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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; 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 or  
13       regulation of the department adopted or promulgated pursuant to  
14       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 regulation  
21       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 of the department.

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

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

11 SCHEDULE A: Boiler and Pressure System Fees

12 Installation, Repair, and Alteration Permit Fees:

13 (1) Power boilers shall pass a hydrostatic test unless  
14 indicated otherwise:

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

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

19 Greater than or equal to five hundred  
20 and less than or equal to three thousand  
21 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	(2) <u>Heating boiler</u>	<u>\$190</u>
4	<u>Retrofit</u>	<u>\$160</u>
5	(3) <u>Pressure vessel</u>	<u>\$175</u>
6	<u>Retrofit</u>	<u>\$130</u>
7	(4) <u>Sterilizers and steam kettles</u>	<u>\$150</u>
8	<u>Retrofit</u>	<u>\$110</u>
9	(5) <u>Repair application fee</u>	<u>\$200</u>
10	(6) <u>Alteration application fee</u>	<u>\$500</u>
11	<u>Examination and License Fees:</u>	
12	(1) <u>Boiler inspectors certificate of competency</u>	
13	<u>examination fee</u>	<u>\$300</u>
14	(2) <u>Review of shops and facilities for the issuance</u>	
15	<u>of National Board or ASME certificates of</u>	
16	<u>authorization</u>	<u>\$1,500</u>
17	(3) <u>Review of shops and facilities for the issuance</u>	
18	<u>of Non-Boiler External Piping (NBEP) certificate of</u>	
19	<u>authorization</u>	<u>\$750</u>
20	(4) <u>Boiler inspector's Hawaii Commission,</u>	
21	<u>Initial and renewal</u>	<u>\$75</u>



1	<u>Internal and External Inspection Fees:</u>	
2	<u>(1) Power boilers:</u>	
3	<u>Without manholes</u>	<u>\$150</u>
4	<u>With manholes but not over three thousand</u>	
5	<u>square feet of heating surface</u>	<u>\$180</u>
6	<u>With manholes between three thousand and</u>	
7	<u>ten thousand square feet of heating surface</u>	<u>\$260</u>
8	<u>With manholes and over ten thousand square</u>	
9	<u>feet of heating surface</u>	<u>\$450</u>
10	<u>(2) Heating boilers:</u>	
11	<u>Hot water supply</u>	<u>\$130</u>
12	<u>Steam and water heating without manholes</u>	<u>\$110</u>
13	<u>Steam, over one hundred but not over</u>	
14	<u>five hundred square feet of heating surface</u>	<u>\$140</u>
15	<u>All with manholes and steam over</u>	
16	<u>five hundred square feet of heating surface</u>	<u>\$170</u>
17	<u>(3) Pressure vessels:</u>	
18	<u>Routine inspections</u>	<u>\$65</u>
19	<u>Internal for air or water service</u>	<u>\$130</u>
20	<u>Ultrasonic testing</u>	<u>\$130</u>
21	<u>(4) For all other types of inspections</u>	
22	<u>an hourly fee is assessed</u>	<u>\$100</u>



1	<u>(5) Hydrostatic test</u>	<u>\$300</u>
2	<u>(6) School "specials" (non-code objects)</u>	<u>\$10</u>
3	<u>Reports and Permit Processing Fees:</u>	
4	<u>(1) Report and permit</u>	<u>\$25</u>
5	<u>(2) Permit reprint</u>	<u>\$20</u>
6	<u>(3) Signed permit card (old issue)</u>	<u>\$10</u>
7	<u>(4) Owner portal</u>	<u>\$5</u>
8	<u>SCHEDULE B: Elevator and Kindred Equipment Fees</u>	
9	<u>Installation and Alteration Permits:</u>	
10	<u>(1) Alteration involving only the replacement of</u>	
11	<u>up to two parts such as a valve, a jack,</u>	
12	<u>or a cylinder</u>	<u>\$150</u>
13	<u>(2) Alteration involving only cosmetic changes</u>	
14	<u>such as car interior modernizations</u>	<u>\$300</u>
15	<u>(3) Alterations of more than two parts, or</u>	
16	<u>components or subsystems or both:</u>	
17	<u>1-3 floors</u>	<u>\$600</u>
18	<u>4-9 floors</u>	<u>\$650</u>
19	<u>10-19 floors</u>	<u>\$700</u>
20	<u>20-29 floors</u>	<u>\$750</u>
21	<u>30-39 floors</u>	<u>\$800</u>
22	<u>40 or more floors</u>	<u>\$900</u>



