ACT No. 2000 - 315

1 HB442
2 27891-4
3 By Representatives Laird, Millican and Willis
4 RFD: Boards and Commissions
5 First Read: 10-FEB-2000
Enrolled, An Act,

To establish the Boiler and Pressure Vessel Safety Act; to create a board within the Department of Labor and to provide for membership and duties; to provide for safe construction, installation, inspection, maintenance, and repair of boilers and pressure vessels; to provide for inspectors; to provide for examination, duties, and bonding of the inspectors; to provide for fees; and to provide penalties.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. This act shall be known and may be cited as the "Boiler and Pressure Vessel Safety Act" and, except as otherwise provided in this act, shall apply to all boilers and pressure vessels.

Section 2. As used in this act, the following terms shall have the following meanings:

(1) BOARD. The Board of Boilers and Pressure Vessels.

(2) BOILER. A closed vessel in which water or other liquid is heated, steam or vapor is generated, or steam is superheated, or in which any combination of these functions is accomplished, under pressure or vacuum, for use externally to itself, by the direct application of energy from the combustion of fuels or from electrical, solar, or nuclear energy. The term "boiler" shall include fired units for heating or vaporizing liquids other than water where these
units are separate from processing systems and are complete
within themselves. The term "boiler" is further defined to
include any of the following terms:

a. HEATING BOILER. A steam or vapor boiler operating
at pressures not exceeding 15 psig or a hot water boiler
operating at pressures not exceeding 160 psig or temperatures
not exceeding 250 degrees Fahrenheit.

b. HIGH PRESSURE, HIGH TEMPERATURE WATER BOILER. A
water boiler operating at pressures exceeding 160 psig or
temperatures exceeding 250 degrees Fahrenheit.

c. POWER BOILER. A boiler in which steam or other
vapor is generated at a pressure of more than 15 psig.

(3) CERTIFICATE OF INSPECTION. An inspection, the
report of which is used by the chief inspector to determine
whether or not a certificate as provided by subsection (c) of
Section 15 may be issued.

(4) COMMISSIONER. The Commissioner of Labor.

(5) DEPARTMENT. The Department of Labor.

(6) PRESSURE VESSEL. A vessel other than those
vessels defined in subdivision (2) in which the pressure is
obtained from an external source or by the application of
heat.

Section 3. (a) There is created within the
Department of Labor a Board of Boilers and Pressure Vessels,
which shall be referred to in this act as the board. The board
shall consist of nine members, the majority of whom shall have
experience in design, construction, inspection, repair, or
operation of boilers or pressure vessels. Eight of these
members shall be appointed by the Commissioner of Labor, two
for a term of one year, two for a term of two years, two for a
term of three years, and two for a term of four years. At the
expiration of their respective terms of office, they or their
successors identifiable with the same interest respectively as
provided in this act shall be appointed for terms of four
years each. The commissioner may at any time remove any member
of the board for inefficiency or neglect of duty in office.
Upon the death or incapacity of any member, the commissioner
shall fill the vacancy for the remainder of the unexpired term
with a representative of the same interests with which his or
her predecessor was identified. Of these eight appointed
members, the majority of whom shall be registered professional
engineers when available, one shall be a representative of
owners and users of power boilers having experience with the
boilers; one shall be a representative of owners and users of
heating boilers; one shall be a representative of owners and
users of pressure vessels having experience with the vessels;
one shall be a representative of boiler or pressure vessel
manufacturers; one shall be a representative of the crafts
involved in the construction, repair, or operation of boilers
or pressure vessels; one shall be a representative of the
heating contractors; one shall be a representative of a
company licensed to insure and insuring in this state boilers
and pressure vessels; and one shall represent the public, for example, a mechanical engineer on the faculty of a recognized engineering college within the state or a licensed professional engineer. The ninth member of the board shall be the commissioner or his or her designee.

Section 4. (a)(1) The department, with the advice of the board, shall formulate definitions, rules, and regulations for the safe construction, installation, inspection, maintenance, and repair of boilers and pressure vessels in this state.

