

Reprinted 2/78

JAN 1 1978

HOUSE FILE 2069

Labor and Industrial Relations To Pass (p. 204) BY SVOBODA, CONNORS, CHIDO,
SMALLEY, THOMPSON, JUNKER,
JOCHUM and PONCY

Passed House, Date 1-30-78 (p. 241) Passed Senate, Date _____

Vote: Ayes 91 Nays 2 Vote: Ayes _____ Nays _____

Approved _____

A BILL FOR

1 An Act relating to the inspection of boilers and similar
2 vessels by the bureau of labor.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section eighty-nine point one (89.1), Code
2 1977, is amended by striking the section and inserting in
3 lieu thereof the following:

4 89.1 AUTHORITY. The labor commissioner shall enforce
5 the provisions of this chapter and may employ qualified
6 personnel under the provisions of chapter nineteen A (19A)
7 of the Code to administer the provisions of this chapter.

8 The provisions of this chapter shall apply to all boilers
9 and unfired steam pressure vessels in this state, except as
10 otherwise provided in this chapter.

11 Sec. 2. Chapter eighty-nine (89), Code 1977, is amended
12 by adding the following new section after section eighty-nine
13 point one (89.1) of the Code:

14 NEW SECTION. DEFINITIONS. For the purpose of this chap-
15 ter unless the context otherwise requires:

16 1. "Commissioner" means the labor commissioner or his
17 or her designee.

18 2. "Special inspector" means an inspector who holds a
19 commission from the commissioner of labor and who is not a
20 state employee.

21 3. "Place of public assembly" means any building or por-
22 tion of a building designed, intended, and used for occupation
23 by persons for purposes of entertainment, instruction, or
24 amusement and shall include theaters, motion picture theaters,
25 hospitals, places of worship, schools, colleges, and
26 institutions of health and custodial care.

27 4. "Boiler" means a vessel in which water or other liquids
28 are heated, steam or other vapors are generated, steam or
29 other vapors are superheated, or any combination thereof,
30 under pressure or vacuum by the direct application of heat.

31 5. "Steam heating boiler" means a boiler operating at
32 not more than fifteen pounds per square inch; or a hot water
33 heating boiler operating at not more than one hundred sixty
34 pounds per square inch and not more than two hundred fifty
35 degrees Fahrenheit at the boiler outlet.

1 6. "Unfired steam pressure vessel" means a vessel or
2 container used for the containment of steam pressure either
3 internal or external in which the pressure is obtained from
4 an external source.

5 7. "Power boiler" means a boiler in which steam or other
6 vapor is generated at a pressure of more than fifteen pounds
7 per square inch or a water boiler intended for operation at
8 pressures in excess of one hundred sixty pounds per square
9 inch or temperatures in excess of two hundred fifty degrees
10 Fahrenheit.

11 Sec. 3. Section eighty-nine point two (89.2), Code 1977,
12 is amended to read as follows:

13 89.2. INSPECTION MADE--CERTIFICATE.

14 1. It shall be the duty of the ~~state-boiler-inspector~~
15 commissioner, to inspect or cause to be inspected internally
16 and externally, at least once every twelve months, except
17 as otherwise provided in this section, in order to determine
18 whether all such equipment is in a safe and satisfactory con-
19 dition, and properly constructed and maintained for the pur-
20 pose for which ~~the same~~ it is used, all ~~steam boilers, tanks,~~
21 ~~jacket-kettles, generators, all steam boilers used for heating~~
22 ~~purposes carrying a pressure of not more than fifteen pounds~~
23 ~~per square inch guage and located in places of public assembly,~~
24 ~~all hot water heating boilers carrying a pressure of not more~~
25 ~~than thirty pounds per square inch guage~~ and unfired steam
26 pressure vessels operating in excess of fifteen pounds per
27 square inch, all low pressure heating boilers and unfired
28 steam pressure vessels located in places of public assembly
29 and other appurtenances used in this state for generating
30 or transmitting steam for power, or for using steam under
31 pressure for heating or steaming purposes, ~~in order to~~
32 ~~determine whether said equipment is in a safe and satisfactory~~
33 ~~condition, and properly constructed and maintained for the~~
34 ~~purpose for which the same is used.~~

35 2. The ~~labor commissioner and the boiler inspectors shall~~

1 ~~have-the-right-and-power-to~~ may enter any building or
2 structure, public or private, for the purpose of inspecting
3 any equipment covered by this chapter or gathering information
4 with reference thereto.

5 3. Upon making an inspection of any equipment covered
6 by this chapter, the ~~inspector~~ commissioner shall ~~give~~ issue
7 to the owner or user thereof a certificate of inspection,
8 ~~upon-forms-prescribed-by-the-labor-commissioner,~~ which
9 certificate shall be posted ~~in~~ at a place near the location
10 of ~~said~~ the equipment.

11 4. The owner or user of any equipment covered in this
12 chapter, or persons in charge of same, shall not allow or
13 permit a greater pressure in any unit than is stated in the
14 certificate of inspection issued by the ~~inspector~~ commissioner.

15 5. The ~~boiler-inspector--is-hereby-empowered-to~~
16 commissioner may inspect boilers and tanks and other equipment
17 stamped with the American society of mechanical engineers
18 code symbol for other than steam pressure, manufactured in
19 Iowa, when requested by the manufacturer.

20 6. Each ~~fired-steam~~ boiler of one hundred thousand pounds
21 per hour or more capacity, used or proposed to be used within
22 this state, which has internal continuous water treatment
23 under the direct supervision of a graduate engineer or chemist,
24 or one having equivalent experience in the treatment of boiler
25 water where the ~~said~~ water treatment is for the purpose of
26 controlling and limiting serious corrosion and other
27 deteriorating factors, and with respect to which boiler the
28 ~~state-boiler-inspector~~ commissioner has determined that the
29 owner or user has complied with the record keeping requirements
30 hereafter prescribed, shall be inspected at least once every
31 two years internally and externally while not under pressure,
32 ~~by-the-state-boiler-inspector-or-by-one-of-the-deputy~~
33 ~~inspectors-as-to-its-construction,-installation,-condition~~
34 ~~and-operation.~~ At any time a hydrostatic test shall
35 be deemed necessary to determine the safety of a boiler, the

1 ~~same-shall-be-made, under the supervision of the inspector,~~
2 tests shall be conducted by the owner or user thereof of the
3 equipment under the supervision of the commissioner.

4 7. Not more than ~~twenty-four months~~ two years shall elapse
5 between internal inspections, and external. External
6 inspections while under pressure shall also be made at no
7 greater intervals more than every two years.