- 1        (4) Where alterations to four or more units at the same  
2        location are identical, the fee for each additional  
3        alteration permit shall be reduced by fifty per cent.  
4        The applications shall be submitted at the same time  
5        to qualify for the fee reduction.
- 6        (5) Installation of new elevators (including material  
7        lifts) and kindred equipment:
- |    |  |              |
|----|--|--------------|
| 8  | <u>Dumbwaiter</u>  | <u>\$500</u> |
| 9  | <u>Escalator, moving walk, or moving ramp</u>  | <u>\$500</u> |
| 10 | <u>Hand elevator, manlift, or stage lift</u>   | <u>\$500</u> |
| 11 | <u>Wheelchair or stairway lifts</u>  | <u>\$500</u> |
| 12 | <u>Elevator, 1-3 floors</u>  | <u>\$600</u> |
| 13 | <u>Elevator, 4-9 floors</u>  | <u>\$650</u> |
| 14 | <u>Elevator, 10-19 floors</u>  | <u>\$700</u> |
| 15 | <u>Elevator, 20-29 floors</u>  | <u>\$750</u> |
| 16 | <u>Elevator, 30-39 floors</u>  | <u>\$800</u> |
| 17 | <u>Elevator, 40 or more floors</u>   | <u>\$900</u> |
| 18 | <u>Aerial tramways</u>   | <u>\$900</u> |
| 19 | <u>Personnel hoists</u>  | <u>\$250</u> |
| 20 | <u>Inclined tunnel lifts</u>   | <u>\$500</u> |
| 21 | <u>For elevators, such as observation or deep well</u><br>22 <u>elevators, that have considerable rise but few</u> |              |



1 openings, each ten feet of vertical rise shall be  
2 considered one floor in determining installation or  
3 alteration permit fees.

4 (6) Temporary use permits (construction car) \$450

5 (7) For each valid alteration or installation permit, the  
6 department shall provide one inspection per unit.

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

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

15 Inspection Fees:

16 (1) Permit renewal inspection fees:

17 Dumbwaiter \$140

18 Escalator, moving walk or moving ramp \$150

19 Hand elevator, manlift, or stage lift \$150

20 Wheelchair or stairway lifts \$150

21 Hydraulic elevator - holed \$150

22 Hydraulic elevator - holeless \$200





1	<u>Traction elevator:</u>	
2	<u>1-3 floor rise</u>	<u>\$225</u>
3	<u>4-9 floor rise</u>	<u>\$250</u>
4	<u>10-19 floor rise</u>	<u>\$275</u>
5	<u>20-29 floor rise</u>	<u>\$325</u>
6	<u>30-39 floor rise</u>	<u>\$400</u>
7	<u>40 or more floor rise</u>	<u>\$475</u>
8	<u>Aerial tramways</u>	<u>\$400</u>
9	<u>Personnel hoists</u>	<u>\$175</u>
10	<u>Inclined tunnel lifts</u>	<u>\$220</u>
11	(2) <u>Safety, Load or Internal Test (Witness Fees):</u>	
12	<u>3-year safety test</u>	<u>\$200</u>
13	<u>5-year safety test</u>	<u>\$300</u>
14	<u>Escalator internal</u>	<u>\$100</u>
15	(3) <u>Permit renewal and witness fees are per inspection,</u>	
16	<u>which may constitute one day or part of the day. If</u>	
17	<u>the inspector must return on another day or at another</u>	
18	<u>time within the same day, additional fees shall be</u>	
19	<u>assessed at the rate of \$300 per day for up to two</u>	
20	<u>hours and \$600 per day for more than two hours. Fees</u>	
21	<u>for overtime hours shall be \$600 per day for up to two</u>	
22	<u>hours and \$1,200 per day for more than two hours.</u>	



1                                    SCHEDULE C: Amusement Ride Fees

2                    Inspection Fees:

3                    (1) Permit renewal inspection fees:

4                                    Amusement ride                                    \$100

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

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

15                    "(e) Civil penalties owed under this chapter shall be paid  
16 [~~to the department~~] into the general fund of the State and may  
17 be recovered in a civil action in the name of the department and  
18 the State brought in the district or circuit court for the  
19 circuit where the violation is alleged to have occurred or where  
20 the owner, user, contractor, or vendor has the owner's, user's,  
21 contractor's, or vendor's principal office."

1 SECTION 4. The director of labor and industrial relations  
2 may establish ten additional permanent positions in the boiler  
3 and elevator inspection branch, subject to chapters 76 and 89,  
4 Hawaii Revised Statutes, to carry out the purposes of chapter  
5 397, Hawaii Revised Statutes. The positions may include a  
6 branch manager, up to the equivalent of six full-time elevator  
7 inspectors, one boiler inspector, and two office assistants.

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

17 SECTION 6. 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; provided that the \$1,000,000 in general  
22 revenues shall be paid back and deposited into the general fund



1 by the department of labor and industrial relations within five  
2 years of the effective date of this Act.

3 SECTION 7. 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 to be used for the  
6 purposes of this Act.

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

9 SECTION 8. Statutory material to be repealed is bracketed  
10 and stricken. New statutory material is underscored.

11 SECTION 9. This Act shall take effect upon its approval;  
12 provided that sections 2, 6, and 7 of this Act shall take effect  
13 on July 1, 2012.



**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 upon approval except for fees and appropriations which are effective on July 1, 2012. (SB2220 HD1)

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