(2) The definitions, rules, and regulations formulated for new construction shall be based upon and at all times follow the generally accepted nation-wide engineering standards, formulas, and practices established and pertaining to boiler and pressure vessel construction and safety. The department, with the advice of the board, may adopt an existing published codification, known as the Boiler and Pressure Vessel Code of the American Society of Mechanical Engineers, with the amendments and interpretations made and approved by the council of the society, and may adopt the amendments and interpretations subsequently made and published by the same authority. When adopted, the codification shall be deemed to be incorporated into and shall constitute a part of the definitions, rules, and regulations of the department. Amendments and interpretations to the code shall be effective immediately upon being promulgated, to the end that the
definitions, rules, and regulations shall at all times follow
the generally accepted nation-wide engineering standards.

(3) The department, with the advice of the board,
shall formulate the rules and regulations for the inspection,
maintenance, and repair of boilers and pressure vessels which
were in use in this state prior to the date upon which the
first rules and regulations under this act pertaining to
existing installations become effective or during the 12-month
period immediately thereafter. The rules and regulations shall
be based upon and at all times follow generally accepted
nation-wide engineering standards and practices and may adopt
the applicable sections of the Inspection Code of the National
Board of Boiler and Pressure Vessel Inspectors or API 510 of
the American Petroleum Institute.

(b) The rules and regulations and any subsequent
amendments formulated by the department shall be adopted
pursuant to the Alabama Administrative Act, except the board
shall allow a hearing by interested parties prior to adoption.
The rules when promulgated shall have the force and effect of
law, except that the rules applying to the construction of new
boilers and pressure vessels shall not become mandatory until
12 months after their promulgation by the department. Notice
of the hearing shall give the time, the place, and state the
matters to be considered at the hearing.

(c) Subsequent amendments to the rules and
regulations adopted by the department shall be permissive
immediately and shall become mandatory 12 months after their
promulgation.

Section 5. No boiler or pressure vessel which does
not conform to the rules and regulations of the department
governing new construction and installation shall be installed
and operated in this state after 12 months from the date upon
which the first rules and regulations under this act
pertaining to new construction and installation shall have
become effective, unless the boiler or pressure vessel is of
special design or construction and is not inconsistent with
the spirit and safety objectives of the rules and regulations,
in that event, a special installation and operating permit may
be granted by the department.

Section 6. (a) The maximum allowable working
pressure of a boiler carrying the ASME Code symbol or of a
pressure vessel carrying the ASME or API-ASME symbol shall be
determined by the applicable sections of the code under which
it was constructed and stamped. Subject to the concurrence of
the enforcement authority at the point of installation, the
boiler or pressure vessel may be rerated in accordance with
the rules of a later edition of the ASME Code and in
accordance with the rules of the National Board Inspection
Code or API 510, as applicable.

(b) The maximum allowable working pressure of a
boiler or pressure vessel which does not carry the ASME or the
API-ASME Code symbol shall be computed in accordance with the
Inspection Code of the National Board of Boiler and Pressure Vessel Inspectors.

(c) This act shall not be construed to prevent the use, the sale, or the reinstallation of a boiler or pressure vessel referred to in this section, provided it has been made to conform to the rules and regulations of the board governing existing installations and has not been found upon inspection to be in an unsafe condition.

Section 7. (a) This act shall not apply to the following boilers and pressure vessels:

(1) Boilers and pressure vessels under federal control or under regulations of Title 49 of the Code of Federal Regulations, Parts 192 and 193.

(2) Pressure vessels used for transportation and storage of compressed or liquefied gases when constructed in compliance with specifications of the United States Department of Transportation and when charged with gas or liquid, marked, maintained, and periodically requalified for use, as required by appropriate regulations of the United States Department of Transportation.

(3) Pressure vessels located on vehicles operating under the rules of other state or federal authorities and used for carrying passengers or freight.