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8 8. The owner or user of such a boiler shall keep available
9 for examination by the ~~state-boiler-inspector or by any of~~
10 the ~~deputy-inspectors~~ commissioner accurate records showing
11 the date and actual time such the boiler is out of service
12 and the reason or reasons therefor, and such the chemical
13 physical laboratory analysis of samples of the boiler water
14 taken at regular intervals of not more than forty-eight hours
15 of operation as will adequately show the condition of such
16 the water and any elements or characteristics thereof which
17 are capable of producing corrosion or other deterioration
18 of the boiler or its parts.

19 9. Internal inspections of sectional cast iron steam and
20 cast iron hot water heating boilers shall be conducted only
21 as deemed necessary by the commissioner. External operating
22 inspections shall be conducted annually.

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23 10. Internal inspections of steel hot water boilers shall
24 be conducted once every six years. The initial inspection
25 of all affected boilers shall be apportioned by the
26 commissioner over the six-year period after the effective
27 date of this Act. External operating inspections shall be
28 conducted annually.

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29 11. All power boilers that are converted to low pressure
30 boilers shall have a fifteen pound safety valve installed
31 and be approved by the commissioner no later than thirty days
32 after the expiration date of the certificate for the boiler.

33 Sec. 4. Section eighty-nine point three (89.3), Code 1977,
34 is amended to read as follows:

35 89.3 BOILERS EXEMPT.

1 1. The provisions of this chapter shall not apply to
2 ~~boilers the following boilers:~~

3 a. ~~Boilers of railway locomotives subject to federal in-~~
4 ~~spection, -boilers.~~

5 b. ~~Boilers operated and regularly inspected by railway~~
6 ~~companies operating in interstate commerce, -boilers.~~

7 c. ~~Boilers under the jurisdiction and subject to inspec-~~
8 ~~tion by the United States government, -boilers.~~

9 d. ~~Boilers used exclusively for agricultural purposes,~~
10 ~~heating.~~

11 e. ~~Heating boilers in residences, -buildings, -except~~
12 ~~buildings-of-public-assembly-as-defined-in-section-89-42-and~~
13 ~~apartment-houses-using-a-pressure-of-less-than-fifteen-pounds~~
14 ~~per-square-inch-or-having-a-safety-valve-set-at-not-higher~~
15 ~~than-fifteen-pounds-pressure-per-square-inch, -and-fire.~~

16 f. ~~Fire engine boilers brought into the state for tem-~~
17 ~~porary use in times of emergency.~~

18 g. ~~Low pressure heating boilers used in buildings other~~
19 ~~than those for public assembly.~~

20 ~~All-high-pressure-boilers-that-are-converted-to-low-pres-~~
21 ~~sure-boilers-shall-have-a-fifteen-pound-safety-valve-installed~~
22 ~~and-be-approved-by-a-commissioned-inspector-from-the-bureau~~
23 ~~of-labor-not-later-than-thirty-days-after-the-expiration-date~~
24 ~~of-the-certificate-for-said-boiler.~~

25 2. ~~Unfired steam pressure vessels not exceeding the fol-~~
26 ~~lowing limitations are not required to be reported to the~~
27 ~~bureau-of-labor commissioner:~~

28 4 a. ~~A vessel not greater than five cubic feet in volume~~
29 ~~and not having a pressure greater than two hundred fifty~~
30 ~~pounds per square inch.~~

31 2 b. ~~A vessel not greater than one and one-half cubic~~
32 ~~feet in volume with no limit on pressure.~~

33 3. ~~Internal inspection inspections shall not be required~~
34 ~~on unfired steam pressure vessels where they have been manu-~~
35 ~~factured without inspection plate and where it would be neces-~~

1 sary for them to be drilled in order to be inspected as
2 ~~required in section 89.2. The above mentioned unfired pressure~~
3 ~~vessels must be reported to the bureau of labor and certified~~
4 ~~by the inspector that in his judgment they are safe and in~~
5 ~~satisfactory condition for the purpose for which they are~~
6 ~~used. The existence of such unfired pressure vessels shall~~
7 ~~be reported to the commissioner, and certified by the~~
8 ~~commissioner that the unfired pressure vessel is in a~~
9 ~~satisfactory condition for the purpose for which it is used.~~

10 Sec. 5. Section eighty-nine point four (89.4), Code 1977,
11 is amended to read as follows:

12 89.4 RULES--RECORDS.

13 1. ~~The commissioner of labor is hereby authorized and~~
14 ~~empowered to~~ may prescribe rules within under the provisions
15 of ~~this~~ chapter seventeen A (17A) of the Code, for the purpose
16 of carrying ~~the same into effect~~ out the provisions of this
17 chapter, including rules for the methods of testing equipment
18 and construction and installation of new equipment covered
19 by this chapter, and ~~said~~ the rules shall, as nearly as
20 possible, conform to the rules formulated by the boiler code
21 committee of the American society of mechanical engineers
22 ~~and known as the American society of mechanical engineers~~
23 ~~boiler code of 1937 as amended.~~

24 2. ~~The state boiler inspector~~ commissioner shall
25 investigate and ~~report to the commissioner~~ record the cause
26 of any boiler explosion that may occur in the state, the loss
27 of life, injuries sustained, and estimated loss of property,
28 if any; and such other data as may be of benefit in preventing
29 a recurrence of similar explosions.

30 3. ~~He~~ The commissioner shall keep ~~in the office of the~~
31 ~~commissioner~~ a complete and accurate record of the name of
32 the owner or user of each steam boiler or other equipment
33 subject to this chapter, giving a full description of ~~said~~
34 the equipment, including the type, dimensions, age, condition,
35 the amount of pressure allowed, and the date when last

1 inspected.

2 Sec. 6. Section eighty-nine point five (89.5), Code 1977,
3 is amended to read as follows:

4 89.5 NEW BOILERS--NOTICE TO COMMISSIONER. Before any
5 equipment included under the provisions of this chapter is
6 installed by any owner, user or lessee thereof, a ten days'
7 written notice of intention to install same the equipment
8 shall be given to the commissioner ~~of labor~~. The notice shall
9 designate the proposed place of installation, the type and
10 capacity of ~~such~~ the equipment, the use to be made thereof,
11 the name of company which manufactured ~~same~~ the equipment,
12 and whether ~~said~~ the equipment is new or used.

13 Sec. 7. Section eighty-nine point six (89.6), Code 1977,
14 is amended to read as follows:

15 89.6 INSURED BOILERS--CERTIFICATE OF INSPECTION.

