

# HOUSE BILL No. 1502

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 22-12-1-20; IC 22-12-6; IC 22-15-6.

**Synopsis:** Regulated boilers and pressure vessels. Specifies exceptions to the definition of "regulated boiler or pressure vessel". Permits the boiler and pressure vessel rules board to adopt rules and set fees related to regulated boilers and pressure vessels. Specifies exceptions to the use of and licensing of regulated boilers and pressure vessels. Requires a boiler and pressure vessel inspector licensed by the office of the state building commissioner to inspect, issue permits for, and issue orders of violation regarding equipment law for boilers and pressure vessels. Repeals provisions regarding fee schedules for inspections of regulated boilers and pressure vessels. Revises internal references.

**Effective:** July 1, 1999.

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January 19, 1999, read first time and referred to Committee on Commerce and Economic Development.

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Introduced

First Regular Session 111th General Assembly (1999)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1998 General Assembly.

## HOUSE BILL No. 1502

A BILL FOR AN ACT to amend the Indiana Code concerning labor and industrial safety.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 22-12-1-20 IS AMENDED TO READ AS  
2 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 20. (a) "Regulated  
3 boiler or pressure vessel" refers to any part of a boiler or pressure  
4 vessel not described in subsection (b).

5 (b) The term does not include any of the following:

- 6 (1) ~~Water heaters commonly known as domestic water heaters~~  
7 ~~having a size and heat input that does not exceed that specified by~~  
8 ~~the rules board.~~  
9 (2) ~~Pressure vessels other than nuclear vessels operated entirely~~  
10 ~~full of water or other liquid that the rules board specifically found~~  
11 ~~to be not materially more hazardous than water, if the temperature~~  
12 ~~of the vessel's contents does not exceed one hundred eighty~~  
13 ~~degrees Fahrenheit (180° F).~~  
14 (3) ~~Boilers and pressure vessels under federal control or~~  
15 ~~regulation.~~  
16 (4) ~~Pressure vessels meeting the requirements of the Interstate~~  
17 ~~Commerce Commission for shipment of liquids or gases under~~



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- 1 pressure.
- 2 (5) Air tanks located on vehicles operating under the rules of
- 3 other state authorities and that are also used for carrying
- 4 passengers or freight.
- 5 (6) Air tanks installed on the right-of-way of railroads and used
- 6 directly in the operation of trains.
- 7 (7) Pressure vessels that were installed before July 1, 1971, and
- 8 that have a volume of:
- 9 (A) fifteen (15) cubic feet or less if located in a place other
- 10 than a place of public assembly; and
- 11 (B) five (5) cubic feet or less if located in a place of public
- 12 assembly.
- 13 (8) Pressure vessels, other than nuclear vessels that were installed
- 14 after June 30, 1971, and that have a volume of:
- 15 (A) fifteen (15) cubic feet or less, if adequately protected by
- 16 pressure relieving devices set to function at three hundred
- 17 (300) pounds per square inch or less and located in a place
- 18 other than a place of public assembly;
- 19 (B) five (5) cubic feet or less if adequately protected by
- 20 pressure relieving devices set to function at two hundred fifty
- 21 (250) pounds per square inch or less and located in a place of
- 22 public assembly; or
- 23 (C) one and one-half (1 1/2) cubic feet or less regardless of
- 24 pressure or location, unless otherwise covered by this article.
- 25 (9) Pressure vessels, other than nuclear vessels protected by
- 26 adequate pressure relieving devices, set to function at not over
- 27 fifteen (15) pounds per square inch gauge.
- 28 (10) Pressure vessels containing liquified petroleum gases and
- 29 regulated by the commission.
- 30 (11) Surgical sterilizers, coffee urns, and steam jacketed food
- 31 cookers that do not exceed size limits specified by the rules board.
- 32 (12) Commercial toy boilers and miniature model boilers
- 33 constructed as a hobby that do not exceed a size specified by the
- 34 board.
- 35 (13) Pressure vessels containing anhydrous ammonia, used in
- 36 transportation, distribution, or use storage of the product as a
- 37 liquid fertilizer, and for which a general scheme of construction,
- 38 installation, and safety requirements has been adopted by statute
- 39 or rule of another state agency. This exemption does not apply to
- 40 vessels in refineries or in manufacturing or processing plants.
- 41 (14) Nuclear vessels for the collection and disposal of nuclear
- 42 waste from a nuclear energy system that are not subject to