(4) Air tanks installed on the right of way of railroads and used directly in the operation of trains.
(5) Pressure vessels that do not exceed any of the following weights and measures:
   a. Five cubic feet in volume and 250 psig pressure.
   b. One and one-half cubic feet in volume and 600 psig pressure.
   c. An inside diameter of six inches with no limitation on pressure.

(6) Pressure vessels having an internal or external working pressure not exceeding 15 psig with no limit on size.

(7) Pressure vessels with a nominal water-containing capacity of 120 gallons or less for containing water under pressure, including those containing air, the compression of which serves only as a cushion.

(8) Pressure vessels containing water heated by steam or any other indirect means when none of the following limitations are exceeded:
   a. A heat input of 200,000 BTU per hour.
   b. A water temperature of 210 degrees Fahrenheit.
   c. A nominal water-containing capacity of 120 gallons.

(9) Hot water supply boilers, equipped with ASME-National Board approved safety relief valves, which are directly fired with oil, gas, or electricity when none of the following limitations are exceeded:
   a. Heat input of 200,000 BTU per hour.
   b. Water temperature of 210 degrees Fahrenheit.
c. Nominal water-containing capacity of 120 gallons.

(10) Pressure vessels in the care, custody, and control of research facilities and used solely for research purposes which require one or more details of noncode construction or which involve destruction or reduced life expectancy of those vessels.

(11) Pressure vessels or other structures or components that are not considered to be within the scope of ASME Code, Section VIII.

(12) Boilers and pressure vessels operated and maintained for the production and generation of electricity. A person, firm, partnership, or corporation operating such a boiler or pressure vessel shall have insurance or shall be self-insured. The boiler or pressure vessel shall be regularly inspected in accordance with the minimum requirements for safety as defined in the ASME Code by an inspector who has been issued a certificate of competency by the commissioner in accordance with Section 10.

(13) Boilers and pressure vessels operated and maintained as a part of a manufacturing process. A person, firm, partnership, or corporation operating such a boiler or pressure vessel shall have insurance or shall be self-insured.

(14) Boiler or pressure vessels that are subject to OSHA standards of compliance.

(15) Boilers and pressure vessels operated and maintained by a public utility, including, but not limited to,
boilers and pressure vessels operated and maintained for the
production of electricity.

(16) Autoclaves used only for the sterilization of
reusable medical or dental implements in the place of business
of any professional licensed by the laws of this state.

(b) The following boilers and pressure vessels shall
be exempt from the requirements of subsections (b), (c), and
(d) of Section 14 and Sections 15 and 16:

(1) Boilers or pressure vessels located on farms and
used solely for agricultural or horticultural purposes.

(2) Heating boilers or pressure vessels which are
located in private residences or in apartment houses of less
than six family units.

(3) Any pressure vessel used as an external part of
an electrical circuit breaker or transformer.

(4) Pressure vessels on remote oil or gas-producing
lease locations that have fewer than 10 buildings intended for
human occupancy per 0.25 square mile and where the closest
building is at least 220 yards from any vessel.

(5) Pressure vessels used for storage of liquid
propane gas under the jurisdiction of the state fire marshal,
except for pressure vessels used for storage of liquefied
petroleum gas, 2,000 gallons or above, which have been
modified or altered.

(6) Air storage tanks not exceeding 16 cubic feet,
120 gallons, in size and under 250 psig pressure.
(7) This act exempts and shall not regulate any and all pressure vessels associated in any way with oil, natural gas, and related by-products, feedstock, and product manufacturing operations; including exploration, production, gas processing, treating refining chemical, pipeline, supply, storage, and transportation. This subdivision shall not apply to buildings or businesses, or both, subject to public utilization.

Section 8. (a) The commissioner may appoint as chief inspector a citizen of this state who at the time of the appointment shall have not less than five years' experience in the construction, installation, inspection, operation, maintenance, or repair of high pressure boilers and pressure vessels as a mechanical engineer, steam operating engineer, boilermaker, or boiler inspector and who shall pass the same type of examination prescribed under Section 11. The chief inspector may be removed for cause after due investigation by the board and its recommendation to the commissioner.