16 1. The inspection required by this chapter shall not be
17 made by the ~~state-boiler-inspector~~ commissioner where any
18 owner or user of any equipment specified by this chapter
19 obtains an inspection by a representative of a reputable
20 insurance company and obtains a policy of insurance ~~from-said~~
21 ~~company~~ upon ~~said~~ the equipment from that insurance company.
22 The representative conducting the inspection shall be
23 commissioned by the commissioner as a special inspector for
24 the year during which the inspection occurs and shall meet
25 such other requirements as the commissioner may by rule
26 establish. The commission shall be valid for one year and
27 the special inspector shall pay a ten dollar fee for the
28 issuance of the commission.

29 2. The insurance company shall file a certificate of
30 inspection on forms approved by the commissioner ~~of labor~~
31 stating that ~~such~~ the equipment is insured and that inspection
32 shall be made in accordance with section 89.2. ~~Upon-such~~
33 ~~showing-and-the-payment-of-a-fee-of-five-dollars-the~~
34 ~~commissioner-of-labor-shall-issue-a-certificate-of-inspection~~
35 ~~by-the-bureau-of-labor-which-shall-be-valid-only-for-the~~

1 ~~period-specified-in-section-89-2-~~

2 3. Upon such showing and the payment of a fee of five
3 dollars for each one-year inspection and ten dollars for each
4 two-year inspection, the commissioner ~~of-labor~~ shall issue
5 a certificate of inspection by the bureau of labor, which
6 shall be valid only for the period specified in section 89.2.

7 2 4. The ~~state-boiler~~ special inspector shall notify the
8 user and the commissioner of any equipment or appurtenance
9 found to be unsafe or unfit for operation in writing, setting
10 forth the nature and extent of such defects and condition.
11 ~~Said-notice~~ The commissioner shall indicate to the user whether
12 or not ~~said~~ the equipment ~~shall~~ may be used without making
13 repair or replacement of defective parts, or whether or how
14 ~~said~~ the equipment may be used in a limited capacity before
15 repairs or replacements are made, and the ~~state-boiler~~
16 ~~inspector~~ commissioner may permit the user a reasonable time
17 to make such repairs or replacements.

18 Sec. 8. Section eighty-nine point seven (89.7), subsections
19 five (5), six (6), and seven (7), Code 1977, are amended to
20 read as follows:

21 5. Steam stills, tanks, jacket kettles, sterilizers and
22 all other reservoirs fired or unfired having a working pressure
23 in excess of fifteen pounds per square inch, shall be charged
24 for ~~the-first-piece-of-equipment~~ as follows: Fifteen pounds
25 to seventy pounds per square inch, ten dollars; seventy-one
26 pounds to one hundred fifty pounds per square inch, twelve
27 dollars; one hundred fifty-one pounds to four hundred fifty
28 pounds per square inch, fourteen dollars. Additional equipment
29 shall be charged for at the same rate as boilers.

30 6. If at any time the owner, user or agent of the owner
31 of a steam boiler or equipment within the state shall ~~desire~~
32 ~~a-special~~ request an inspection of any boiler or equipment,
33 it shall be made by the ~~boiler-inspection-department~~
34 commissioner after due a request therefor, and the ~~inspector~~
35 ~~making-the-inspection~~ commissioner shall collect a fee of

1 twenty dollars for each boiler, together with ~~his~~ the expenses
2 in connection therewith.

3 7. Inspections and code qualification surveys made by
4 the commissioner at the request of a boiler or tank
5 manufacturer ~~by-the-chief-inspector-or-any-deputy-inspector,~~
6 shall be charged for at the a rate set by the commissioner
7 not to exceed the rate currently charged by the various
8 insurance companies for performing a similar service. This
9 charge shall not void the regular fee for inspection or cer-
10 ~~tificate~~ certification when the boiler or tank is installed.

11 Sec. 9. Section eighty-nine point eight (89.8), Code 1977,
12 is amended to read as follows:

13 89.8 DISPOSAL OF FEES. All fees provided for in this
14 chapter shall be collected by the commissioner ~~of labor~~ and
15 remitted to the ~~state~~ treasurer of state, together with an
16 itemized statement showing the source of collection.

17 Sec. 10. Section eighty-nine point eleven (89.11), Code
18 1977, is amended to read as follows:

19 89.11 HEARING--NOTICE--DECREE. The commissioner shall
20 notify in writing the owner or user of ~~said~~ the equipment
21 of the time and place of hearing of ~~said~~ the petition as fixed
22 by the court or judge, and shall serve ~~said~~ the notice on
23 the defendant at least five days prior to ~~said~~ the hearing
24 in the same manner as original notices are served. The general
25 provisions relating to civil practice and procedure as may
26 be applicable, shall govern the proceedings, except as herein
27 modified. In the event the defendant does not appear or plead
28 to ~~said~~ the action, default shall be entered against the
29 defendant. The action shall be tried in equity, and the court
30 or judge shall make such order or decree as the evidence
31 warrants.

32 Sec. 11. Section eighty-nine point twelve (89.12), Code
33 1977, is repealed.

34 EXPLANATION

35 This bill simplifies and makes some changes in statutory

1 requirements concerning the inspection of boilers and similar
2 vessels by the bureau of labor. Most of the current inspection
3 intervals remain unchanged except: 1) internal inspections
4 of sectional cast iron steam and cast iron hot water heating
5 boilers shall be conducted as deemed necessary while external
6 inspections of the same shall be conducted annually; and 2)
7 internal inspections of steel hot water boilers shall be
8 conducted every six years, with annual external inspections.

9 The bill also provides that special inspectors representing
10 insurance companies must hold a commission from the
11 commissioner of labor to conduct inspections and must pay
12 a ten dollar annual fee for the commission.

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HOUSE FILE 2069

H-5156

- 1 Amend House File 2069 as follows:
- 2 1. Page 7, by striking lines 22 through 28.

H-5156 FILED - *Lost (p 244)* BY SCHROEDER of Pottawattamie
JANUARY 26, 1978

HOUSE FILE 2069

H-5160

- 1 Amend House File 2069 as follows:
- 2 1. Page 3, line 31 by striking the word "pressure,"
- 3 and inserting in lieu thereof the words "pressure, and
- 4 at least once every two years externally while under
- 5 pressure".
- 6 2. Page 4, by striking lines 4 through 7 and
- 7 inserting in lieu thereof the following:
- 8 "~~Not more than twenty-four months shall elapse~~
- 9 ~~between internal inspections, and external inspections~~
- 10 ~~while under pressure shall also be made at no greater~~
- 11 ~~intervals."~~
- 12 3. Page 4, line 8 by inserting after the word
- 13 "boiler" the words "of one hundred thousand pounds per
- 14 hour or more capacity desiring to qualify for biennial
- 15 inspection".
- 16 4. Page 5, line 27 by inserting after the word
- 17 "commissioner" the words "and shall be exempt from regular
- 18 inspection under provisions of this chapter".

