

1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**
4 **By: Senator Moore**

A Bill

SENATE BILL

For An Act To Be Entitled

8 "AN ACT TO AMEND TITLE 20, CHAPTER 23 OF THE ARKANSAS CODE
9 TO EMPOWER THE DIRECTOR OF LABOR TO PROMULGATE STANDARDS
10 FOR THE INSTALLATION OF PRESSURE PIPING; TO PROVIDE FOR
11 LICENSING OF INSTALLERS; TO PROVIDE FOR THE ENFORCEMENT
12 AND ADMINISTRATION OF THIS ACT; AND FOR OTHER PURPOSES."

Subtitle

14 "TO AMEND THE BOILER AND PRESSURE VESSEL LAW, ARKANSAS
15 CODE 20-23-101 ET SEQ. TO INCLUDE PRESSURE PIPING
16 CONNECTED TO BOILERS AND PRESSURE VESSELS."

18
19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

20
21 SECTION 1. Arkansas Code 20-23-101 is hereby amended to read as
22 follows:

23 "§ 20-23-101. Definitions.

24 As used in this chapter, unless the context otherwise requires:

25 (1) Boiler, boilers, or steam boilers means any boiler or like
26 vessel or container in which water is heated or steam is generated by the
27 application of heat and shall mean any unfired pressure vessels constructed of
28 metal for the accumulation, storage, or transportation of air, liquids, or
29 gases that are under induced pressure;

30 (2) Horsepower means the evaporation of thirty-four and one-half
31 pounds (34-1/2 lbs.) of water from a temperature of 212 degrees F. into steam
32 at 212 degrees at 14.7 PSIA;

33 (3) Internal and external inspection means a thorough and proper
34 inspection as provided for in the rules and regulations by the Boiler Advisory
35 Board;

1 (4) Pressure piping means power and auxiliary service piping systems
2 and their component parts within or forming a part of the pressure piping
3 system connected to any boiler or unfired pressure vessel covered by the
4 provisions of this chapter. This includes only boiler external piping for
5 power boilers and high temperature, high pressure water boilers in which:
6 steam or vapor is generated at a pressure of more than 15 psig; and high
7 temperature water is generated at pressures exceeding 160 psig and/or
8 temperatures exceeding 250°F (120°C). Boiler external piping shall be
9 considered as that piping which begins where the boiler proper terminates; and

10 (5) PSIG means pounds per square inch gauge pressure."
11

12 SECTION 2. Subsection (b) of Arkansas Code 20-23-201 is hereby amended
13 to read as follows:

14 "(b) The duties of the Boiler Advisory Board shall be:

15 (1) To assist with the formulation of rules and regulations of the
16 construction, installation, inspection, repair, and operation of steam boilers
17 and unfired pressure vessels and their appurtenances, and of pressure piping
18 as set out in this chapter;

19 (2) To assist in giving examinations to applicants seeking certificates
20 of competency and commissions as inspectors of steam boilers; and

21 (3) To give such counsel and advice as will aid the chief inspector in
22 the performance of his duties."
23

24 SECTION 3. Arkansas Code 20-23-203 is hereby amended to read as
25 follows:

26 "§20-23-203. Chief inspector's duty to inspect and enforce.

27 (a) The Chief Inspector of the Boiler Inspection Division, either
28 personally or by the deputy inspector of the division, shall carefully inspect
29 internally and externally, once annually, every steam boiler and steam
30 generating apparatus. The inspector or his deputy shall also inspect once
31 biennially every unfired pressure vessel located in this state which is not
32 excepted from the inspections by the provisions of this chapter and shall give
33 the owner or operator of the boiler notice of the time when the inspection
34 will be made.

35 (b) The chief inspector shall have free access at all reasonable times

1 for himself and his deputies to any premises in this state where a boiler or
2 pressure piping is being built or where a boiler or pressure piping or power
3 plant apparatus is being installed or operated, for the purpose of
4 ascertaining whether the boiler or piping or apparatus is built, installed,
5 fitted with the necessary appliances, and operated in accordance with the
6 provisions of this chapter and the regulations adopted pursuant thereto.