(b) The chief inspector, if authorized by the commissioner, shall be charged, directed, and empowered to do all of the following:

(1) To take action necessary for the enforcement of the laws of the state governing the use of boilers and pressure vessels to which this act applies and of the rules and regulations of the department.
(2) To keep a complete record of the name of each owner or user and his or her location and, except for pressure vessels covered by an owner or user inspection service, the type, dimensions, maximum allowable working pressure, age, and the last recorded inspection of all boilers and pressure vessels to which the act applies.

(3) To publish and make available to anyone requesting them copies of the rules and regulations promulgated by the department.

(4) To issue or to suspend or revoke for cause inspection certificates as provided for in Section 15.

(5) To cause the prosecution of all violators of this act.

Section 9. The commissioner may employ deputy inspectors who shall be responsible to the chief inspector. A deputy inspector at the time of appointment shall have three years of experience in the construction, installation, inspection, operation, maintenance, or repair of high pressure boilers and pressure vessels as a mechanical engineer, steam operating engineer, boilermaker, or boiler inspector. A deputy inspector shall pass the examination provided for in Section 11.

Section 10. (a) In addition to the deputy inspectors authorized by Section 9, the commissioner, upon the request of any company licensed to insure and insuring in this state boilers and pressure vessels or upon the request of any
company operating pressure vessels in this state for which the
owner or user maintains a regularly established inspection
service which is under the supervision of one or more
technically competent individuals whose qualifications are
satisfactory to the department and causes the pressure vessels
to be regularly inspected and rated by the inspection service
in accordance with applicable provisions of the rules and
regulations adopted by the department pursuant to Section 4,
shall issue to each inspector of the insurance company a
certificate of competency as a special inspector and to each
inspector of the company operating a pressure vessel a
certificate of competency as owner or user inspectors. Each
inspector before receiving his or her certificate of
competency shall satisfactorily pass the examination provided
for by Section 11 or, in lieu of the examination, shall hold a
commission or a certificate of competency as an inspector of
boilers or pressure vessels from a state that has a standard
of examination substantially equal to that of this state or a
commission as an inspector of boilers and pressure vessels
issued by the National Board of Boiler and Pressure Vessel
Inspectors. A certificate of competency as an owner or user
inspector shall be issued to an inspector of a company
operating pressure vessels in this state only if, in addition
to meeting the requirements stated in this section, the
inspector is employed full time by the company and is
responsible for making inspections of pressure vessels used or
to be used by the company and which are not for resale.

(b) The expenses or salary of special inspectors or
owner or user inspectors shall not be paid by the state. The
continuance of their certificates of competency shall be
conditioned upon the special inspectors or owner or user
inspectors continuing in the employ of the boiler insurance
company or in the employ of the company operating pressure
vessels in this state and upon their maintenance of the
standards imposed by this act.

(c) The special inspectors or owner or user
inspectors may inspect all boilers and pressure vessels
insured or all pressure vessels operated by their respective
companies. When inspected, the owners and users of the boilers
and pressure vessels shall be exempt from the payment to the
state of the inspection fees as prescribed in rules and
regulations promulgated by the commissioner.

Section 11. The examination for chief, deputy,
special, or owner or user inspectors shall be in writing and
shall be held by the board or by an examining board appointed
in accordance with the requirements of the National Board of
Boiler and Pressure Vessel Inspectors, with at least two
members present at all times during the examination. The
examination shall be confined to questions the answers to
which shall aid in determining the fitness and competency of
the applicant for the intended service and may be those
prepared by the National Board of Boiler and Pressure Vessel
Inspectors. If an applicant fails to pass the examination, the
applicant may appeal to the board for another examination
which shall be given by the board after 90 days. The record of
an applicant's examination shall be accessible to the
applicant and employer of the applicant.