H-5160 FILED, ADOPTED (*243*) BY EVANS of Grundy
JANUARY 30, 1978

HOUSE FILE 2069

H-5161

- 1 Amend House File 2069 as follows:
- 2 1. Page 5, line 9, by striking the words "d. Boilers"
- 3 and inserting in lieu thereof the words "d. Steam heat-
- 4 ing boilers and unfired steam pressure vessels associated
- 5 therewith and mobile power boilers".

H-5161 FILED, ADOPTED (*243*) BY EVANS of Grundy
JANUARY 30, 1978

HOUSE FILE 2069

H-5163

- 1 Amend House File 2069 as follows:
- 2 1. Page 4, line 24, by striking the word
- 3 "six" and inserting in lieu thereof the word "three".
- 4 2. Page 4, line 26, by striking the word
- 5 "six-year" and inserting in lieu thereof the word
- 6 "three-year".

H-5163 FILED, LOST (*243*) BY DAGGETT of Adams
JANUARY 30, 1978

Labor and Industrial Relations
Robinson, Chairperson
Merritt
Nystrom

HOUSE FILE 2069

By SVOBODA, CONNORS, CHIDO,
SMALLEY, THOMPSON, JUNKER,
JOCHUM and PONCY

(As Amended and Passed by the House)

Passed House, Date 1-30-78 (p 244) Passed Senate, Date 2-20-78 (p 351)
Vote: Ayes 91 Nays 2 Vote: Ayes 41 Nays 0
Approved March 17, 1978

A BILL FOR

1 An Act relating to the inspection of boilers and similar
2 vessels by the bureau of labor.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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House Amendments _____

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2 1977, is amended by striking the section and inserting in
3 lieu thereof the following:

4 89.1 AUTHORITY. The labor commissioner shall enforce
5 the provisions of this chapter and may employ qualified
6 personnel under the provisions of chapter nineteen A (19A)
7 of the Code to administer the provisions of this chapter.

8 The provisions of this chapter shall apply to all boilers
9 and unfired steam pressure vessels in this state, except as
10 otherwise provided in this chapter.

11 Sec. 2. Chapter eighty-nine (89), Code 1977, is amended
12 by adding the following new section after section eighty-nine
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15 ter unless the context otherwise requires:

16 1. "Commissioner" means the labor commissioner or his
17 or her designee.

18 2. "Special inspector" means an inspector who holds a
19 commission from the commissioner of labor and who is not a
20 state employee.

21 3. "Place of public assembly" means any building or por-
22 tion of a building designed, intended, and used for occupation
23 by persons for purposes of entertainment, instruction, or
24 amusement and shall include theaters, motion picture theaters,
25 hospitals, places of worship, schools, colleges, and
26 institutions of health and custodial care.

27 4. "Boiler" means a vessel in which water or other liquids
28 are heated, steam or other vapors are generated, steam or
29 other vapors are superheated, or any combination thereof,
30 under pressure or vacuum by the direct application of heat.

31 5. "Steam heating boiler" means a boiler operating at
32 not more than fifteen pounds per square inch; or a hot water
33 heating boiler operating at not more than one hundred sixty
34 pounds per square inch and not more than two hundred fifty
35 degrees Fahrenheit at the boiler outlet.

1 6. "Unfired steam pressure vessel" means a vessel or
2 container used for the containment of steam pressure either
3 internal or external in which the pressure is obtained from
4 an external source.

5 7. "Power boiler" means a boiler in which steam or other
6 vapor is generated at a pressure of more than fifteen pounds
7 per square inch or a water boiler intended for operation at
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9 inch or temperatures in excess of two hundred fifty degrees
10 Fahrenheit.

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15 commissioner, to inspect or cause to be inspected internally
16 and externally, at least once every twelve months, except
17 as otherwise provided in this section, in order to determine
18 whether all such equipment is in a safe and satisfactory con-
19 dition, and properly constructed and maintained for the pur-
20 pose for which ~~the same~~ it is used, all ~~steam boilers, tanks,~~
21 ~~jacket-kettles, generators, all steam boilers used for heating~~
22 ~~purposes carrying a pressure of not more than fifteen pounds~~
23 ~~per square inch guage and located in places of public assembly,~~
24 ~~all hot water heating boilers carrying a pressure of not more~~
25 ~~than thirty pounds per square inch guage~~ and unfired steam
26 pressure vessels operating in excess of fifteen pounds per
27 square inch, all low pressure heating boilers and unfired
28 steam pressure vessels located in places of public assembly
29 and other appurtenances used in this state for generating
30 or transmitting steam for power, or for using steam under
31 pressure for heating or steaming purposes, ~~in order to~~
32 ~~determine whether said equipment is in a safe and satisfactory~~
33 ~~condition, and properly constructed and maintained for the~~
34 ~~purpose for which the same is used.~~

35 2. The ~~labor commissioner and the boiler inspectors shall~~

1 ~~have-the-right-and-power-to~~ may enter any building or
2 structure, public or private, for the purpose of inspecting
3 any equipment covered by this chapter or gathering information
4 with reference thereto.

5 3. Upon making an inspection of any equipment covered
6 by this chapter, the ~~inspector~~ commissioner shall ~~give issue~~
7 to the owner or user thereof a certificate of inspection,
8 ~~upon-forms-prescribed-by-the-labor-commissioner,~~ which
9 certificate shall be posted ~~in~~ at a place near the location
10 of ~~said~~ the equipment.

11 4. The owner or user of any equipment covered in this
12 chapter, or persons in charge of same, shall not allow or
13 permit a greater pressure in any unit than is stated in the
14 certificate of inspection issued by the ~~inspector~~ commissioner.

15 5. The ~~boiler-inspector--is-hereby-empowered-to~~
16 commissioner may inspect boilers and tanks and other equipment
17 stamped with the American society of mechanical engineers
18 code symbol for other than steam pressure, manufactured in
19 Iowa, when requested by the manufacturer.

