
A BILL FOR AN ACT

RELATING TO BOILER AND ELEVATOR SAFETY LAW.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 397-3, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "~~{}~~§397-3~~{}~~ **Definitions.** As used in this chapter:

4 "Appeals board" means the department of labor and
5 industrial relations appeals board~~{}~~ established by section
6 371-4.

7 "Boiler" means a closed vessel in which water or other
8 liquid is heated, steam or vapor is generated, steam or vapor is
9 superheated, or any combination thereof under pressure for use
10 external to itself, by the direct application of [heat. The
11 ~~term "boiler" includes fired units for heating or vaporizing~~
12 ~~liquids other than water where these units are separate from~~
13 ~~processing systems and complete within themselves.]~~ energy from
14 the combustion of fuels, or from electricity, or solar energy.

15 "Contractor" means any person, firm, or corporation
16 installing, repairing, or servicing and responsible for the safe
17 operation of any boiler, pressure vessel, pressure system,



1 amusement ride, and elevator and kindred equipment or structure
2 inspected pursuant to this chapter.

3 "Department" means the department of labor and industrial
4 relations.

5 "Director" means the director of labor and industrial
6 relations.

7 "Division" means the division of occupational safety and
8 health.

9 "Elevator" means a hoisting and lowering mechanism
10 permanently installed in a structure, designed to carry
11 passengers or authorized personnel, equipped with a car or
12 platform which moves in fixed guides and serves two or more
13 fixed landings.

14 "Elevators and kindred equipment" [~~as used in this chapter~~]
15 means elevators, escalators, dumbwaiters, moving walks, stage
16 lifts, [~~mechanized parking elevators, manlifts,~~] inclined lifts,
17 personnel hoists, [~~aerial tramways,~~] permanently installed
18 material lifts, [~~personal automatic trains~~] and any other
19 similar mechanized equipment used to convey people in places
20 other than a public right-of-way.



1 "National Board" means the National Board of Boiler and
2 Pressure Vessel Inspectors [~~7, 1055 Crupper Avenue, Columbus, Ohio~~
3 43229].

4 "Owner" means any person, firm, or corporation with legal
5 title to any boiler, pressure vessel, pressure system, amusement
6 ride, and elevator and kindred equipment inspected pursuant to
7 this chapter who may or may not be the user.

8 "Pressure piping" means piping systems specified in the
9 [~~American National Standard Code for Pressure Piping developed~~
10 ~~and promulgated by the~~] American Society of Mechanical
11 Engineers [~~-~~] Power Piping Code B31.1.

12 "Pressure systems" means both pressure vessels and pressure
13 piping as defined in this section.

14 "Pressure vessel" means a closed vessel in which pressure
15 is obtained from an external source or by the direct application
16 of heat from a direct or indirect source.

17 "User" means any person, firm, or corporation legally in
18 possession and responsible for the safe operation of any boiler,
19 pressure vessel, pressure system, amusement ride, and elevator
20 and kindred equipment inspected pursuant to this chapter.



1 "Vendor" means any person, firm, or corporation that sells
2 or distributes any boiler, pressure vessel, pressure system,
3 amusement ride, and elevator and kindred equipment required to
4 be inspected pursuant to this chapter."

5 SECTION 2. Section 397-4, Hawaii Revised Statutes, is
6 amended to read as follows:

7 "§397-4 Powers and duties. (a) Administration.

8 (1) The department shall establish a boiler and elevator
9 inspection branch for the enforcement of the rules
10 adopted under this chapter and other duties as
11 assigned;

12 (2) The department shall:

13 (A) Implement and enforce the requirements of this
14 chapter; and

15 (B) Keep adequate and complete records of the type,
16 size, location, identification data, and
17 inspection findings for boilers, pressure
18 vessels, pressure systems, amusement rides, and
19 elevators and kindred equipment required to be
20 inspected pursuant to this chapter;



- 1 (3) The department shall formulate definitions and adopt
2 and enforce standards and rules pursuant to chapter 91
3 that may be necessary for carrying out this chapter[
4 ~~Definitions and rules adopted in accordance with~~
5 ~~chapter 91 under the authority of chapter 396, prior~~
6 ~~to the adoption of this chapter that pertain to~~
7 ~~boilers, pressure systems, amusement rides, and~~
8 ~~elevators and kindred equipment required to be~~
9 ~~inspected pursuant to this chapter, shall be continued~~
10 ~~in force under the authority of this chapter];~~
11 (4) Emergency temporary standards may be adopted without
12 conforming to chapter 91 and without hearings to take
13 immediate effect upon giving public notice of the
14 emergency temporary standards or upon another date
15 that may be specified in the notice. An emergency
16 temporary standard may be adopted, if the director
17 determines:
18 (A) That the public or individuals are exposed to
19 grave danger from exposure to hazardous
20 conditions or circumstances; and



1 (B) That the emergency temporary standard is
2 necessary to protect the public or individuals
3 from danger.