Section 12. (a) An inspector's certificate of
competency may be suspended by the commissioner after
investigation and recommendation by the board for the
incompetence or untrustworthiness of the holder of the
certificate, for willful falsification of any matter or
statement contained in the application of the inspector, or in
a report of any inspection he or she made. Written notice of
any suspension shall be given by the commissioner within 10
days of the suspension to the inspector and the employer of
the inspector. A person whose certificate of competency has
been suspended shall be entitled to an appeal to the board
pursuant to Section 19 and shall be present in person and may
be represented by counsel at the hearing of the appeal.

(b) If the board believes that an inspector is no
longer qualified to hold his or her certificate of competency,
the board, upon 10 days' written notice to the inspector and
the employer of the inspector, shall hold a hearing at which
the inspector and his or her employer shall have an
opportunity to be heard. If, as a result of the hearing, the
board shall find that the inspector is no longer qualified to
hold his or her certificate of competency, the board shall recommend to the commissioner that the certificate of competency be revoked and the commissioner shall immediately revoke the certificate of competency.

(c) A person whose certificate of competency has been suspended shall be entitled to apply, after 90 days from the date of the suspension, for reinstatement of the certificate of competency.

Section 13. If a certificate of competency is lost or destroyed, a new certificate of competency shall be issued without further examination.

Section 14. (a) The commissioner, the chief inspector, or any deputy inspector shall have free access, during reasonable hours, to any premises in the state where a boiler or pressure vessel is being constructed for use in, or is being installed in, this state for the purpose of ascertaining whether the boiler or pressure vessel is being constructed and installed in accordance with the provisions of this act.

(b)(1) On and after January 1, 2002, each boiler and pressure vessel used or proposed to be used within this state, except for pressure vessels covered by an owner or user inspection service as described in subsection (d) of this section or except for boilers or pressure vessels exempt under Section 7, owners and users may request to waive this
exemption, shall be thoroughly inspected as to their
construction, installation, and condition as follows:

a. Power boilers and high pressure, high temperature
water boilers shall receive a certificate inspection annually
which shall be an internal inspection where construction
permits; otherwise it shall be as complete an inspection as
possible. The boilers shall also be externally inspected while
under pressure, if possible.

b. Low pressure steam or vapor heating boilers shall
receive a certificate inspection biennially with an internal
inspection every four years where construction permits.

c. Hot water heating and hot water supply boilers
shall receive a certificate inspection biennially with an
internal inspection at the discretion of the inspector.

d. Pressure vessels subject to internal corrosion
shall receive a certificate inspection every three years with
an internal inspection at the discretion of the inspector.
Pressure vessels not subject to internal corrosion shall
receive a certificate of inspection at intervals set by the
board.

e. Nuclear vessels within the scope of this act
shall be inspected and reported in the form and with the
appropriate information as designated by the board.

(2) A grace period of two months beyond the periods
specified in paragraphs a. and b. may elapse between
certificate inspections.
(3) The department may provide for longer periods between certificate inspection in its rules and regulations.

(4) Pursuant to this act, the department shall be responsible for providing for the safety of life, limb, and property and shall have jurisdiction over the interpretation and application of the inspection requirements as provided for in the rules and regulations which it has promulgated. The person conducting the inspection during construction and installation shall certify as to the minimum requirements for safety as defined in the ASME Code. Inspection requirements of operating equipment shall be in accordance with generally accepted practice and compatible with the actual service conditions, which shall include all of the following:

(1) Previous experience, based on records of inspection, performance, and maintenance.

(2) Location, with respect to personnel hazard.

(3) Quality of inspection and operating personnel.

(4) Provision for related safe operation controls.

(5) Interrelation with other operations outside the scope of this act.

The board may permit variations in the inspection requirements based upon documentation of the actual service conditions by the owner or user of the operating equipment.

(c) The inspections required in this act shall be made by the chief inspector, by a deputy inspector, by a
special inspector, or by an owner or user inspector provided
for in this act.

