

ACT 103

S.B. NO. 2220

A Bill for an Act Relating to the Boiler and Elevator Safety Law.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Chapter 397, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

“§397- Boiler and elevator special fund; establishment; purposes. (a) There is established in the state treasury the boiler and elevator special fund, into which shall be deposited all fees collected pursuant to section 397-5 and any appropriation from the legislature. All interest and investment moneys earned on any moneys in the special fund shall become part of the special fund.

(b) The purpose of the special fund is to provide for sufficient operating costs to carry out the purposes of this chapter. Moneys in the fund may be expended for:

- (1) Personnel and operating expenses;
- (2) Staff training and staff certification fees and expenses;
- (3) Preparation and dissemination of public information on safe installation and use of equipment regulated by this chapter;
- (4) Preparation of annual reports to the legislature as required by this chapter; and
- (5) Reimbursement to the general fund as required by this section.

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

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

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

“§397-5 Fees. (a) The director may prescribe reasonable fees to be charged for inspection, examination, other services rendered and for permits, certificates, or licenses, the issuance of which are required by this chapter or by any ~~[rule or regulation]~~ rules of the department ~~[promulgated]~~ adopted pursuant to this chapter, and for:

- (1) ~~[Inspection]~~ Inspections by the department of any boiler, pressure system, amusement ride, and elevator and kindred equipment for which a permit or certificate is required for its installation, operation, or use, and which is required to be inspected by this chapter or by any ~~[rule or regulation]~~ rules of the department; and
- (2) Examination of any person applying for permits, certificates, or licenses as required by this chapter or by any ~~[rule or regulation]~~ rules of the department.

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

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

SCHEDULE A: Boiler and Pressure System Fees

Installation, Repair, and Alteration Permit Fees:

- (1) Power Boilers (shall pass a hydrostatic test unless indicated otherwise):
 - Miniature electric (no hydrostatic test required) \$190
 - Less than 500 square feet of heating surface \$250
 - Greater than or equal to 500 and less than or equal to 3,000 square feet of heating surface \$400
 - Greater than 3,000 square feet of heating surface \$750
- (2) Heating boiler \$190
 - Retrofit \$160
- (3) Pressure vessel \$175
 - Retrofit \$130
- (4) Sterilizers and steam kettles \$150
 - Retrofit \$110
- (5) Repair application fee \$200
- (6) Alteration application fee \$500

Examination and License Fees:

- (1) Boiler inspectors certificate of competency examination fee \$300
- (2) Review of shops and facilities for the issuance of National Board or American Society of Mechanical Engineers certificate of authorization \$1,500
- (3) Review of shops and facilities for the issuance of Non-Boiler External Piping certificate of authorization \$750
- (4) Boiler inspector’s Hawaii commission, initial and renewal \$75

Internal and External Inspection Fees:

- (1) Power boilers:
 - Without manholes \$150

	<u>With manholes but less than or equal to 3,000 square feet of heating surface</u>	\$180
	<u>With manholes greater than 3,000 and less than or equal to 10,000 square feet of heating surface</u>	\$260
	<u>With manholes and over 10,000 square feet of heating surface</u>	\$450
(2)	<u>Heating boilers:</u>	
	<u>Hot water supply</u>	\$130
	<u>Steam and water heating without manholes</u>	\$110
	<u>Steam, over 100 square feet but not over 500 square feet of heating surface</u>	\$140
	<u>All with manholes and steam over 500 square feet of heating surface</u>	\$170
(3)	<u>Pressure vessels:</u>	
	<u>Routine inspections</u>	\$65
	<u>Internal for air or water service</u>	\$130
	<u>Ultrasonic testing</u>	\$130
(4)	<u>For all other types of inspections an hourly fee is assessed</u>	\$100
(5)	<u>Hydrostatic test</u>	\$300
(6)	<u>School "specials" (non-code objects)</u>	\$10
	<u>Reports and Permit Processing Fees:</u>	
(1)	<u>Report and permit</u>	\$25
(2)	<u>Permit reprint</u>	\$20
(3)	<u>Signed permit card (old issue)</u>	\$10
(4)	<u>Owner portal</u>	\$5

SCHEDULE B: Elevator and Kindred Equipment Fees

Installation and Alteration Permits:

(1)	<u>Alteration involving only the replacement of up to two parts (such as a valve, a jack, or a cylinder)</u>	\$150
(2)	<u>Alteration involving only cosmetic changes (such as car interior modernizations)</u>	\$300
(3)	<u>Alterations of more than two parts, or components, and/or subsystems:</u>	
	<u>1 - 3 floors</u>	\$600
	<u>4 - 9 floors</u>	\$650
	<u>10 - 19 floors</u>	\$700
	<u>20 - 29 floors</u>	\$750
	<u>30 - 39 floors</u>	\$800
	<u>40 or more floors</u>	\$900
(4)	<u>Where alterations to four or more units at the same location are identical, the fee for each additional alteration permit shall be reduced by fifty per cent. The applications shall be submitted at the same time to qualify for the fee reduction.</u>	
(5)	<u>Installation of new elevators (including material lifts) and kindred equipment:</u>	
	<u>Dumbwaiter</u>	\$500
	<u>Escalator, moving walk, or moving ramp</u>	\$500
	<u>Hand elevator, manlift, or stage lift</u>	\$500
	<u>Wheelchair or stairway lifts</u>	\$500
	<u>Elevator, 1 - 3 floors</u>	\$600
	<u>Elevator, 4 - 9 floors</u>	\$650
	<u>Elevator, 10 - 19 floors</u>	\$700

<u>Elevator, 20 - 29 floors</u>	<u>\$750</u>
<u>Elevator, 30 - 39 floors</u>	<u>\$800</u>
<u>Elevator, 40 or more floors</u>	<u>\$900</u>
<u>Aerial tramways</u>	<u>\$900</u>
<u>Personnel hoists</u>	<u>\$250</u>
<u>Inclined tunnel lifts</u>	<u>\$500</u>
<u>(For elevators, such as observation or deep well elevators, which have considerable rise but few openings, each ten feet of vertical rise shall be considered one floor for the purpose of determining installation or alteration permit fees.)</u>	
(6) <u>Temporary use permits (construction car)</u>	<u>\$450</u>
(7) <u>For each valid alteration or installation permit, the department shall provide one inspection per unit.</u>	
(8) <u>The fee for each additional inspection or witnessing of tests, or both, shall be \$300 per day for up to two hours and \$600 per day for more than two hours if during the normal workday. Fees for overtime hours shall be \$600 per day for up to two hours and \$1,200 per day for more than two hours.</u>	
(9) <u>Each installation or alteration permit shall be valid for up to one year from the date of issuance.</u>	

Inspection Fees:

(1) <u>Permit renewal inspection fees:</u>	
<u>Dumbwaiter</u>	<u>\$140</u>
<u>Escalator, moving walk, or moving ramp</u>	<u>\$150</u>
<u>Hand elevator, manlift, or stage lift</u>	<u>\$150</u>
<u>Wheelchair or stairway lifts</u>	<u>\$150</u>
<u>Hydraulic elevator – holed</u>	<u>\$150</u>
<u>Hydraulic elevator – holeless</u>	<u>\$200</u>
<u>Traction elevator:</u>	
<u>1 - 3 floor rise</u>	<u>\$225</u>
<u>4 - 9 floor rise</u>	<u>\$250</u>
<u>10 - 19 floor rise</u>	<u>\$275</u>
<u>20 - 29 floor rise</u>	<u>\$325</u>
<u>30 - 39 floor rise</u>	<u>\$400</u>
<u>40 or more floor rise</u>	<u>\$475</u>
<u>Aerial tramways</u>	<u>\$400</u>
<u>Personnel hoists</u>	<u>\$175</u>
<u>Inclined tunnel lifts</u>	<u>\$220</u>
(2) <u>Safety, load or internal test (witness fees):</u>	
<u>3-year safety test</u>	<u>\$200</u>
<u>5-year safety test</u>	<u>\$300</u>
<u>Escalator internal</u>	<u>\$100</u>
(3) <u>Permit renewal and witness fees are per inspection, which may constitute one day or part of the day. If the inspector is required to return on another day or at another time on the same day, additional fees shall be assessed at the rate of \$300 per day for up to two hours and \$600 per day for more than two hours. Fees for overtime hours shall be \$600 per day for up to two hours and \$1,200 per day for more than two hours.</u>	

SCHEDULE C: Amusement Ride Fees

Inspection Fees:

(1) <u>Permit renewal inspection fees:</u>	
<u>Amusement ride</u>	<u>\$100</u>

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

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

“(e) Civil penalties owed under this chapter shall be paid to the department and deposited into the general fund. Civil penalties owed under this chapter may be recovered in a civil action in the name of the department and the State brought in the district or circuit court for the circuit where the violation is alleged to have occurred or where the owner, user, contractor, or vendor has the owner’s, user’s, contractor’s, or vendor’s principal office.”

SECTION 4. There is appropriated out of the general revenues of the State of Hawaii the sum of \$1,000,000 or so much thereof as may be necessary for fiscal year 2012-2013 for start up funds to be deposited to the credit of the boiler and elevator special fund.

SECTION 5. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.¹

SECTION 6. This Act shall take effect on July 1, 2012.

(Approved June 1, 2012.)

Note

1. Edited pursuant to the HRS §23G-16.5.