20 6. Each ~~fired-steam~~ boiler of one hundred thousand pounds
21 per hour or more capacity, used or proposed to be used within
22 this state, which has internal continuous water treatment
23 under the direct supervision of a graduate engineer or chemist,
24 or one having equivalent experience in the treatment of boiler
25 water where the ~~said~~ water treatment is for the purpose of
26 controlling and limiting serious corrosion and other
27 deteriorating factors, and with respect to which boiler the
28 ~~state-boiler-inspector~~ commissioner has determined that the
29 owner or user has complied with the record keeping requirements
30 hereafter prescribed, shall be inspected at least once every
31 two years internally and externally while not under pressure,
32 and at least once every two years externally while under
33 pressure-by-the-state-boiler-inspector-or-by-one-of-the-deputy
34 inspectors-as-to-its-construction,-installation,-condition
35 and-operation. ~~if-at~~ At any time a hydrostatic test shall

1 be deemed necessary to determine the safety of a boiler, the
2 ~~same shall be made, under the supervision of the inspector,~~
3 tests shall be conducted by the owner or user thereof of the
4 equipment under the supervision of the commissioner.

5 ~~Not more than twenty-four months shall elapse between~~
6 ~~internal inspections, and external inspections while under~~
7 ~~pressure shall also be made at no greater intervals.~~

8 7. The owner or user of such a boiler of one hundred
9 thousand pounds per hour or more capacity desiring to qualify
10 for biennial inspection shall keep available for examination
11 by the state boiler inspector or by any of the deputy
12 inspectors commissioner accurate records showing the date
13 and actual time such the boiler is out of service and the
14 reason or reasons therefor, and such the chemical physical
15 laboratory analysis of samples of the boiler water taken at
16 regular intervals of not more than forty-eight hours of
17 operation as will adequately show the condition of such the
18 water and any elements or characteristics thereof which are
19 capable of producing corrosion or other deterioration of the
20 boiler or its parts.

21 8. Internal inspections of sectional cast iron steam and
22 cast iron hot water heating boilers shall be conducted only
23 as deemed necessary by the commissioner. External operating
24 inspections shall be conducted annually.

25 9. Internal inspections of steel hot water boilers shall
26 be conducted once every six years. The initial inspection
27 of all affected boilers shall be apportioned by the
28 commissioner over the six-year period after the effective
29 date of this Act. External operating inspections shall be
30 conducted annually.

31 10. All power boilers that are converted to low pressure
32 boilers shall have a fifteen pound safety valve installed
33 and be approved by the commissioner no later than thirty days
34 after the expiration date of the certificate for the boiler.
35

Sec. 4. Section eighty-nine point three (89.3), Code 1977,

1 is amended to read as follows:

2 89.3 BOILERS EXEMPT.

3 1. The provisions of this chapter shall not apply to
4 ~~boilers~~ the following boilers:

5 a. Boilers of railway locomotives subject to federal in-
6 spection; ~~boilers.~~

7 b. Boilers operated and regularly inspected by railway
8 companies operating in interstate commerce; ~~boilers.~~

9 c. Boilers under the jurisdiction and subject to inspec-
10 tion by the United States government; ~~boilers.~~

11 d. Steam heating boilers and unfired steam pressure vessels
12 associated therewith and mobile power boilers used exclusively
13 for agricultural purposes; ~~heating.~~

14 e. Heating boilers in residences; ~~buildings~~; ~~except~~
15 ~~buildings of public assembly as defined in section 89:12 and~~
16 ~~apartment houses using a pressure of less than fifteen pounds~~
17 ~~per square inch or having a safety valve set at not higher~~
18 ~~than fifteen pounds pressure per square inch~~; ~~and fire.~~

19 f. Fire engine boilers brought into the state for tem-
20 porary use in times of emergency.

21 g. Low pressure heating boilers used in buildings other
22 than those for public assembly.

23 ~~All high-pressure boilers that are converted to low-pres-~~
24 ~~sure boilers shall have a fifteen-pound safety valve installed~~
25 ~~and be approved by a commissioned inspector from the bureau~~
26 ~~of labor not later than thirty days after the expiration date~~
27 ~~of the certificate for said boiler.~~

28 2. Unfired steam pressure vessels not exceeding the fol-
29 lowing limitations are not required to be reported to the
30 bureau of labor commissioner and shall be exempt from regular
31 inspection under provisions of this chapter:

32 1 a. A vessel not greater than five cubic feet in volume
33 and not having a pressure greater than two hundred fifty
34 pounds per square inch.

35 2 b. A vessel not greater than one and one-half cubic

1 feet in volume with no limit on pressure.

2 3. ~~Internal inspection inspections~~ shall not be required
3 on unfired steam pressure vessels where they have been manu-
4 factured without inspection plate and where it would be neces-
5 sary for them to be drilled in order to be inspected as
6 ~~required in section 89.2. The above mentioned unfired pressure~~
7 ~~vessels must be reported to the bureau of labor and certified~~
8 ~~by the inspector that in his judgment they are safe and in~~
9 ~~satisfactory condition for the purpose for which they are~~
10 used. The existence of such unfired pressure vessels shall
11 be reported to the commissioner, and certified by the
12 commissioner that the unfired pressure vessel is in a
13 satisfactory condition for the purpose for which it is used.

14 Sec. 5. Section eighty-nine point four (89.4), Code 1977,
15 is amended to read as follows:

16 89.4 RULES--RECORDS.

17 1. The commissioner ~~of labor is hereby authorized and~~
18 ~~empowered to~~ may prescribe rules within under the provisions
19 of ~~this~~ chapter seventeen A (17A) of the Code, for the purpose
20 of carrying ~~the same into effect~~ out the provisions of this
21 chapter, including rules for the methods of testing equipment
22 and construction and installation of new equipment covered
23 by this chapter, and ~~said~~ the rules shall, as nearly as
24 possible, conform to the rules formulated by the boiler code
25 committee of the American society of mechanical engineers
26 ~~and known as the American society of mechanical engineers~~
27 ~~boiler code of 1937 as amended.~~

28 2. The ~~state boiler inspector~~ commissioner shall
29 investigate and ~~report to the commissioner~~ record the cause
30 of any boiler explosion that may occur in the state, the loss
31 of life, injuries sustained, and estimated loss of property,
32 if any; and such other data as may be of benefit in preventing
33 a recurrence of similar explosions.

34 3. He The commissioner shall keep ~~in the office of the~~
35 ~~commissioner~~ a complete and accurate record of the name of

1 the owner or user of each steam boiler or other equipment
2 subject to this chapter, giving a full description of ~~said~~
3 the equipment, including the type, dimensions, age, condition,
4 the amount of pressure allowed, and the date when last
5 inspected.

6 Sec. 6. Section eighty-nine point five (89.5), Code 1977,
7 is amended to read as follows:

8 89.5 NEW BOILERS--NOTICE TO COMMISSIONER. Before any
9 equipment included under the provisions of this chapter is
10 installed by any owner, user or lessee thereof, a ten days'
11 written notice of intention to install ~~same~~ the equipment
12 shall be given to the commissioner ~~of-labor~~. The notice shall
13 designate the proposed place of installation, the type and
14 capacity of ~~such~~ the equipment, the use to be made thereof,
15 the name of company which manufactured ~~same~~ the equipment,
16 and whether ~~said~~ the equipment is new or used.