(d) Owner or user inspection of pressure vessels
shall be permitted. The owner or user inspection service shall
be regularly established, and shall be under the supervision
of one or more individuals whose qualifications are
satisfactory to the board. The owner or user shall cause the
pressure vessels to be inspected in conformance with the
National Board Inspection Code or API 510, as applicable.

(e) If the inspector deems a hydrostatic test shall
be necessary, it shall be made by the owner or user of the
boiler or pressure vessel.

(f) All boilers, other than cast iron sectional
boilers, and pressure vessels to be installed in this state
after the 12-month period from the date upon which the rules
and regulations of the board shall become effective shall be
inspected during construction as required by the applicable
rules and regulations of the board by an inspector authorized
to inspect boilers and pressure vessels in this state or, if
constructed outside of the state, by an inspector holding a
commission issued by the National Board of Boiler and Pressure
Vessel Inspectors.

Section 15. (a) Each company employing special
inspectors, within 30 days following each certificate
inspection made by the inspectors, shall file a report of the
inspection with the chief inspector upon appropriate forms as
promulgated by the commissioner. The filing of reports of
external inspections, other than certificate inspections,
shall not be required except when the inspections disclose
that the boiler or pressure vessel is in a dangerous
condition.

(b) Each company operating pressure vessels covered
by an owner or user inspection service meeting the
requirements of subsection (a) of Section 10 shall maintain in
its files an inspection record which shall list, by number and
any abbreviated description necessary for identification, each
pressure vessel covered by this act, the date of the last
inspection of each pressure vessel, and the approximate date
for the next inspection. The inspection record shall be
available for examination by the chief inspector or his or her
authorized representative during business hours.

(c) If the report filed pursuant to subsection (a)
shows that a boiler or pressure vessel is found to comply with
the rules and regulations of the department, the chief
inspector, or his or her duly authorized representative, shall
issue to the owner or user an inspection certificate bearing
the date of inspection and specifying the maximum pressure
under which the boiler or pressure vessel may be operated. The
inspection certificate shall be valid for not more than 14
months from its date in the case of power boilers, 26 months
in the case of heating and hot water supply boilers, and 38
months in the case of pressure vessels. In the case of those
boilers and pressure vessels covered by paragraphs a. to d., inclusive, of subsection (b) of Section 14, for which the board has established or extended the operating period between required inspections pursuant to the provisions of paragraphs c. and d. of subsection (b) of Section 14, the certificate shall be valid for a period of not more than two months beyond the period set by the board. Certificates for boilers shall be posted under glass, or similarly protected, in the room containing the boiler. Pressure vessel certificates shall be posted in like manner, if convenient, or filed where they will be readily accessible for examination.

(d) No inspection certificate issued for an insured boiler or pressure vessel based upon a report of a special inspector shall be valid after the boiler or pressure vessel for which it was issued shall cease to be insured by a company duly authorized by this state to provide the insurance.

(e) The commissioner or his or her authorized representative may at any time suspend an inspection certificate after showing cause that the boiler or pressure vessel for which it was issued cannot be operated without menace to the public safety or when the boiler or pressure vessel is found not to comply with the rules and regulations adopted pursuant to this act. Each suspension of an inspection certificate shall continue in effect until the boiler or pressure vessel shall conform to the rules and regulations of
the department and until the reinstatement of the inspection certificate.

(f) The commissioner or his or her authorized representative may issue a written order for the temporary cessation of operation of a boiler or pressure vessel if it has been determined after inspection to be hazardous or unsafe. Operations shall not resume until the conditions are corrected to the satisfaction of the commissioner or his or her authorized representative.

Section 16. (a) Boilers and pressure vessels subject to operating certificate inspections by special inspectors, or owner or user inspectors shall be inspected within 60 calendar days following the required reinspection date. Inspections not performed within this 60 calendar day period shall result in a fine of five hundred dollars ($500) for each boiler or pressure vessel not inspected.