4 Emergency temporary standards shall be effective until
5 superseded by a standard adopted under chapter 91, but
6 [~~in any case~~] shall not be effective [~~no~~] longer than
7 six months;

8 (5) Variances from standards adopted under this chapter
9 may be granted upon application of an owner, user,
10 contractor, or vendor. Application for variances
11 shall correspond to procedures set forth in the rules
12 adopted pursuant to this chapter. The director may
13 issue an order for variance, if the director
14 determines that the proponent of the variance has
15 demonstrated that the conditions, practices, means,
16 methods, operations, or processes used or proposed to
17 be used will provide substantially equivalent safety
18 as that provided by the standards;

19 (6) Permits.

20 (A) The department shall issue a "permit to operate"
21 regarding any boiler, pressure vessel, pressure



1 system, amusement ride, or elevator and kindred
2 equipment if found to be safe in accordance with
3 rules adopted pursuant to chapter 91;

4 (B) The department may immediately revoke any "permit
5 to operate" of any boiler, pressure vessel,
6 pressure system, amusement ride, or elevator and
7 kindred equipment found to be in an unsafe
8 condition or where a user, owner, or contractor
9 ignores prior department orders to correct
10 specific defects or hazards and continues to use
11 or operate the [~~above-mentioned~~] above-mentioned
12 apparatus without abating the hazards or defects;

13 (C) The department shall reissue a "permit to
14 operate" to any user, owner, or contractor who
15 demonstrates that the user, owner, or contractor
16 is proceeding in good faith to abate all
17 nonconforming conditions mentioned in department
18 orders and the boilers, pressure vessels,
19 pressure systems, amusement rides, and elevators
20 and kindred equipment are safe to operate; and



- 1 (D) The department shall establish criteria for the
2 periodic reinspection and renewal of the permits
3 to operate, and may provide for the issuance of
4 temporary permits to operate while any
5 noncomplying boiler, pressure vessel, pressure
6 system, amusement ride, and elevator and kindred
7 equipment are being brought into full compliance
8 with the applicable standards and rules adopted
9 pursuant to this chapter; provided that the
10 period between an initial safety inspection or
11 the inspection used as a basis for the issuance
12 of a permit to operate, and any subsequent
13 inspection of elevators and kindred equipment
14 shall not exceed one year;
- 15 (7) No boiler, pressure vessel, pressure system, amusement
16 ride, or elevator and kindred equipment which are
17 required to be inspected by this chapter or by any
18 rule adopted pursuant to this chapter shall be
19 operated, except as necessary to install, repair, or
20 test, unless a permit to operate has been authorized
21 or issued by the department and remains valid; and



1 (8) The department, upon the application of any owner or
2 user or other person affected thereby, may grant time
3 that may reasonably be necessary for compliance with
4 any order. Any person affected by an order may for
5 cause petition the department for an extension of
6 time.

7 (b) Inspection and investigation.

8 (1) Authorized representatives of the director shall have
9 the right to enter without delay during regular
10 working hours and at other reasonable times any place,
11 establishment or premises in which are located
12 boilers, pressure vessels, pressure systems, amusement
13 rides, and elevators and kindred equipment requiring
14 inspection pursuant to this chapter[-];

15 (2) The department shall inspect for the purpose of
16 insuring compliance with the purposes and provisions
17 of this chapter any activity related to the erection,
18 construction, alteration, demolition or maintenance of
19 buildings, structures, bridges, highways, roadways,
20 dams, tunnels, sewers, underground buildings or



1 structures, underground pipelines or ducts, and other
2 construction projects or facilities[-];

3 (3) The department shall review plans and make
4 inspections, and investigations of boilers, pressure
5 vessels, and pressure systems, and the premises
6 appurtenant to each at times and at intervals
7 determined by the director for the purpose of insuring
8 compliance with the purpose and provisions of this
9 chapter. This [~~section~~] paragraph shall not apply to
10 single family dwellings or multiple dwelling units of
11 less than six living units[-];

