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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]~~ of the department ~~[promulgated]~~ adopted pursuant  
2 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]~~ 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 of the department.

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

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

22 SCHEDULE A: Boiler and Pressure System Fees



1	<u>Installation, Repair, and Alteration Permit Fees:</u>	
2	(1) <u>Power Boilers: (Power boilers shall pass a</u>	
3	<u>hydrostatic test unless indicated otherwise):</u>	
4	<u>Miniature electric (no hydrostatic test</u>	
5	<u>required)</u>	<u>\$190</u>
6	<u>Less than 500 square feet of heating</u>	
7	<u>surface</u>	<u>\$250</u>
8	<u>Greater than or equal to 500 and less</u>	
9	<u>than or equal to 3,000 square feet of</u>	
10	<u>heating surface</u>	<u>\$400</u>
11	<u>Greater than 3,000 square feet of</u>	
12	<u>heating surface</u>	<u>\$750</u>
13	(2) <u>Heating boiler</u>	<u>\$190</u>
14	<u>Retrofit</u>	<u>\$160</u>
15	(3) <u>Pressure vessel</u>	<u>\$175</u>
16	<u>Retrofit</u>	<u>\$130</u>
17	(4) <u>Sterilizers and steam kettles</u>	<u>\$150</u>
18	<u>Retrofit</u>	<u>\$110</u>
19	(5) <u>Repair application fee</u>	<u>\$200</u>
20	(6) <u>Alteration application fee</u>	<u>\$500</u>
21	<u>Examination and License Fees:</u>	



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 not over 3,000 square</u>	
16	<u>feet of heating surface</u>	<u>\$180</u>
17	<u>With manholes greater than or equal to</u>	
18	<u>3,000 and less than or equal to 10,000</u>	
19	<u>square 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 but not over 500 square</u>	
5	<u>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 50 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>	\$500
2	<u>Escalator, moving walk, or moving ramp</u>	\$500
3	<u>Hand elevator, manlift, or stage lift</u>	\$500
4	<u>Wheelchair or stairway lifts</u>	\$500
5	<u>Elevator, 1 - 3 floors</u>	\$600
6	<u>Elevator, 4 - 9 floors</u>	\$650
7	<u>Elevator, 10 - 19 floors</u>	\$700
8	<u>Elevator, 20 - 29 floors</u>	\$750
9	<u>Elevator, 30 - 39 floors</u>	\$800
10	<u>Elevator, 40 or more floors</u>	\$900
11	<u>Aerial tramways</u>	\$900
12	<u>Personnel hoists</u>	\$250
13	<u>Inclined tunnel lifts</u>	\$500
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>	\$450
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>Amusement ride</u>                         | <u>\$100</u> |
| 12 | <u>Dumbwaiter</u>                             | <u>\$140</u> |
| 13 | <u>Escalator, moving walk, or moving ramp</u> | <u>\$150</u> |
| 14 | <u>Hand elevator, manlift, or stage lift</u>  | <u>\$150</u> |
| 15 | <u>Wheelchair or stairway lifts</u>           | <u>\$150</u> |
| 16 | <u>Hydraulic elevator - holed</u>             | <u>\$150</u> |
| 17 | <u>Hydraulic elevator - holeless</u>          | <u>\$200</u> |
| 18 | <u>Traction elevator:</u>                     |              |
| 19 | <u>1 - 3 floor rise</u>                       | <u>\$225</u> |
| 20 | <u>4 - 9 floor rise</u>                       | <u>\$250</u> |
| 21 | <u>10 - 19 floor rise</u>                     | <u>\$275</u> |
| 22 | <u>20 - 29 floor rise</u>                     | <u>\$325</u> |



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

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

20 "(e) Civil penalties owed under this chapter shall be paid  
21 to the department and deposited into the general fund. Civil  
22 penalties owed under this chapter may be recovered in a civil



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

6 SECTION 4. There is appropriated out of the general  
7 revenues of the State of Hawaii the sum of or so much  
8 thereof as may be necessary for fiscal year 2012-2013 for start-  
9 up costs to be deposited to the credit of the boiler and  
10 elevator special fund established pursuant to section 397- ,  
11 Hawaii Revised Statutes.

12 SECTION 5. There is appropriated out of the boiler and  
13 elevator special fund the sum of or so much thereof as  
14 may be necessary for fiscal year 2012-2013 for the department of  
15 labor and industrial relations to carry out the purposes of this  
16 Act, including the hiring of necessary staff.

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

19 SECTION 6. Statutory material to be repealed is bracketed  
20 and stricken. New statutory material is underscored.

21 SECTION 7. This Act shall take effect on July 1, 2050.



**Report Title:**

Boiler and Elevator Safety; Boiler and Elevator Special Fund;  
Appropriation

**Description:**

Establishes the boiler and elevator special fund to collect and deposit fees for inspections, permits, and examinations of boilers, pressure systems, elevators, and kindred equipment; provides for sufficient operating costs to carry out the purpose of the boiler and elevator safety law. Appropriates funds for start up costs and hiring of necessary staff. Effective 7/1/2050. (SD1)

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