(b)(1) Inspection fees due on boiler and pressure vessels subject to inspection by the chief or deputy inspectors or operating certificate fees due from inspections performed by special inspectors or owner or user inspectors shall be paid within 60 calendar days of completion of the inspections.

(2) Inspection fees or operating certificate fees unpaid within 60 calendar days shall bear interest at the rate of 1.5 percent per month or any fraction of a month. Interest
shall continue to accrue until all amounts due, including
interest, are received by the commissioner.

(c) The commissioner may waive the collection of the
penalties and interest assessed as provided in subsections (a)
and (b) when it is reasonably determined that the delays in
inspection or payment were unavoidable or due to the action or
inaction of the department.

Section 17. After 12 months for power boilers, 24
months for low pressure steam heating, hot water heating, and
hot water supply boilers, and 36 months for pressure vessels
following July 1, 2001, it shall be unlawful for any person,
firm, partnership, or corporation to operate in this state a
boiler or pressure vessel, except a pressure vessel covered by
owner or user inspection service as provided for in Section
15, without a valid inspection certificate. The operation of a
boiler or pressure vessel without the inspection certificate
or at a pressure exceeding that specified in the inspection
certificate or in violation this act shall constitute a
misdemeanor.

Section 18. The owner or user of a boiler or
pressure vessel required by this act to be inspected by the
chief inspector or his or her deputy inspector shall pay
directly to the chief inspector, upon completion of
inspection, fees as prescribed in rules and regulations
promulgated by the commissioner. Pressure vessel certificates
of inspection fees shall not exceed ten dollars ($10)
annually. The chief inspector shall transfer all fees received
to the General Fund of the State Treasury. All funds, pursuant
to this act, deposited in the State Treasury shall be
appropriated by the Legislature to the Commissioner of Labor
pursuant to the Budget Management Act and Article 4 of Chapter
4 of Title 41 of the Code of Alabama 1975.

Section 19. The chief inspector shall furnish a bond
in the sum of five thousand dollars ($5,000) and each of the
deputy inspectors employed and paid by the state shall furnish
a bond in the sum of two thousand dollars ($2,000) conditioned
upon the faithful performance of their duties and upon a true
account of moneys handled by them, respectively, and the
payment thereof to the proper recipient.

Section 20. (a) Any person aggrieved by an order or
an act of the commissioner or the chief inspector under this
act may, within 15 days of notice thereof, appeal from the
order or act to the board which, within 30 days thereafter,
shall issue an appropriate order either approving or
disapproving the order or act. A copy of the order by the
board shall be given to all interested parties.

(b) After any order or act of the board, any person
aggrieved thereby may file a petition in the Circuit Court of
Montgomery County for review pursuant to the Alabama
Administrative Procedure Act.

Section 21. No county, municipality, or other
political subdivision shall have the power to make any laws,
ordinances, or resolutions providing for the construction, 
installation, inspection, maintenance, and repair of boilers 
and pressure vessels within the limits of the county, 
municipality, or other political subdivision.

   Section 22. The Board of Boilers and Pressure 
Vessels shall be subject to the Alabama Sunset Law, Title 41, 
Chapter 20, Code of Alabama 1975, as an enumerated agency as 
provided in Section 41-20-3 of the Code of Alabama 1975, and 
shall have a termination date of October 1, 2004, and every 
four years thereafter, unless continued pursuant to the 
Alabama Sunset Law.

   Section 23. The provisions of this act are 
severable. If any part of this act is declared invalid or 
unconstitutional, that declaration shall not affect the part 
which remains.

   Section 24. This act shall become effective on the 
first day of the third month following its passage and 
approval by the Governor, or its otherwise becoming law.
House of Representatives

I hereby certify that the within Act originated in and was passed by the House 06-APR-2000, as amended.

Greg Pappas
Clerk

Senate 20-APR-2000 Passed

Alabama Secretary Of State
Act Num....: 2000-315
Bill Num....: H-442
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