7 (c) (1) The chief inspector shall enforce the laws of the state governing
8 the use of steam boilers and unfired pressure vessels. He shall examine into
9 and report to the Director of the Department of Labor the causes of steam
10 boiler explosions which occur within the state.

11 (2) He shall keep in his office a complete and accurate record of the
12 names of all owners or operators of steam boilers inspected by his division,
13 together with the location, make, type, dimensions, age, condition, pressure
14 allowed upon, and date of last inspection of all boilers and shall make an
15 annual report thereon to the Director of the Department of Labor."

16

17 SECTION 4. Subsection (a) of Arkansas Code 20-23-301 is hereby amended
18 to read as follows:

19 "§20-23-301. Certificate of inspection required - Application of
20 regulations and standards - Penalties.

21 (a) (1) No owner or user of a steam boiler, or engineer or fireman in
22 charge of it, shall operate or allow it to be operated without a certificate
23 of inspection issued by the Director of the Department of Labor or shall allow
24 a greater pressure in it than is allowed by the certificate of inspection.

25 (2) All steam boilers installed or in operation in this state
26 shall conform to such regulations and standards as shall from time to time be
27 adopted by the Boiler Inspection Division with the approval of the Director of
28 the Department of Labor. The regulations and standards shall not exceed those
29 set out in the several sections of the Boiler Code of the American Society of
30 Mechanical Engineers and shall have the force of law immediately upon the
31 approval by the Director of the Department of Labor.

32 (3) No person shall operate or cause to be operated for
33 generating steam any boiler on which the certificate of inspection has been
34 suspended or the operation of which has been forbidden by an inspector as
35 provided in §§ 20-23-203, 20-23-306, 20-23-310, 20-23-401, and 20-23-402.

1 (4) All pressure piping installed in this state shall conform to
2 such regulations and standards as shall from time to time be adopted by the
3 Boiler Inspection Division with the approval of the Director of the Department
4 of Labor. The regulations and standards shall not exceed those set out in the
5 American Society of Mechanical Engineers Code for Pressure Piping, Power
6 Piping Code, B31.1."

7

8 SECTION 5. Arkansas Code 20-23-307 is hereby amended to read as
9 follows:

10 "§20-23-307. New boilers and unfired pressure vessels - Permission
11 required.

12 (a) Every manufacturer, contractor, jobber, owner, or user of a steam
13 boiler or unfired pressure vessel or pressure piping system shall obtain
14 permission from the Boiler Inspection Division before any steam boiler or
15 unfired pressure vessel or pressure piping system may be installed or moved
16 and installed in the State of Arkansas.

17 (b) When new boilers or unfired pressure vessels are to be installed, the
18 manufacturer's data report for each boiler and unfired pressure vessel must be
19 submitted with the application for installation.

20 (c) No boiler or unfired pressure vessel or pressure piping may be
21 installed without approval from the Boiler Inspection Division."

22

23 SECTION 6. Arkansas Code 20-23-308 is hereby amended to read as
24 follows:

25 §20-23-308. New boilers and unfired pressure vessels - Fees.

26 (a) The following fees shall be paid before permits may be issued for
27 the installation of any boiler or unfired pressure vessel:

28 (1) Boilers:

- 29 (A) Up to 25 horsepower, incl.....\$15.00
- 30 (B) Over 25 horsepower to 50 horsepower, incl.20.00
- 31 (C) Over 50 horsepower to 100 horsepower, incl.25.00
- 32 (D) Over 100 horsepower to 200 horsepower, incl.....30.00
- 33 (E) Over 200 horsepower to 300 horsepower, incl.....50.00
- 34 (F) Over 300 horsepower to 400 horsepower, incl.....60.00
- 35 (G) Over 400 horsepower to 500 horsepower, incl.....70.00

1 (H) Over 500 horsepower95.00

2 (2) Unfired pressure vessels, including hot water storage
3 containers:

4 (A) 500 gallons capacity or less15.00

5
6 (B) 501 gallons capacity to 1,000 gallons capacity...20.00

7 (C) 1,001 gallons capacity to 5,000 gallons capacity.40.00

8 (D) 5,001 gallons capacity and over50.00

9 (b) The fee paid for the issuance of a permit for the installation of
10 pressure piping shall be one hundred dollars (\$100.00)."