17 Sec. 7. Section eighty-nine point six (89.6), Code 1977,
18 is amended to read as follows:

19 89.6 INSURED BOILERS--CERTIFICATE OF INSPECTION.

20 1. The inspection required by this chapter shall not be
21 made by the ~~state-boiler-inspector~~ commissioner where any
22 owner or user of any equipment specified by this chapter
23 obtains an inspection by a representative of a reputable
24 insurance company and obtains a policy of insurance ~~from-said~~
25 company upon said the equipment from that insurance company.
26 The representative conducting the inspection shall be
27 commissioned by the commissioner as a special inspector for
28 the year during which the inspection occurs and shall meet
29 such other requirements as the commissioner may by rule
30 establish. The commission shall be valid for one year and
31 the special inspector shall pay a ten dollar fee for the
32 issuance of the commission.

33 2. The insurance company shall file a certificate of
34 inspection on forms approved by the commissioner ~~of-labor~~
35 stating that ~~such~~ the equipment is insured and that inspection

1 shall be made in accordance with section 89.2. Upon such
2 ~~showing and the payment of a fee of five dollars the~~
3 ~~commissioner of labor shall issue a certificate of inspection~~
4 ~~by the bureau of labor which shall be valid only for the~~
5 ~~period specified in section 89.2.~~

6 3. Upon such showing and the payment of a fee of five
7 dollars for each one-year inspection and ten dollars for each
8 two-year inspection, the commissioner ~~of labor~~ shall issue
9 a certificate of inspection by the bureau of labor, which
10 shall be valid only for the period specified in section 89.2.

11 2 4. The ~~state boiler~~ special inspector shall notify the
12 user and the commissioner of any equipment or appurtenance
13 found to be unsafe or unfit for operation in writing, setting
14 forth the nature and extent of such defects and condition.
15 ~~Said notice~~ The commissioner shall indicate to the user whether
16 or not ~~said the~~ equipment ~~shall~~ may be used without making
17 repair or replacement of defective parts, or whether or how
18 ~~said the~~ equipment may be used in a limited capacity before
19 repairs or replacements are made, and the ~~state boiler~~
20 ~~inspector~~ commissioner may permit the user a reasonable time
21 to make such repairs or replacements.

22 Sec. 8. Section eighty-nine point seven (89.7), subsections
23 five (5), six (6), and seven (7), Code 1977, are amended to
24 read as follows:

25 5. Steam stills, tanks, jacket kettles, sterilizers and
26 all other reservoirs fired or unfired having a working pressure
27 in excess of fifteen pounds per square inch, shall be charged
28 for ~~the first piece of equipment~~ as follows: Fifteen pounds
29 to seventy pounds per square inch, ten dollars; seventy-one
30 pounds to one hundred fifty pounds per square inch, twelve
31 dollars; one hundred fifty-one pounds to four hundred fifty
32 pounds per square inch, fourteen dollars. Additional equipment
33 shall be charged for at the same rate as boilers.

34 6. If at any time the owner, user or agent of the owner
35 of a steam boiler or equipment within the state shall ~~desire~~

1 a ~~special~~ request an inspection of any boiler or equipment,
2 it shall be made by the ~~boiler-inspection-department~~
3 commissioner after ~~due~~ a request therefor, and the ~~inspector~~
4 ~~making-the-inspection~~ commissioner shall collect a fee of
5 twenty dollars for each boiler, together with ~~his~~ the expenses
6 in connection therewith.

7 7. Inspections and code qualification surveys made by
8 the commissioner at the request of a boiler or tank
9 manufacturer ~~by-the-chief-inspector-or-any-deputy-inspector,~~
10 shall be charged for at the a rate set by the commissioner
11 not to exceed the rate currently charged by the various
12 insurance companies for performing a similar service. This
13 charge shall not void the regular fee for inspection or ~~cer-~~
14 tificate certification when the boiler or tank is installed.

15 Sec. 9. Section eighty-nine point eight (89.8), Code 1977,
16 is amended to read as follows:

17 89.8 DISPOSAL OF FEES. All fees provided for in this
18 chapter shall be collected by the commissioner ~~of-labor~~ and
19 remitted to the ~~state~~ state treasurer of state, together with an
20 itemized statement showing the source of collection.

21 Sec. 10. Section eighty-nine point eleven (89.11), Code
22 1977, is amended to read as follows:

23 89.11 HEARING--NOTICE--DECREE. The commissioner shall
24 notify in writing the owner or user of ~~said~~ the equipment
25 of the time and place of hearing of ~~said~~ the petition as fixed
26 by the court or judge, and shall serve ~~said~~ the notice on
27 the defendant at least five days prior to ~~said~~ the hearing
28 in the same manner as original notices are served. The general
29 provisions relating to civil practice and procedure as may
30 be applicable, shall govern the proceedings, except as herein
31 modified. In the event the defendant does not appear or plead
32 to ~~said~~ the action, default shall be entered against the
33 defendant. The action shall be tried in equity, and the court
34 or judge shall make such order or decree as the evidence
35 warrants.

HOUSE FILE 2069

AN ACT

RELATING TO THE INSPECTION OF BOILERS AND SIMILAR VESSELS
BY THE BUREAU OF LABOR.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section eighty-nine point one (89.1), Code 1977, is amended by striking the section and inserting in lieu thereof the following:

89.1 AUTHORITY. The labor commissioner shall enforce the provisions of this chapter and may employ qualified personnel under the provisions of chapter nineteen A (19A) of the Code to administer the provisions of this chapter.

The provisions of this chapter shall apply to all boilers and unfired steam pressure vessels in this state, except as otherwise provided in this chapter.

Sec. 2. Chapter eighty-nine (89), Code 1977, is amended by adding the following new section after section eighty-nine point one (89.1) of the Code:

NEW SECTION. DEFINITIONS. For the purpose of this chapter unless the context otherwise requires:

1. "Commissioner" means the labor commissioner or his or her designee.
2. "Special inspector" means an inspector who holds a commission from the commissioner of labor and who is not a state employee.
3. "Place of public assembly" means any building or portion of a building designed, intended, and used for occupation by persons for purposes of entertainment, instruction, or amusement and shall include theaters, motion picture theaters, hospitals, places of worship, schools, colleges, and institutions of health and custodial care.
4. "Boiler" means a vessel in which water or other liquids

are heated, steam or other vapors are generated, steam or other vapors are superheated, or any combination thereof, under pressure or vacuum by the direct application of heat.

