

# HOUSE BILL REPORT

## HB 1312

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### As Passed Legislature

**Title:** An act relating to the boilers and unfired pressure vessels law.

**Brief Description:** Modifying the boilers and unfired pressure vessel law.

**Sponsors:** By Representatives Wood, Condotta and Linville.

### Brief History:

#### Committee Activity:

Commerce & Labor: 1/26/05, 1/27/05 [DP].

#### Floor Activity:

Passed House: 2/28/05, 89-0.

Passed Senate: 4/4/05, 46-0.

Passed Legislature.

### Brief Summary of Bill

- Exempts additional types of boilers and unfired pressure vessels from regulation and/or inspection.
- Establishes new procedures for appealing Board of Boiler Rules decisions.
- Modifies other provisions dealing with inspection reports and inspector examinations.

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### HOUSE COMMITTEE ON COMMERCE & LABOR

**Majority Report:** Do pass. Signed by 7 members: Representatives Conway, Chair; Wood, Vice Chair; Condotta, Ranking Minority Member; Crouse, Hudgins, McCoy and Sump.

**Staff:** Jill Reinmuth (786-7134).

#### Background:

Certain boilers and unfired pressure vessels are subject to regulation by the Board of Boiler Rules (Board) and inspection by the Department of Labor and Industries (Department). Other boilers and unfired pressure vessels are exempt from regulation and/or inspection, such as certain low pressure vessels not located in public places, certain small electric boilers, domestic hot water heaters, and pressure vessels containing water for domestic supply purposes.

The Board develops rules for the safe construction, installation and operation of boilers, as well as the safe installation of unfired pressure vessels. These standards are based on nationally or internationally accepted engineering standards applicable to boilers and unfired pressure vessels.

The director of the Department approves rules developed by the Board, appoints a chief inspector and deputy inspectors, commissions authorized insurance ("special") inspectors, and assesses penalties against persons who violate safety standards for boilers and pressure vessels.

The Chief Inspector's duties include conducting safety inspections of boilers and pressure vessels, issuing operating certificates, and keeping records of internal inspections of boilers and pressure vessels.

Special inspectors are required to file reports of internal inspections with the Chief Inspector within 30 days of conducting such inspections. They are not required to file reports of external inspections unless the boiler or unfired pressure vessel is in dangerous condition.

Persons may appeal actions of the director of the Department and the Chief Inspector to the Board, and may appeal decisions of the Board to the Thurston County Superior Court.

Examinations for inspectors, including the Chief Inspector, must be held by the Board or by at least two members of the Board.

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### **Summary of Bill:**

The following types of boilers and unfired pressure vessels are exempt from regulation:

- certain low pressure vessels, regardless of their location; and
- certain small electric boilers with a maximum allowable working pressure of 100 pounds per square inch.

The following types of boilers and unfired pressure vessels are exempt from inspection requirements:

- hot water storage tanks, hot water supply boilers, and hot water heating boilers; and
- certain unfired pressure vessels containing only water under pressure for domestic supply purposes, including those containing air, the compression of which serves as a cushion or airlift pumping system, when located in certain public water systems.

Authorized insurance ("special") inspectors are required to file reports of external inspections in the same manner as reports of internal inspections.

Persons are prohibited from installing or maintaining standards that violate safety standards governing boilers and unfired pressure vessels. In cases where the interpretation and

application of the safety standards are in dispute, the Board must determine the methods of installation or maintenance to be used.

Persons may appeal the Board's decisions relating to safety standards, commissions, operating certificates, and penalties. The hearing and review procedures must be conducted in accordance with the Administrative Procedures Act. Other procedures are repealed.

Examinations for inspectors must be held by the Chief Inspector and a member of the Board, or by at least two national board commissioned inspectors.

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**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect 90 days after adjournment of session in which bill is passed.

**Testimony For:** This bill reduces state regulation of boilers and unfired pressure vessels, and makes state standards consistent with national standards. It would eliminate regulation of equipment such as power irons at dry cleaners and tailor shops, and electric fryers at grocery stores. This bill was developed in consultation with the Board.

**Testimony Against:** None.

**Persons Testifying:** (In support) Patrick Woods and Robb Marvin, Department of Labor and Industries.

**Persons Signed In To Testify But Not Testifying:** None.