

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

**Act 1012 of the Regular Session**

1 State of Arkansas  
2 85th General Assembly  
3 Regular Session, 2005  
4

*As Engrossed: H3/9/05*

**A Bill**

HOUSE BILL 2456

5 By: Representative Bradford  
6 By: Senator J. Bookout  
7  
8

**For An Act To Be Entitled**

10 AN ACT TO AMEND THE QUALIFICATIONS OF BOILER  
11 INSPECTORS; TO AMEND THE TIME FOR INTERNAL  
12 INSPECTIONS OF LOW PRESSURE BOILERS; TO ELIMINATE  
13 THE BOND REQUIREMENT FOR THE CHIEF BOILER  
14 INSPECTOR; AND FOR OTHER PURPOSES.  
15

**Subtitle**

16 AN ACT TO AMEND THE QUALIFICATIONS OF  
17 BOILER INSPECTORS; TO AMEND THE TIME FOR  
18 INTERNAL INSPECTIONS OF LOW PRESSURE  
19 BOILERS; AND TO ELIMINATE THE BOND  
20 REQUIREMENT FOR THE CHIEF BOILER  
21 INSPECTOR.  
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25 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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27 SECTION 1. Arkansas Code § 20-23-101 is amended to read as follows:  
28 20-23-101. Definitions.

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

30 (1) "Boiler", or "boilers", ~~or "steam boilers"~~ means any boiler or  
31 like vessel or container in which water is heated or steam is generated by  
32 the application of heat ~~and shall mean any unfired pressure vessels~~  
33 ~~constructed for the accumulation, storage, or transportation of air, liquids,~~  
34 ~~or gases that are under induced pressure; and includes:~~

35 (A) Steam boilers that generate steam under pressure and



1 includes:

2 (i) High pressure steam boilers that generate steam under  
3 pressure above fifteen pounds per square inch gauge (15 psig); and

4 (ii) Low pressure steam heating boilers that generate  
5 steam at fifteen pounds per square inch gauge (15 psig) or less for heating  
6 purposes;

7 (B) Hot water heating boilers that heat water for the external  
8 use of heating any area or building; and

9 (C) Hot water heaters that are used for heating water for  
10 external use;

11 (2) "Horsepower" means the evaporation of thirty-four and one-half  
12 pounds (34½ lbs.) of water from a temperature of two hundred twelve degrees  
13 Fahrenheit (212° F) into steam at two hundred twelve degrees Fahrenheit (212°  
14 F) at fourteen and seven-tenths pounds per square inch absolute (14.7 psia);

15 (3) "Internal" and "external" inspection means a thorough and proper  
16 inspection as provided for in the rules and regulations by the Boiler  
17 Advisory Board;

18 (4)(A) "Pressure piping" means power piping systems and their  
19 component parts within or forming a part of the pressure piping system  
20 connected to any boiler or unfired pressure vessel covered by the provisions  
21 of this chapter.

22 (B) This includes only boiler external piping for power boilers  
23 and high temperature, high pressure water boilers in which:

24 (i) Steam or vapor is generated at a pressure of more than  
25 fifteen pounds per square inch gauge pressure (15 psig); and

26 (ii) High temperature water is generated at pressures  
27 exceeding one hundred sixty pounds per square inch gauge pressure (160 psig)  
28 and/or temperatures exceeding two hundred fifty degrees Fahrenheit (250° F) or  
29 one hundred twenty degrees Centigrade (120° C).

30 (C) Boiler external piping shall be considered as that piping  
31 which begins where the boiler proper terminates at:

32 (i) The first circumferential joint for welding end  
33 connections;

34 (ii) The face of the first flange in bolted flanged  
35 connections; or

36 (iii) The first threaded joint in that type of connection

1 and which extends up to and including the valve or valves required by  
2 regulation;

3 (5) "Pressure vessel" means any unfired pressure vessel constructed  
4 for the accumulation, storage, or transportation of air, liquids, or gases  
5 that are under induced pressure; and

6 (6) "PSIG" means pounds per square inch gauge pressure.  
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8 SECTION 2. Arkansas Code § 20-23-202 is amended to read as follows:

9 20-23-202. Chief inspector, deputy inspector, etc.

10 (a)(1) When the office of chief inspector becomes vacant, the Director  
11 of the Department of Labor shall ~~appoint and may remove for cause when so~~  
12 ~~appointed~~ employ a citizen of the State of Arkansas to be Chief Inspector of  
13 the Boiler Inspection Division.

14 (2) The chief inspector must ~~be a qualified boilermaker who has~~  
15 ~~had~~ have at the time of ~~the appointment~~ employment not less than ten (10)  
16 years' experience in the construction, maintenance, installation, and repair  
17 or inspection of high pressure boilers and unfired pressure vessels, ~~of which~~  
18 ~~at least three (3) years has been in the inspection of boilers.~~

19 (b)(1) The ~~chief inspector~~ Director of the Department of Labor is  
20 authorized and empowered to employ a technical assistant and deputy  
21 inspectors of boilers.

22 (A) ~~They~~ Inspectors of steam boilers and unfired pressure  
23 vessels shall have had at the time of employment not less than five (5)  
24 years' experience in the construction, maintenance, installation, and repair  
25 of high pressure boilers and unfired pressure vessels or possess a currently  
26 valid commission from the National Board of Boiler and Pressure Vessel  
27 Inspectors.