5. "Steam heating boiler" means a boiler operating at not more than fifteen pounds per square inch; or a hot water heating boiler operating at not more than one hundred sixty pounds per square inch and not more than two hundred fifty degrees Fahrenheit at the boiler outlet.

6. "Unfired steam pressure vessel" means a vessel or container used for the containment of steam pressure either internal or external in which the pressure is obtained from an external source.

7. "Power boiler" means a boiler in which steam or other vapor is generated at a pressure of more than fifteen pounds per square inch or a water boiler intended for operation at pressures in excess of one hundred sixty pounds per square inch or temperatures in excess of two hundred fifty degrees Fahrenheit.

Sec. 3. Section eighty-nine point two (89.2), Code 1977, is amended to read as follows:

89.2 INSPECTION MADE--CERTIFICATE.

1. It shall be the duty of the ~~state-boiler-inspector commissioner~~, to inspect or cause to be inspected internally and externally, at least once every twelve months, except as otherwise provided in this section, in order to determine whether all such equipment is in a safe and satisfactory condition, and properly constructed and maintained for the purpose for which ~~the same it~~ is used, all ~~steam boilers, tanks, jacket-kettles, generators, all steam boilers used for heating purposes carrying a pressure of not more than fifteen pounds per square inch gauge and located in places of public assembly, all hot water heating boilers carrying a pressure of not more than thirty pounds per square inch gauge and unfired steam pressure vessels operating in excess of fifteen pounds per square inch, all low pressure heating boilers and unfired~~

steam pressure vessels located in places of public assembly and other appurtenances used in this state for generating or transmitting steam for power, or for using steam under pressure for heating or steaming purposes; ~~in order to determine whether said equipment is in a safe and satisfactory condition, and properly constructed and maintained for the purpose for which the same is used.~~

2. ~~The labor commissioner and the boiler inspectors shall have the right and power to~~ may enter any building or structure, public or private, for the purpose of inspecting any equipment covered by this chapter or gathering information with reference thereto.

3. Upon making an inspection of any equipment covered by this chapter, the inspector commissioner shall give issue to the owner or user thereof a certificate of inspection; ~~upon forms prescribed by the labor commissioner;~~ which certificate shall be posted in ~~at~~ a place near the location of said ~~the~~ equipment.

4. The owner or user of any equipment covered in this chapter, or persons in charge of same, shall not allow or permit a greater pressure in any unit than is stated in the certificate of inspection issued by the inspector commissioner.

5. ~~The boiler inspector is hereby empowered to~~ commissioner may inspect boilers and tanks and other equipment stamped with the American society of mechanical engineers code symbol for other than steam pressure, manufactured in Iowa, when requested by the manufacturer.

6. Each fired-steam boiler of one hundred thousand pounds per hour or more capacity, used or proposed to be used within this state, which has internal continuous water treatment under the direct supervision of a graduate engineer or chemist, or one having equivalent experience in the treatment of boiler water where the said water treatment is for the purpose of controlling and limiting serious corrosion and other deteriorating factors, and with respect to which boiler the

~~state-boiler-inspector commissioner~~ has determined that the owner or user has complied with the record keeping requirements hereafter prescribed, shall be inspected at least once every two years internally and externally while not under pressure, and at least once every two years externally while under pressure by the state-boiler-inspector or by one of the deputy inspectors as to its construction, installation, condition and operation. ~~If at~~ At any time a hydrostatic test shall be deemed necessary to determine the safety of a boiler, the ~~same shall be made under the supervision of the inspector;~~ tests shall be conducted by the owner or user thereof of the equipment under the supervision of the commissioner.

~~Not more than twenty-four months shall elapse between internal inspections, and external inspections while under pressure shall also be made at no greater intervals.~~

7. The owner or user of such a boiler of one hundred thousand pounds per hour or more capacity desiring to qualify for biennial inspection shall keep available for examination by the ~~state-boiler-inspector or by any of the deputy inspectors~~ commissioner accurate records showing the date and actual time such the boiler is out of service and the reason or reasons therefor, and such the chemical physical laboratory analysis of samples of the boiler water taken at regular intervals of not more than forty-eight hours of operation as will adequately show the condition of such the water and any elements or characteristics thereof which are capable of producing corrosion or other deterioration of the boiler or its parts.

8. Internal inspections of sectional cast iron steam and cast iron hot water heating boilers shall be conducted only as deemed necessary by the commissioner. External operating inspections shall be conducted annually.

9. Internal inspections of steel hot water boilers shall be conducted once every six years. The initial inspection of all affected boilers shall be apportioned by the

commissioner over the six-year period after the effective date of this Act. External operating inspections shall be conducted annually.

10. All power boilers that are converted to low pressure boilers shall have a fifteen pound safety valve installed and be approved by the commissioner no later than thirty days after the expiration date of the certificate for the boiler.

Sec. 4. Section eighty-nine point three (89.3), Code 1977, is amended to read as follows:

89.3 BOILERS EXEMPT.

1. The provisions of this chapter shall not apply to boilers the following boilers:

a. Boilers of railway locomotives subject to federal inspection; boilers.

b. Boilers operated and regularly inspected by railway companies operating in interstate commerce; boilers.

c. Boilers under the jurisdiction and subject to inspection by the United States government; boilers.

d. Steam heating boilers and unfired steam pressure vessels associated therewith and mobile power boilers used exclusively for agricultural purposes; heating.

e. Heating boilers in residences; buildings, except buildings of public assembly as defined in section 89.42 and apartment houses using a pressure of less than fifteen pounds per square inch or having a safety valve set at not higher than fifteen pounds pressure per square inch; and fire.

f. Fire engine boilers brought into the state for temporary use in times of emergency.

g. Low pressure heating boilers used in buildings other than those for public assembly.

All high pressure boilers that are converted to low pressure boilers shall have a fifteen pound safety valve installed and be approved by a commissioned inspector from the bureau of labor not later than thirty days after the expiration date of the certificate for said boiler.

2. Unfired steam pressure vessels not exceeding the following limitations are not required to be reported to the bureau of labor commissioner and shall be exempt from regular inspection under provisions of this chapter:

‡ a. A vessel not greater than five cubic feet in volume and not having a pressure greater than two hundred fifty pounds per square inch.

‡ b. A vessel not greater than one and one-half cubic feet in volume with no limit on pressure.

3. Internal inspection inspections shall not be required on unfired steam pressure vessels where they have been manufactured without inspection plate and where it would be necessary for them to be drilled in order to be inspected as required in section 89.27. The above mentioned unfired pressure vessels must be reported to the bureau of labor and certified by the inspector that in his judgment they are safe and in satisfactory condition for the purpose for which they are used. The existence of such unfired pressure vessels shall be reported to the commissioner, and certified by the commissioner that the unfired pressure vessel is in a satisfactory condition for the purpose for which it is used.