11

12 SECTION 7. Arkansas Code 20-23-309 is hereby amended to read as
13 follows:

14 "§20-23-309. New boilers and unfired pressure vessels - Penalty.

15 Every manufacturer, jobber, dealer, or individual selling or offering
16 for sale or operating any boiler or unfired pressure vessel or installing any
17 pressure piping that does not meet the requirements of the rules and
18 regulations adopted shall be guilty of a felony and upon conviction shall be
19 fined not less than one hundred dollars (\$100) nor more than five thousand
20 dollars (\$5,000) and in addition may be imprisoned for not more than three (3)
21 years, or both."

22

23 SECTION 8. Title 11, Chapter 23, Subchapter 3 of the Arkansas Code is
24 hereby amended by adding a new section to read as follows:

25 "§20-23-314. Pressure piping inspections.

26 (a) The installation of pressure piping shall be periodically inspected
27 during the course of the installation by an inspector commissioned pursuant to
28 the provisions of Arkansas Code 20-23-401 in the manner and with the frequency
29 prescribed by the rules and regulations of the Boiler Inspection Division.

30 (b) Upon completion of the installation of any pressure piping, a final
31 inspection shall be made and the inspector shall complete a final inspection
32 report on a form approved by the Director of Labor. A copy of the final
33 inspection report shall be filed with the Boiler Inspection Division within
34 thirty (30) days of completion of the installation.

35 (c) In the event the report required by subsection (b) is not filed

1 within thirty (30) days after completion of the installation, the Boiler
2 Inspection Division shall designate an inspector in its employ to make the
3 inspection and report required by subsection (b).

4 (d) The inspections and reports required by subsections (a) and (b) may
5 be made by an inspector in the employ of the Boiler Inspection Division.

6 (e) For each inspection made by an inspector employed by the Boiler
7 Inspection Division and required by subsections (a), (b) or (c), the holder of
8 the installation permit shall pay the Boiler Inspection Division an inspection
9 fee in the amount of four hundred and forty dollars (\$440.00) per day or two
10 hundred and twenty dollars (\$220.00) per half day, plus expenses and mileage
11 at the rates authorized for employees of the Department of Labor who furnished
12 their own transportation.

13 (f) The inspections required by this section and the installation
14 permit required for pressure piping by §20-23-307 shall apply only to new
15 installations and shall not be construed as requiring an inspection or an
16 installation permit for maintenance, repair, or renovation of existing
17 facilities."

18

19 SECTION 9. Arkansas Code 20-23-405(a) is hereby amended to read as
20 follows:

21 "§20-23-405. Sellers, installers, and repairers.

22 (a) All persons, firms, or corporations engaged in the sale or
23 installation of boilers, unfired pressure vessels, or hot water storage
24 containers or pressure piping in any location shall be licensed by the Boiler
25 Inspection Division to perform the work. The annual license fee shall be
26 seventy-five dollars (\$75.00) per year, payable in advance on or before
27 January 31 of each calendar year."

28

29 SECTION 10. The effective date of this act shall be January 1, 1994.

30

31 SECTION 11. All provisions of this act of a general and permanent
32 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
33 Code Revision Commission shall incorporate the same in the Code.

34

35 SECTION 12. If any provision of this act or the application thereof to

1 any person or circumstance is held invalid, such invalidity shall not affect
2 other provisions or applications of the act which can be given effect without
3 the invalid provision or application, and to this end the provisions of this
4 act are declared to be severable.

5

6 SECTION 13. All laws and parts of laws in conflict with this act are
7 hereby repealed.