12 (4) The department shall review plans and make
13 inspections, and investigations of elevators and
14 kindred equipment and the premises appurtenant to each
15 at times and at intervals determined by the director
16 for the purpose of insuring compliance with the
17 purposes and provisions of this chapter. This
18 [~~section~~] paragraph shall not apply to single family
19 dwellings[-];

20 (5) The department shall inspect, at least semi-annually
21 all mechanically or electrically operated devices



1 considered as major rides and used as amusement rides
 2 at a carnival, circus, fair, or amusement park for the
 3 purpose of protecting the safety of the ~~[general]~~
 4 public. This ~~[section]~~ paragraph shall not apply to
 5 any coin operated ride or mechanically or electrically
 6 operated devices considered or known in the amusement
 7 trade as kiddie rides~~[-]~~;

8 (6) The department may investigate accidents involving
 9 boilers, pressure vessels, pressure systems, amusement
 10 rides, and elevators and kindred equipment inspected
 11 under this chapter and may issue orders and
 12 recommendations with respect to the elimination and
 13 control of the cause factors~~[-]~~;

14 (7) The department shall have the right to question any
 15 employer, owner, operator, agent or employee in
 16 investigation, enforcement, and inspection activities
 17 covered by this chapter~~[-]~~; and

18 (8) Any employee of the State acting within the scope of
 19 the employee's office, employment, or authority under
 20 this chapter shall not be liable in or made a party to



1 any civil action growing out of the administration and
2 enforcement of this chapter.

3 (c) Education and training.

4 (1) The department may disseminate through exhibitions,
5 pictures, lectures, pamphlets, letters, notices, and
6 any other method of publicity, to owners, users,
7 vendors, architects, contractors, employees, and the
8 ~~[general]~~ public information regarding boilers,
9 pressure vessels, pressure systems, amusement rides,
10 and elevators and kindred equipment required to be
11 inspected pursuant to this chapter~~[-]~~; and

12 (2) Where appropriate, the department may undertake
13 programs in training and consultation with owners,
14 users, property management firms, vendors, architects,
15 contractors, employees, and the ~~[general]~~ public
16 regarding the safety requirements of this chapter and
17 the rules ~~[and regulations]~~.

18 (d) Enforcement.

19 (1) Whenever right of entry to a place to inspect any
20 boiler, pressure vessel, pressure system, amusement
21 ride, or elevator and kindred equipment required by



1 this chapter to be inspected is refused to an
2 authorized representative of the director, the
3 department may apply to the circuit court where such
4 place exists for a search warrant providing on its
5 face that the wilful interference with its lawful
6 execution may be punished as a contempt of court[-];

- 7 (2) Whenever the department finds that the construction of
8 or the operation of any boiler, pressure vessel,
9 pressure system, amusement ride, or elevator and
10 kindred equipment required to be inspected by this
11 chapter is not safe, or that any practice, means,
12 method, operation or process employed or used is
13 unsafe or is not in conformance with the rules and
14 regulations promulgated pursuant to this chapter, the
15 department shall issue an order to render the
16 construction or operation safe or in conformance with
17 this chapter or rules [~~and regulations~~] and deliver
18 the same to the contractor, owner, or user. Each
19 order shall be in writing and may be delivered by mail
20 or in person. The department may in the order direct
21 that, in the manner and within a time specified such



1 additions, repairs, improvements, or changes be made
2 and such safety devices and safeguards be furnished,
3 provided and used as are reasonably required to insure
4 compliance with the purposes and provisions of this
5 chapter. The owner, or user, or contractor shall obey
6 and observe all orders issued by the department or be
7 subject to appropriate civil penalties[-];

- 8 (3) Whenever in the opinion of the department the
9 condition of, or the operation of boilers, pressure
10 vessels, pressure systems, amusement rides, or
11 elevators and kindred equipment required to be
12 inspected by this chapter, or any practice, means,
13 method, operation, or process employed or used, is
14 unsafe, or is not properly guarded or is dangerously
15 placed, the use thereof may be prohibited by the
16 department, an order to that effect shall be posted
17 prominently on the equipment, or near the place or
18 condition referred to in the order. The order shall
19 be removed when a determination has been made by an
20 authorized representative of the department that the
21 boilers, pressure vessels, pressure systems, amusement



1 rides, or elevators and kindred equipment are safe and
2 the required safeguards or safety devices are
3 provided[-];