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- 1 pressures greater than would prevail if they were vented to the  
2 atmosphere.
- 3 **(2) Pressure vessels used for transportation and storage of**  
4 **compressed gases, when constructed in compliance with**  
5 **specifications of the United States Department of**  
6 **Transportation and when charged with gas, marked,**  
7 **maintained, and periodically requalified for use, as required**  
8 **by appropriate regulations of the United States Department**  
9 **of Transportation.**
- 10 **(3) Pressure vessels located on vehicles operating under the**  
11 **rules of other state authorities and used for carrying**  
12 **passengers or freight.**
- 13 **(4) Pressure vessels installed on the right-of-way of railroads**  
14 **and used directly in the operation of trains.**
- 15 **(5) Pressure vessels having an internal or external operating**  
16 **pressure not exceeding fifteen (15) pounds per square inch**  
17 **gauge with no limit on size.**
- 18 **(6) Pressure vessels having an inside diameter, width, height,**  
19 **or cross section diagonal not exceeding six (6) inches with no**  
20 **limitation on length or pressure of the vessel.**
- 21 **(7) Pressure vessels for containing water under pressure,**  
22 **including those containing air, the compression of which**  
23 **serves only as a cushion, if none of the following limitations**  
24 **are exceeded:**
- 25 **(A) A design pressure of three hundred (300) pounds per**  
26 **square inch gauge.**
- 27 **(B) A design temperature of two hundred ten (210) degrees**  
28 **Fahrenheit.**
- 29 **(8) Pressure vessels that contain water heated by steam or any**  
30 **other indirect means and that are equipped with an American**  
31 **Society of Mechanical Engineers and National Board of Boiler**  
32 **and Pressure Vessel Inspectors (ASME/NB) stamped safety**  
33 **relief valve, if none of the following limitations are exceeded:**
- 34 **(A) A heat input of two hundred thousand (200,000) British**  
35 **Thermal Units per hour.**
- 36 **(B) A water temperature of two hundred ten (210) degrees**  
37 **Fahrenheit.**
- 38 **(9) Hot water supply boilers used exclusively for supplying hot**  
39 **water that are directly fired with oil, gas, or electricity, if**  
40 **none of the following limitations are exceeded:**
- 41 **(A) A heat input of two hundred thousand (200,000) British**  
42 **Thermal Units per hour.**



- 1           **(B) A water temperature of two hundred ten (210) degrees**  
 2           **Fahrenheit.**
- 3           **(C) A nominal water capacity of one hundred twenty (120)**  
 4           **gallons.**
- 5           **This exemption does not apply to hot water supply boilers that**  
 6           **exceed fifty (50) gallons in volume or one hundred thousand**  
 7           **(100,000) British Thermal Units per hour if installed in a**  
 8           **place of public assembly. These exempt hot water supply**  
 9           **boilers must be equipped with American Society of**  
 10           **Mechanical Engineers and National Board of Boiler and**  
 11           **Pressure Vessel Inspectors (ASME/NB) stamped safety relief**  
 12           **valves.**
- 13           **(10) Potable water heaters and hot water storage tanks**  
 14           **equipped with safety devices in accordance with HLW-800, as**  
 15           **set forth in the American Society of Mechanical Engineers**  
 16           **(ASME) Boiler and Pressure Code and as adopted by rule**  
 17           **under IC 4-22-2, for operations at a pressure not exceeding**  
 18           **one hundred sixty (160) pounds per square inch gauge if none**  
 19           **of the following limitations are exceeded:**
- 20           **(A) A heat input of two hundred thousand (200,000) British**  
 21           **Thermal Units per hour.**
- 22           **(B) A water temperature of two hundred ten (210) degrees**  
 23           **Fahrenheit.**
- 24           **(C) A nominal water capacity of one hundred twenty (120)**  
 25           **gallons.**
- 26           **This exemption does not apply to water heaters and hot water**  
 27           **storage tanks that exceed fifty (50) gallons in volume or one**  
 28           **hundred thousand (100,000) British Thermal Units per hour**  
 29           **when installed in a place of public assembly.**
- 30           **(11) Pressure vessels that may be classified as pressure**  
 31           **containers, which are integral parts of components of rotating**  
 32           **or reciprocating mechanical devices and include pumps,**  
 33           **compressors, turbines, generators, engines, and hydraulic or**  
 34           **pneumatic cylinders, where the primary design considerations**  
 35           **and stresses are derived from the functional requirements of**  
 36           **the device.**
- 37           **(12) Continuous coil type hot water boilers used only for**  
 38           **steam vapor cleaning of items such as machinery and**  
 39           **buildings if none of the following limitations are exceeded:**
- 40           **(A) Three-fourths (3/4) inch diameter tubing or pipe size**  
 41           **with no drums or headers attached.**
- 42           **(B) Nominal water containing capacity does not exceed six**