28 (B)(i) ~~They~~ Inspectors of steam boilers and unfired  
29 pressure vessels also shall have passed a written examination.

30 (ii) The examination shall conform to standards not  
31 exceeding those prescribed by the Boiler Code of the American Society of  
32 Mechanical Engineers.

33 (iii) ~~It~~ The examination shall test ~~their~~ the  
34 inspector's knowledge of the construction, installation, maintenance, and  
35 repair of boilers and their appurtenances.

36 (C) ~~The number of deputies shall be determined by the~~

1 ~~income and work necessary to be performed by the division.~~

2 (2) ~~The chief inspector~~ Director of the Department of Labor is  
3 also empowered to employ a ~~secretary, chief clerk, bookkeeper, and~~  
4 ~~stenographers~~ clerical and administrative employees, as well as other  
5 inspectors, as necessary to perform the ~~office~~ work of the Boiler Inspection  
6 Division.

7 (3) The salaries are to be approved by the General Assembly.

8 ~~(c)(1) The chief inspector shall furnish a bond in the sum of five~~  
9 ~~thousand dollars (\$5,000), and each of the deputy inspectors shall furnish a~~  
10 ~~bond in the sum of two thousand dollars (\$2,000) conditioned upon the~~  
11 ~~faithful performance of their duties and upon a true account of all moneys~~  
12 ~~handled by them respectively and the payment thereof to the proper recipient.~~

13 ~~(2) The bonds shall be approved by the Attorney General and~~  
14 ~~deposited with the Secretary of State.~~

15 ~~(d)(c) The chief inspector, technical assistant, deputy boiler~~  
16 ~~inspectors, chief clerk, secretary, bookkeeper, and stenographers shall~~  
17 ~~constitute the division.~~ The salaries of the ~~chief inspector, technical~~  
18 ~~assistant, deputy inspectors, chief clerk, secretary, bookkeeper, and~~  
19 ~~stenographers~~ employees of the Boiler Inspection Division, together with the  
20 necessary expenses of the division, shall be paid out of the fees for which  
21 provision is made in this chapter.

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23 SECTION 3. Arkansas Code § 20-23-203(a), pertaining to boiler  
24 inspections, is amended to read as follows:

25 (a) The Chief Inspector of the Boiler Inspection Division, either  
26 personally or by ~~the~~ a deputy inspector, shall carefully:

27 (1) inspect Inspect internally and externally one (1) time  
28 annually every high pressure steam boiler and steam generating apparatus;

29 (2) Inspect externally one (1) time annually and internally one  
30 (1) time every three (3) years every low pressure steam heating boiler to the  
31 extent permitted by the design and construction of the boiler;

32 ~~(3) The chief inspector or his deputy shall also inspect~~ Inspect  
33 one (1) time biennially every unfired pressure vessel located in this state  
34 which is not excepted from the inspections by the provisions of this chapter;  
35 and

36 ~~(4) shall give~~ Give the owner or operator of the boiler notice

1 of the time when ~~the~~ an internal inspection will be made.

2  
3 SECTION 4. Arkansas Code § 20-23-301(a), pertaining to boiler and  
4 pressure vessel permits, is amended to read as follows:

5 (a)(1) No owner or user of a boiler or pressure vessel or engineer or  
6 fireman in charge of ~~it~~ a boiler or pressure vessel shall operate or allow ~~it~~  
7 the boiler or pressure vessel to be operated without a certificate of  
8 inspection issued by the Director of the Department of Labor or shall allow a  
9 greater pressure in ~~it~~ the boiler or pressure vessel than is allowed by the  
10 certificate of inspection.

11 (2)(A) All boilers and pressure vessels installed or in  
12 operation in this state shall conform to those regulations and standards that  
13 shall from time to time be adopted by the Boiler Inspection Division with the  
14 approval of the director.

15 (B) The regulations and standards shall not exceed those  
16 set out in the several sections of the Boiler Code of the American Society of  
17 Mechanical Engineers and shall have the force of law immediately upon their  
18 approval by the director.

19 (3) No person shall operate or cause to be operated any boiler  
20 or unfired pressure vessel on which the certificate of inspection has been  
21 suspended or the operation of which has been forbidden by an inspector as  
22 provided in §§ 20-23-203, 20-23-306, 20-23-310, 20-23-401, and 20-23-402.

23 (4) All pressure piping installed in this state shall conform to  
24 those regulations and standards that shall from time to time be adopted by  
25 the division with the approval of the director. The regulations and standards  
26 shall not exceed those set out in the American Society of Mechanical  
27 Engineers Code for Pressure Piping, Power Piping Code, B31.1.

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29 SECTION 5. Arkansas Code § 20-23-402(a), pertaining to inspections by  
30 insurance companies, is amended to read as follows:

31 (a) Boiler inspectors employed by insurance companies which are  
32 authorized to insure boilers in this state shall hold certificates of  
33 competency issued by the Boiler Inspection Division as provided in this  
34 section and shall:

35 (1) ~~inspect~~ Inspect internally and externally at least once  
36 annually all high pressure steam boilers insured by their respective

1 companies;  
2 (2) Inspect externally one (1) time annually and internally one  
3 (1) time every three (3) years every low pressure steam heating boiler  
4 insured by their respective companies; and  
5 (3) except that Inspect unfired pressure vessels shall be so  
6 inspected biennially.

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8 /s/ Bradford

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11 APPROVED: 3/18/2005  
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