- 4 (4) When in the opinion of the department the operation of
5 boilers, pressure vessels, pressure systems, amusement
6 rides, or elevators and kindred equipment, required to
7 be inspected by this chapter or any practice, means,
8 method, operation or process employed or used
9 constitutes an imminent hazard to the life or safety
10 of any person, or to property, the department may
11 apply to the circuit court of the circuit in which
12 such boilers, pressure vessels, pressure systems,
13 amusement rides, or elevators and kindred equipment
14 are situated or such practice, means, method,
15 operation or process is employed for an injunction
16 restraining the use or operation until the use or
17 operation is made safe. The application to the
18 circuit court accompanied by an affidavit showing that
19 the use or operation exists in violation of a
20 standard, rule, [~~regulation,~~] variance, or order of
21 the department and constitutes an imminent hazard to



1 the life or safety of any person or to property and
2 accompanied by a copy of the standard, rule,
3 [~~regulation,~~] variance, or applicable order, shall
4 warrant, in the discretion of the court, the immediate
5 granting of a temporary restraining order. No bond
6 shall be required from the department as a
7 prerequisite to the granting of a restraining
8 order[-];

- 9 (5) The director and the director's authorized
10 representative shall have the same powers respecting
11 the administering of oaths, compelling the attendance
12 of witnesses, the production of documentary evidence,
13 and examining or causing to be examined witnesses as
14 are possessed by the court and may take depositions
15 and certify to official acts. The circuit court of
16 any circuit upon application by the director shall
17 have the power to enforce by proper proceedings the
18 attendance and testimony of any witness so subpoenaed.
19 Subpoena and witness fees and mileage in such cases
20 shall be the same as in criminal cases in the circuit
21 courts. Necessary expenses of, or in connection with,



1 such hearings or investigations shall be payable from
2 the funds appropriated for expenses of administration
3 of the department. No person shall be excused from
4 attending or testifying or producing materials, books,
5 papers, correspondences, memoranda, and other records
6 before the director or in obedience to subpoena on the
7 grounds that the testimony or evidence, documentary or
8 otherwise, required of the person may tend to
9 incriminate the person or subject the person to a
10 penalty or forfeiture; but no individual shall be
11 prosecuted or subjected to any penalty or forfeiture
12 for or on account of any transaction, matter, or thing
13 concerning which the individual is compelled, after
14 having claimed the individual's privilege against
15 self-incrimination, to testify or produce evidence,
16 documentary, or otherwise, except that such
17 individuals so testifying shall not be exempt from
18 prosecution and punishment for perjury committed in so
19 testifying [-] ;

- 20 (6) Where a condition or practice involving any boiler,
21 pressure vessel, pressure system, amusement ride, or



1 elevator and kindred equipment required to be
2 inspected by this chapter could reasonably be expected
3 to cause death or serious physical harm, the
4 department shall have the right, independent of any
5 other enforcement powers under this chapter, to:

6 (A) Immediately take steps to obtain abatement by
7 informing the owners, users, contractors, and all
8 persons in harms way of such hazard by meeting,
9 posted notice, or otherwise;

10 (B) Take steps to immediately obtain abatement
11 through direct control or elimination of the
12 hazard if after reasonable search, the user,
13 owner or contractor or their representative is
14 not available;

15 (C) Take steps to obtain immediate abatement when the
16 nature and imminency of the danger or hazard does
17 not permit a search for the owner, user, or
18 contractor; and

19 (D) Where appropriate, initiate necessary legal
20 proceedings to require abatement by the owner,
21 user, or contractor[+] ; and



1 (7) The department may prosecute, defend and maintain
2 actions in the name of the department for the
3 enforcement of the provisions of this chapter,
4 including the enforcement of any order issued by it,
5 the appeal of any administrative or court decision,
6 and other actions necessary to enforce this chapter."

7 SECTION 3. 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 rules
13 of the department adopted pursuant to this chapter, and for:

14 (1) Inspections by the department of any boiler, pressure
15 vessel, pressure system, amusement ride, and elevator
16 and kindred equipment for which a permit or
17 certificate is required for its installation,
18 operation, or use, and which is required to be
19 inspected by this chapter or by any rules of the
20 department; and



1 (2) Examination of any person applying for permits,
2 certificates, or licenses as required by this chapter
3 or by any rules of the department.

4 (b) All fees received by the department pursuant to this
5 section shall be paid into the boiler and elevator [~~special~~]
6 revolving fund.

