

**HOUSE BILL NO. 1116**

Introduced by

Industry, Business and Labor Committee

(At the request of the Insurance Commissioner)

1 A BILL for an Act to amend and reenact sections 26.1-22.1-08 and 26.1-22.1-10 of the North  
2 Dakota Century Code, relating to qualifications of inspectors and the time period for which  
3 certificates of inspection of the boiler inspection program are effective for steam traction  
4 engines.

5 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

6 **SECTION 1. AMENDMENT.** Section 26.1-22.1-08 of the North Dakota Century Code  
7 is amended and reenacted as follows:

8 **26.1-22.1-08. Special inspector.**

9 1. Upon written request of ~~the~~ an employer, the commissioner may appoint as a  
10 special inspector an inspector in the employ of ~~any~~:

11 a. An insurance company authorized to insure boilers in this state against loss  
12 from explosion ~~or any self insured~~;

13 b. A company ~~that has employees for the purpose of inspecting its own boilers in~~  
14 ~~this state~~ qualified by the national board of boiler and pressure vessel  
15 inspectors as an accredited owner/user inspection organization; or

16 c. A company qualified by the national board of boiler and pressure vessel  
17 inspectors as an accredited authorized inspection agency.

18 ~~No~~ A person may not be appointed as a special inspector unless that person has  
19 passed the examination prescribed by the national board of boiler and pressure  
20 vessel inspectors.

21 2. ~~Every~~ An inspection ~~made~~ performed by a special inspector must be performed in  
22 accordance with this chapter and a complete report of the inspection must be filed  
23 with the commissioner in the time, manner, and form as prescribed by the  
24 commissioner.

- 1           3. If a complete report is not filed by the special inspector's employer with the  
2           commissioner within ninety days from the certificate due date, the chief boiler  
3           inspector may make the required inspection, unless ~~extensions~~ an extension of  
4           time ~~are~~ is granted by the chief boiler inspector. ~~For that inspection, the insurance~~  
5           ~~company or self-insured company shall~~ The special inspector's employer must pay  
6           ~~all appropriate~~ the inspection fees ~~in accordance with~~ as required by section  
7           26.1-22.1-09 for a special inspection.
- 8           4. The chief boiler inspector may inspect any boiler to which a special inspection  
9           applies.
- 10          5. The commissioner may, for cause, suspend or revoke the appointment of any  
11          special inspector.

12           **SECTION 2. AMENDMENT.** Section 26.1-22.1-10 of the North Dakota Century Code  
13 is amended and reenacted as follows:

14           **26.1-22.1-10. Certificate of inspection - Certificate to be posted.** The commissioner  
15 shall issue a certificate of inspection for each boiler inspected upon receipt of an inspection  
16 report certifying that the boiler is in a safe condition to be operated. The commissioner shall  
17 charge a fee of twenty dollars for each certificate of inspection issued as the result of  
18 inspections authorized under sections 26.1-22.1-07 and 26.1-22.1-08. The fees are the liability  
19 of the owner or user and must be paid in accordance with rules adopted by the commissioner.  
20 No certificate may be issued for any boiler not in a safe condition to be operated or for a boiler  
21 for which the inspection and certificate fees have not been paid in full. No certificate is valid for  
22 a period of more than thirty-six months for power boilers described in subsection 2 of section  
23 26.1-22.1-07, and no more than ~~twenty-four~~ twelve  
24 months for steam traction engines, and thirty-six months for low pressure boilers except that a  
25 two-month grace period may be extended for any certificate. Upon written request from a  
26 special inspector, the chief boiler inspector may issue a short-term certificate. Each certificate  
27 of inspection must be posted conspicuously under glass in the boiler room or adjacent to the  
28 boiler inspected.