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- 1           **(6) gallons.**  
 2           **(C) Water temperature does not exceed three hundred fifty**  
 3           **(350) degrees Fahrenheit.**  
 4           **(D) Steam is not generated within the coil, except if the**  
 5           **boilers are provided with one (1) or more American**  
 6           **Society of Mechanical Engineers and National Board of**  
 7           **Boiler and Pressure Vessel Inspectors (ASME/NB)**  
 8           **stamped safety relief valves meeting the applicable adopted**  
 9           **code and the requirements of the manufacturer.**  
 10          **(13) Pressure vessels containing flammable liquids or gases**  
 11          **and regulated by the commission.**  
 12          **(14) Pressure vessels containing anhydrous ammonia, for**  
 13          **which a general scheme of construction, installation, and**  
 14          **safety requirements has been adopted by statute or rule of**  
 15          **another state agency, that are used in the following:**  
 16               **(A) Transportation.**  
 17               **(B) Distribution.**  
 18               **(C) Use storage of the product as a liquid fertilizer.**  
 19          **This exemption does not apply to vessels in refineries or in**  
 20          **manufacturing or processing plants.**  
 21          **(15) Standard and miniature traction engine boilers and other**  
 22          **boilers used solely for exhibition purposes.**  
 23          **(16) A locomotive boiler used only on a railway that is used as a**  
 24          **tourist attraction.**  
 25          **SECTION 2. IC 22-12-6-15 IS ADDED TO THE INDIANA CODE**  
 26          **AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY**  
 27          **1, 1999]: Sec. 15. (a) The rules board, by rules adopted under**  
 28          **IC 4-22-2, shall set the fees for the following:**  
 29               **(1) Operating permits for regulated boilers and pressure**  
 30               **vessels under IC 22-15-6-2.**  
 31               **(2) Inspections of regulated boilers and pressure vessels under**  
 32               **IC 22-15-6-2.**  
 33               **(3) Inspection reports of regulated boilers and pressure**  
 34               **vessels under IC 22-15-6-4.**  
 35               **(4) Manufacturers, including fabricators, field assemblers,**  
 36               **and repairers of regulated boilers and pressure vessels, that**  
 37               **use the office of the state building commissioner's inspection**  
 38               **services under IC 22-15-6-2.**  
 39               **(5) Regulated boilers and pressure vessel inspector licenses**  
 40               **under IC 22-15-6-5.**  
 41               **(6) Owner and user inspection agency licenses under**  
 42               **IC 22-15-6-6.**



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1           **(b) The fees set under subsection (a)(2) through (a)(4) must be**  
 2 **the fees for the same services in the private regulated boiler and**  
 3 **pressure vessel inspection sector, as determined:**

4           **(1) by averaging the schedules of the fees set by private sector**  
 5 **providers of boiler and pressure vessel inspection to**  
 6 **determine the mean average fee; or**

7           **(2) if unable to be determined by the formula in subdivision**  
 8 **(1), by the board.**

9           **(c) The fees set under subsection (a)(1) and (a)(5) through (a)(7)**  
 10 **may not exceed the actual cost, including overhead, of providing**  
 11 **the service.**

12           SECTION 3. IC 22-15-6-1 IS AMENDED TO READ AS  
 13 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 1. **(a)** Sections 2  
 14 through 3 of this chapter do not apply to any of the following:

15           **(1) Any regulated boiler or pressure vessel located on a farm and**  
 16 **used solely for agricultural purposes:**

17           **(2) Any steam boiler or water heating boiler:**

18           **(A) located in an owner occupied residence; a residential**  
 19 **structure with fewer than seven (7) apartments; or a place**  
 20 **other than a place of public assembly;**

21           **(B) operated for heating purposes at a pressure not exceeding**  
 22 **fifteen (15) pounds per square inch gauge, if qualifying as a**  
 23 **steam boiler; and operated at a pressure not exceeding thirty**  
 24 **(30) pounds per square inch gauge, if qualifying as a water**  
 25 **heating boiler; and**