7 (c) Effective July 1, 2012, the fees for inspections,
8 permits, and examinations of boilers, pressure vessels, pressure
9 systems, elevators, kindred equipment, and amusement rides shall
10 be as prescribed by the schedules in this section; provided that
11 the director may adopt rules pursuant to chapter 91 to amend the
12 fees specified in this section.

13 SCHEDULE A: Boiler and Pressure System Fees

14 Installation, Repair, and Alteration Permit Fees:

15 (1) Power boilers (shall pass a hydrostatic test unless
16 indicated otherwise):

17	Miniature electric (no hydrostatic test	
18	required)	\$190
19	Less than 500 square feet of heating	
20	surface	\$250
21	Greater than or equal to 500 and less	



1	than or equal to 3,000 square feet of	
2	heating surface	\$400
3	Greater than 3,000 square feet of heating	
4	surface	\$750
5	(2) Heating boiler	\$190
6	Retrofit	\$160
7	(3) Pressure vessel	\$175
8	Retrofit	\$130
9	(4) Sterilizers and steam kettles	\$150
10	Retrofit	\$110
11	(5) Repair application fee	\$200
12	(6) Alteration application fee	\$500
13	Examination and License Fees:	
14	(1) Boiler inspectors certificate of competency	
15	examination fee	\$300
16	(2) Review of shops and facilities for the	
17	issuance of National Board or American	
18	Society of Mechanical Engineers	
19	certificate of authorization	\$1,500
20	(3) Review of shops and facilities for the	
21	issuance of Non-Boiler External Piping	



1	certificate of authorization	\$750
2	(4) Boiler inspector's Hawaii commission,	
3	initial and renewal	\$75
4	Internal and External Inspection Fees:	
5	(1) Power boilers:	
6	Without manholes	\$150
7	With manholes but less than or equal to	
8	3,000 square feet of heating surface	\$180
9	With manholes greater than 3,000 and less	
10	than or equal to 10,000 square feet of	
11	heating surface	\$260
12	With manholes and over 10,000 square	
13	feet of heating surface	\$450
14	(2) Heating boilers:	
15	Hot water supply	\$130
16	Steam and water heating without manholes	\$110
17	Steam, over 100 square feet but not over	
18	500 square feet of heating surface	\$140
19	All with manholes and steam over 500	
20	square feet of heating surface	\$170
21	(3) Pressure vessels:	



1	Routine inspections	\$65
2	Internal for air or water service	\$130
3	Ultrasonic testing	\$130
4	(4) For all other types of inspections	
5	an hourly fee is assessed	\$100
6	(5) Hydrostatic test	\$300
7	(6) School "specials" (non-code objects)	\$10
8	Reports and Permit Processing Fees:	
9	(1) Report and permit	\$25
10	(2) Permit reprint	\$20
11	(3) Signed permit card (old issue)	\$10
12	(4) Owner portal	\$5
13	SCHEDULE B: Elevator and Kindred Equipment Fees	
14	Installation and Alteration Permits:	
15	(1) Alteration involving only the replacement of	
16	up to two parts (such as a valve, a jack,	
17	or a cylinder)	\$150
18	(2) Alteration involving only cosmetic changes	
19	(such as car interior modernizations)	\$300
20	(3) Alterations of more than two parts, or	
21	components, and/or subsystems:	



1	1 - 3 floors	\$600
2	4 - 9 floors	\$650
3	10 - 19 floors	\$700
4	20 - 29 floors	\$750
5	30 - 39 floors	\$800
6	40 or more floors	\$900
7	(4) Where alterations to four or more units at	
8	the same location are identical, the fee for	
9	each additional alteration permit shall be	
10	reduced by fifty per cent. The applications	
11	must be submitted at the same time to qualify	
12	for the fee reduction.	
13	(5) Installation of new elevators (including material	
14	lifts) and kindred equipment:	
15	Dumbwaiter	\$500
16	Escalator, moving walk, or moving ramp	\$500
17	Hand elevator [manlift] or stage lift	\$500
18	Wheelchair or stairway lifts	\$500
19	Elevator, 1 - 3 floors	\$600
20	Elevator, 4 - 9 floors	\$650
21	Elevator, 10 - 19 floors	\$700



