hawaii commission,</u>	
11	<u>initial and renewal</u>	<u>\$75</u>
12	<u>Internal and External Inspection Fees:</u>	
13	(1) <u>Power boilers:</u>	
14	<u>Without manholes</u>	<u>\$150</u>
15	<u>With manholes but less than or equal to</u>	
16	<u>3,000 square feet of heating surface</u>	<u>\$180</u>
17	<u>With manholes greater than 3,000 and</u>	
18	<u>less than or equal to 10,000 square</u>	
19	<u>feet of heating surface</u>	<u>\$260</u>
20	<u>With manholes and over 10,000 square</u>	
21	<u>feet of heating surface</u>	<u>\$450</u>
22	(2) <u>Heating boilers:</u>	



1	<u>Hot water supply</u>	<u>\$130</u>
2	<u>Steam and water heating without</u>	
3	<u>manholes</u>	<u>\$110</u>
4	<u>Steam, over 100 square feet but not</u>	
5	<u>over 500 square feet of heating surface</u>	<u>\$140</u>
6	<u>All with manholes and steam over 500</u>	
7	<u>square feet of heating surface</u>	<u>\$170</u>
8	(3) <u>Pressure vessels:</u>	
9	<u>Routine inspections</u>	<u>\$65</u>
10	<u>Internal for air or water service</u>	<u>\$130</u>
11	<u>Ultrasonic testing</u>	<u>\$130</u>
12	(4) <u>For all other types of inspections an</u>	
13	<u>hourly fee is assessed</u>	<u>\$100</u>
14	(5) <u>Hydrostatic test</u>	<u>\$300</u>
15	(6) <u>School "specials" (non-code objects)</u>	<u>\$10</u>
16	<u>Reports and Permit Processing Fees:</u>	
17	(1) <u>Report and permit</u>	<u>\$25</u>
18	(2) <u>Permit reprint</u>	<u>\$20</u>
19	(3) <u>Signed permit card (old issue)</u>	<u>\$10</u>
20	(4) <u>Owner portal</u>	<u>\$5</u>
21	<u>SCHEDULE B: Elevator and Kindred Equipment Fees</u>	
22	<u>Installation and Alteration Permits:</u>	



- 1        (1) Alteration involving only the
- 2                replacement of up to two parts (such as
- 3                a valve, a jack, or a cylinder)                        \$150
  
- 4        (2) Alteration involving only cosmetic
- 5                changes (such as car interior
- 6                modernizations)    \$300
  
- 7        (3) Alterations of more than two parts, or
- 8                components, and/or subsystems:
  
- 9                1 - 3 floors    \$600
- 10               4 - 9 floors    \$650
- 11               10 - 19 floors     \$700
- 12               20 - 29 floors     \$750
- 13               30 - 39 floors     \$800
- 14               40 or more floors     \$900
  
- 15        (4) Where alterations to four or more units at the same
- 16               location are identical, the fee for each additional
- 17               alteration permit shall be reduced by fifty per cent.
- 18               The applications shall be submitted at the same time
- 19               to qualify for the fee reduction.
  
- 20        (5) Installation of new elevators
- 21               (including material lifts) and kindred
- 22               equipment:





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



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

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

9       Inspection Fees:

10      (1) Permit renewal inspection fees:

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



1	<u>40 or more floor rise</u>	<u>\$475</u>
2	<u>Aerial tramways</u>	<u>\$400</u>
3	<u>Personnel hoists</u>	<u>\$175</u>
4	<u>Inclined tunnel lifts</u>	<u>\$220</u>
5	(2) <u>Safety, load or internal test (witness fees):</u>	
6	<u>3-year safety test</u>	<u>\$200</u>
7	<u>5-year safety test</u>	<u>\$300</u>
8	<u>Escalator internal</u>	<u>\$100</u>
9	(3) <u>Permit renewal and witness fees are per inspection,</u>	
10	<u>which may constitute one day or part of the day. If</u>	
11	<u>the inspector is required to return on another day or</u>	
12	<u>at another time on the same day, additional fees shall</u>	
13	<u>be assessed at the rate of \$300 per day for up to two</u>	
14	<u>hours and \$600 per day for more than two hours. Fees</u>	
15	<u>for overtime hours shall be \$600 per day for up to two</u>	
16	<u>hours and \$1,200 per day for more than two hours.</u>	

SCHEDULE C: Amusement Ride Fees

Inspection Fees:

18	(1) <u>Permit renewal inspection fees:</u>	
19	<u>Amusement ride</u>	<u>\$100</u>
20	(2) <u>Permit renewal fees are per inspection, which may</u>	
21	<u>constitute one day or part of the day. If the</u>	
22		



1 inspector has to return on another day or at another  
2 time within the same day, additional fees shall be  
3 assessed at the rate of \$300 per day for up to two  
4 hours and \$600 per day for more than two hours. Fees  
5 for overtime hours shall be \$600 per day for up to two  
6 hours and \$1,200 per day for more than two hours."

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

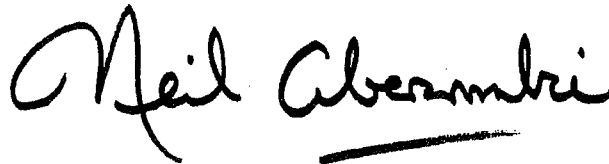
9 "(e) Civil penalties owed under this chapter shall be paid  
10 to the department and deposited into the general fund. Civil  
11 penalties owed under this chapter may be recovered in a civil  
12 action in the name of the department and the State brought in  
13 the district or circuit court for the circuit where the  
14 violation is alleged to have occurred or where the owner, user,  
15 contractor, or vendor has the owner's, user's, contractor's, or  
16 vendor's principal office."

17 SECTION 4. 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 funds to be deposited to the credit of the boiler and  
21 elevator special fund.



1 SECTION 5. Statutory material to be repealed is bracketed  
2 and stricken. New statutory material is underscored.  
3 SECTION 6. This Act shall take effect on July 1, 2012.

APPROVED this 1 day of JUN, 2012



GOVERNOR OF THE STATE OF HAWAII