26           **(C) having a gross output rating not exceeding two hundred**  
 27 **fifteen thousand (215,000) British Thermal Units per hour; if**  
 28 **not located in a place of public assembly.**

29           **(3) Any pressure vessel:**

30           **(A) containing only water under pressure for domestic supply**  
 31 **purposes, including one containing air, if the compressed air**  
 32 **serves only as a cushion or as part of an airlift pumping**  
 33 **system; and**

34           **(B) located in an owner occupied residence or a residential**  
 35 **structure with less than seven (7) apartments:**

36           **(4) Any pressure vessel used as an integral part of an electrical**  
 37 **circuit breaker:**

38           **Pressure vessels not exceeding the following limitations:**

39           **(A) Five (5) cubic feet in volume and two hundred fifty**  
 40 **(250) pounds per square inch gauge.**

41           **(B) One and one-half (1 1/2) cubic feet in volume and six**  
 42 **hundred (600) pounds per square inch gauge.**

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- 1           **(2) Heating boilers or pressure vessels that are located in**  
 2           **private residences or in apartment houses of less than six (6)**  
 3           **family units.**
- 4           **(3) Pressure vessels operated entirely full of water or liquid,**  
 5           **which materially is not more hazardous than water, if the**  
 6           **temperature of the vessel's contents does not exceed one**  
 7           **hundred forty (140) degrees Fahrenheit or a pressure of two**  
 8           **hundred (200) pounds per square inch gauge.**
- 9           **(4) Power piping and process piping beyond the scope of the**  
 10           **American Society of Mechanical Engineers (ASME) Boiler**  
 11           **and Pressure Vessel Code.**
- 12           **(5) Boilers or pressure vessels located on farms and used**  
 13           **solely for agricultural or horticultural purposes.**
- 14           **(6) Pressure vessels used as external parts of electrical circuit**  
 15           **breakers or transformers.**
- 16           **(b) In all circumstances, the owner or user of the items listed in**  
 17           **subsection (a) shall confer with the chief inspector of the office**  
 18           **regarding exemption from sections 2 and 3 of this chapter for the**  
 19           **items.**
- 20           **(c) The rules board as established by IC 22-12-4-1 of this**  
 21           **chapter may set by rules adopted under IC 4-22-2, as approved by**  
 22           **the commission, additional equipment exemptions or inspection**  
 23           **interval changes, based on the rule board's expertise regarding**  
 24           **boilers, pressure vessels, and system applications for components.**
- 25           SECTION 4. IC 22-15-6-2 IS AMENDED TO READ AS  
 26           FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 2. (a) The office shall  
 27           conduct a program of periodic inspections of regulated boilers and  
 28           pressure vessels. The office or a boiler and pressure vessel inspector  
 29           acting under section 4 of this chapter shall issue a regulated boiler and  
 30           pressure vessel operating permit to an applicant who qualifies under  
 31           this section.
- 32           (b) Except as provided in subsection (d), a permit issued under this  
 33           section expires one (1) year after it is issued. The permit terminates if  
 34           it was issued by an insurance company acting under section 4 of this  
 35           chapter and the applicant ceases to insure the boiler or pressure vessel  
 36           covered by the permit against loss by explosion with an insurance  
 37           company authorized to do business in Indiana.
- 38           (c) To qualify for a permit under this section, an applicant must:  
 39           (1) demonstrate through an inspection that the regulated boiler or  
 40           pressure vessel covered by the application complies with the rules  
 41           adopted by the rules board; and  
 42           (2) pay the fee set under ~~IC 22-12-6-10~~ and ~~IC 22-12-6-11~~



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**IC 22-12-6-15.**

(d) The rules board may, by rule adopted under IC 4-22-2, specify a period between inspections of more than one (1) year. However, the rules board may not set an inspection period of greater than five (5) years for regulated pressure vessels or steam generating equipment that is an integral part of a continuous processing unit.

(e) The office may inspect a device listed under IC 22-12-1-20(b) if the owner or operator of the device requests that the office make an inspection.

SECTION 5. IC 22-15-6-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 4. (a) As used in this section, "inspection agency" means:

- (1) an insurance company engaged in insuring and inspecting regulated boilers and pressure vessels in Indiana; or
- (2) an owner or user inspection agency registered under section 6 of this chapter.