1	Elevator, 20 - 29 floors	\$750
2	Elevator, 30 - 39 floors	\$800
3	Elevator, 40 or more floors	\$900
4	[Aerial tramways	\$900]
5	Personnel hoists	\$250
6	Inclined tunnel lifts	\$500
7	(For elevators, such as observation or deep	
8	well elevators, which have considerable rise	
9	but few openings, each ten feet of vertical	
10	rise shall be considered one floor for the	
11	purpose of determining installation or	
12	alteration permit fees.)	
13	(6) Temporary use permits (construction car)	\$450
14	(7) For each valid alteration or installation	
15	permit, the department shall provide one	
16	inspection per unit.	
17	(8) The fee for each additional inspection or	
18	witnessing of tests, or both, shall be \$300	
19	per day for up to two hours and \$600 per day	
20	for more than two hours if during the normal	
21	workday. Fees for overtime hours shall	



1 be \$600 per day for up to two hours and
2 \$1,200 per day for more than two hours.
3 (9) Each installation or alteration permit
4 shall be valid for up to one year from date
5 of issuance.

6 Inspection Fees:

7 (1) Permit renewal inspection fees:

8 Dumbwaiter	\$140
9 Escalator, moving walk, or moving ramp	\$150
10 Hand elevator [manlift] or stage lift	\$150
11 Wheelchair or stairway lifts	\$150
12 Hydraulic elevator - holed	\$150
13 Hydraulic elevator - holeless	\$200
14 Traction elevator:	
15 1 - 3 floor rise	\$225
16 4 - 9 floor rise	\$250
17 10 - 19 floor rise	\$275
18 20 - 29 floor rise	\$325
19 30 - 39 floor rise	\$400
20 40 or more floor rise	\$475
21 [Aerial tramways	\$400]



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

Schedule C: Amusement Ride Fees

Inspection Fees:

18	(1) Permit renewal inspection fees:	
19	Amusement ride	\$100
20	(2) Permit renewal fees are per inspection,	
21		



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

10 SECTION 4. Section 397-6, Hawaii Revised Statutes, is
11 amended by amending subsection (b) to read as follows:

12 "(b) A qualified boiler inspector is a person eligible for
13 or in possession of a valid commission issued by the National
14 Board of Boiler and Pressure Vessel Inspectors, who has
15 satisfied the requirements established by the department, and
16 who has received from the director or the director's authorized
17 agent briefings and instructions regarding the rules [~~and~~
18 ~~regulations~~] pertaining to boilers, pressure vessels, and
19 pressure systems in this State."

20 SECTION 5. Section 397-13, Hawaii Revised Statutes, is
21 amended to read as follows:



1 " [†]§397-13 [†] Boiler and elevator [~~special~~] revolving
2 fund; establishment; purposes. (a) There is established in the
3 state treasury the boiler and elevator [~~special~~] revolving fund,
4 into which shall be deposited all fees collected pursuant to
5 section 397-5 and any appropriation from the legislature. All
6 interest and investment moneys earned on any moneys in the
7 [~~special~~] revolving fund shall become part of the [~~special~~]
8 revolving fund.

9 (b) The purpose of the [~~special~~] revolving fund is to
10 provide for sufficient operating costs to carry out the purposes
11 of this chapter. Moneys in the fund may be expended 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 safe installation and use of equipment regulated by
17 this chapter;
- 18 (4) Preparation of annual reports to the legislature as
19 required by this chapter; and
- 20 (5) Reimbursement to the general fund as required by this
21 section.



1 (c) The director shall submit a report to the legislature
2 on the status of the boiler and elevator [~~special~~] revolving
3 fund, including expenditures and program results, not less than
4 twenty days prior to the convening of each regular session.

5 (d) No later than [~~five~~] ten years from the date of the
6 establishment of the [~~special~~] revolving fund, the director
7 shall reimburse the general fund for the amount of any initial
8 appropriation that was made by the general revenues of the State
9 to the [~~special~~] revolving fund."

10 SECTION 6. This Act does not affect the rights and duties
11 that matured, penalties that were incurred, and proceedings that
12 were begun before its effective date.

13 SECTION 7. Statutory material to be repealed is bracketed
14 and stricken. New statutory material is underscored.

15 SECTION 8. This Act shall take effect on July 1, 2018.

16



Report Title:

Boiler and Elevator Safety Law; Boiler and Elevator Revolving Fund

Description:

Makes housekeeping amendments to Boiler and Elevator Safety Law. Changes name of the boiler and elevator special fund to boiler and elevator revolving fund. Extends the time from five to ten years for the Director of Labor and Industrial Relations to reimburse the general fund from the Boiler and Elevator Revolving Fund. (SD1)

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