Sec. 5. Section eighty-nine point four (89.4), Code 1977, is amended to read as follows:

89.4 RULES--RECORDS.

1. The commissioner of labor is hereby authorized and empowered to may prescribe rules within under the provisions of this chapter seventeen A (17A) of the Code, for the purpose of carrying the same into effect out the provisions of this chapter, including rules for the methods of testing equipment and construction and installation of new equipment covered by this chapter, and said the rules shall, as nearly as possible, conform to the rules formulated by the boiler code committee of the American society of mechanical engineers and known as the American society of mechanical engineers boiler code of 1937 as amended.

2. The ~~state-boiler-inspector~~ commissioner shall investigate and ~~report-to-the-commissioner~~ record the cause of any boiler explosion that may occur in the state, the loss of life, injuries sustained, and estimated loss of property, if any; and such other data as may be of benefit in preventing a recurrence of similar explosions.

3. He ~~The commissioner~~ shall keep ~~in-the-office-of-the-commissioner~~ a complete and accurate record of the name of the owner or user of each steam boiler or other equipment subject to this chapter, giving a full description of ~~said~~ the equipment, including the type, dimensions, age, condition, the amount of pressure allowed, and the date when last inspected.

Sec. 6. Section eighty-nine point five (89.5), Code 1977, is amended to read as follows:

89.5 NEW BOILERS--NOTICE TO COMMISSIONER. Before any equipment included under the provisions of this chapter is installed by any owner, user or lessee thereof, a ten days' written notice of intention to install ~~same the equipment~~ shall be given to the commissioner ~~of-labor~~. The notice shall designate the proposed place of installation, the type and capacity of ~~such the~~ equipment, the use to be made thereof, the name of company which manufactured ~~same the equipment~~, and whether ~~said the~~ equipment is new or used.

Sec. 7. Section eighty-nine point six (89.6), Code 1977, is amended to read as follows:

89.6 INSURED BOILERS--CERTIFICATE OF INSPECTION.

1. The inspection required by this chapter shall not be made by the ~~state-boiler-inspector~~ commissioner where any owner or user of any equipment specified by this chapter obtains an inspection by a representative of a reputable insurance company and obtains a policy of insurance ~~from-said~~ company upon said the equipment from that insurance company. The representative conducting the inspection shall be commissioned by the commissioner as a special inspector for

the year during which the inspection occurs and shall meet such other requirements as the commissioner may by rule establish. The commission shall be valid for one year and the special inspector shall pay a ten dollar fee for the issuance of the commission.

2. The insurance company shall file a certificate of inspection on forms approved by the commissioner ~~of-labor~~ stating that ~~such the~~ equipment is insured and that inspection shall be made in accordance with section 89.2. ~~Upon-such showing-and-the-payment-of-a-fee-of-five-dollars-the commissioner-of-labor-shall-issue-a-certificate-of-inspection by-the-bureau-of-labor-which-shall-be-valid-only-for-the period-specified-in-section-89-2-~~

3. Upon such showing and the payment of a fee of five dollars for each one-year inspection and ten dollars for each two-year inspection, the commissioner ~~of-labor~~ shall issue a certificate of inspection by the bureau of labor, which shall be valid only for the period specified in section 89.2.

2 4. The ~~state-boiler~~ special inspector shall notify the user and the commissioner of any equipment or appurtenance found to be unsafe or unfit for operation in writing, setting forth the nature and extent of such defects and condition. ~~Said-notice~~ The commissioner shall indicate to the user whether or not said the equipment shall may be used without making repair or replacement of defective parts, or whether or how said the equipment may be used in a limited capacity before repairs or replacements are made, and the state-boiler inspector commissioner may permit the user a reasonable time to make such repairs or replacements.

Sec. 8. Section eighty-nine point seven (89.7), subsections five (5), six (6), and seven (7), Code 1977, are amended to read as follows:

5. Steam stills, tanks, jacket kettles, sterilizers and all other reservoirs fired or unfired having a working pressure in excess of fifteen pounds per square inch, shall be charged

for ~~the first piece of equipment~~ as follows: Fifteen pounds to seventy pounds per square inch, ten dollars; seventy-one pounds to one hundred fifty pounds per square inch, twelve dollars; one hundred fifty-one pounds to four hundred fifty pounds per square inch, fourteen dollars. Additional equipment shall be charged for at the same rate as boilers.

6. If at any time the owner, user or agent of the owner of a steam boiler or equipment within the state shall ~~desire a special request~~ an inspection of any boiler or equipment, it shall be made by the ~~boiler inspection department~~ commissioner after ~~due a~~ request therefor, and the ~~inspector making the inspection~~ commissioner shall collect a fee of twenty dollars for each boiler, together with ~~his~~ the expenses in connection therewith.

7. Inspections and code qualification surveys made by the commissioner at the request of a boiler or tank manufacturer ~~by the chief inspector or any deputy inspector~~, shall be charged for at the a rate set by the commissioner not to exceed the rate currently charged by the various insurance companies for performing a similar service. This charge shall not void the regular fee for inspection or ~~certification~~ certification when the boiler or tank is installed.

Sec. 9. Section eighty-nine point eight (89.8), Code 1977, is amended to read as follows:

89.8 DISPOSAL OF FEES. All fees provided for in this chapter shall be collected by the commissioner ~~of labor~~ and remitted to the state treasurer of state, together with an itemized statement showing the source of collection.

Sec. 10. Section eighty-nine point eleven (89.11), Code 1977, is amended to read as follows:

89.11 HEARING--NOTICE--DECREE. The commissioner shall notify in writing the owner or user of ~~said the~~ equipment of the time and place of hearing of ~~said the~~ petition as fixed by the court or judge, and shall serve ~~said the~~ notice on the defendant at least five days prior to ~~said the~~ hearing

in the same manner as original notices are served. The general provisions relating to civil practice and procedure as may be applicable, shall govern the proceedings, except as herein modified. In the event the defendant does not appear or plead to ~~said the~~ action, default shall be entered against the defendant. The action shall be tried in equity, and the court or judge shall make such order or decree as the evidence warrants.

Sec. 11. Section eighty-nine point twelve (89.12), Code 1977, is repealed.

DALE M. COCHRAN
Speaker of the House

ARTHUR A. NEU
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2069, Sixty-seventh General Assembly.

DAVID L. WRAY
Chief Clerk of the House

Approved March 17, 1978

ROBERT D. RAY
Governor