(b) A boiler and pressure vessel inspector licensed under section 5 of this chapter and employed by an inspection agency ~~may~~ **shall** perform ~~any~~ of the following **for boilers and pressure vessels insured or owned by the inspector's employer**:

- (1) An inspection required by section 3 of this chapter.
- (2) The issuance of a permit under section 3 of this chapter.
- (3) The issuance of an appropriate order under IC 22-12-7 when an equipment law has been violated.

(c) The authority of an inspector acting under this chapter is limited to enforcement related to regulated boilers or pressure vessels insured, owned, or operated by the inspection agency employing the inspector.

(d) Unless an annual report is substituted under subsection (e), an inspection agency shall, within thirty (30) days after the completion of an inspection, submit to the office the report required by the rules board.

(e) In the case of boilers or pressure vessels inspected by an owner or user inspection agency, an annual report filed on or before such annual date as the rules board may prescribe for each report may be substituted. An annual report of owner or user inspection agency must list, by number and abbreviated description necessary for identification, each boiler and pressure vessel inspected during the covered period, the date of the last inspection of each unit, and for each pressure vessel the approximate date for its next inspection under the rules of the rules board. Each annual report of an owner or user inspection **agency** must also contain the certificate of a professional engineer registered under IC 25-31 and having supervision over the inspections reported,



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1 swearing or affirming under penalty of perjury that each inspection was  
2 conducted in conformity with the equipment laws.

3 (f) An owner or user inspection agency shall pay the fee set under  
4 IC 22-12-6 with a report under subsection (e).

5 (g) In addition to the reports required by subsections (d) and (e), an  
6 inspection agency shall immediately notify the office when the  
7 inspection agency has reason to believe that a violation of an  
8 equipment law applicable to regulated boilers or pressure vessels has  
9 occurred.

10 (h) An inspection agency that violates this section is subject to a  
11 disciplinary action under IC 22-12-7.

12 SECTION 6. IC 22-15-6-5 IS AMENDED TO READ AS  
13 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 5. (a) The office shall  
14 issue a boiler and pressure vessel inspector license to an applicant who  
15 qualifies under this section.

16 (b) To qualify for a license under this section an applicant must:

- 17 (1) meet the qualifications set by the rules board in its rules;
- 18 (2) pass an examination approved by the rules board and  
19 conducted, supervised, and graded as prescribed by the rules  
20 board; and

21 (3) pay the fee set under ~~IC 22-12-6-13~~ **IC 22-12-6-15**.

22 (c) The rules board may exempt an applicant from any part of the  
23 examination required by subsection (b) if the applicant has:

- 24 (1) a boiler and pressure vessel inspector's license issued by  
25 another state with qualifications substantially equal to the  
26 qualifications for a license under this section; or
- 27 (2) a commission as a boiler and pressure vessel inspector issued  
28 by the National Board of Boiler and Pressure Vessel Inspectors.

29 SECTION 7. IC 22-15-6-6 IS AMENDED TO READ AS  
30 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 6. (a) The office shall  
31 issue a license to act as an owner or user boiler and pressure vessel  
32 inspection agency who qualifies under this section.

33 (b) A license issued under this section expires if the bond required  
34 by subsection (c)(3) becomes invalid.

35 (c) To qualify for a license under this section an applicant must:

- 36 (1) submit the name and address of the applicant;
- 37 (2) submit proof that inspections will be supervised by one (1) or  
38 more professional engineers licensed under IC 25-31 and  
39 regularly employed by the applicant;
- 40 (3) provide a surety bond issued by a surety qualified to do  
41 business in Indiana for five thousand dollars (\$5,000), made  
42 payable to the office and conditioned upon compliance with the



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1 equipment laws applicable to inspections and the true accounting  
 2 for all funds due to the office; and  
 3 (4) pay the fee set under ~~IC 22-12-6-14~~. **IC 22-12-6-15**.  
 4 (d) A licensee under this section shall maintain with the office the  
 5 most current name and address of the licensee and the name of the  
 6 professional engineer supervising the licensee's inspections and notify  
 7 the office of any changes within thirty (30) days after the change  
 8 occurs. An inspection agency that violates this subsection is subject to  
 9 a disciplinary action under IC 22-12-7.  
 10 SECTION 8. THE FOLLOWING ARE REPEALED [EFFECTIVE  
 11 JULY 1, 1999]: IC 22-12-6-10; IC 22-12-6-11; IC 22-12-6-12;  
 12 IC 22-12-6-13; IC 22-12-6-14.

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