

Legislative Analysis



BOILER INSPECTION CERTIFICATES

Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

House Bill 5164 as introduced
Sponsor: Rep. Jim Lilly
Committee: Regulatory Reform
Complete to 12-2-19

Analysis available at
<http://www.legislature.mi.gov>

SUMMARY:

House Bill 5164 would amend the Skilled Trades Regulation Act to require boilers to have a valid inspection certificate before being operated under pressure, to prohibit operating a boiler at a pressure that exceeds the limit outlined in its inspection certificate, and to make other changes to the proper inspection and handling of hot water boilers.

The bill would require hot water heating boilers and hot water supply boilers used or proposed for use in Michigan to receive a certificate inspection every three years (up from two years under the current act). In addition, the bill would allow the Board of Boiler Rules to permit longer periods of up to 36 months between certificate inspections for all boilers, as provided in rules promulgated by the Department of Licensing and Regulatory Affairs (LARA).

In addition, the bill would allow certificates to remain valid during a two-month grace period between certification inspections or during extensions approved by the board. The grace period would only apply to the twelve-month certificate and would not apply to extensions approved by the board as outlined in the previous paragraph beyond the 12-month certificate.

Finally, the bill would state that a person could not operate a boiler under pressure that was subject to the inspection requirements provided in the act without a valid inspection certificate. A person also could not cause a boiler subject to the act's inspection requirements to be operated at a pressure that exceeded the maximum operating pressure specified in the boiler's inspection certificate. In addition to any penalties or remedies under article 6 of the act, anyone who violated this section would be guilty of a misdemeanor punishable by a fine of not more than \$500, imprisonment for not more than 60 days, or both. Each day a boiler was operated in violation of the bill would be considered a separate offense.

The bill would take effect 90 days after being enacted.

MCL 339.5907 et seq. and proposed MCL 339.5946

FISCAL IMPACT:

House Bill 5164 would not have an appreciable fiscal impact on the Department of Licensing and Regulatory Affairs (LARA).

The bill would have an indeterminate fiscal impact on the state and on local units of government. Information is not available on the number of persons that might be convicted under its provisions. New misdemeanor convictions would increase costs related to county jails and/or local misdemeanor probation supervision. The costs of local incarceration in a county jail and local misdemeanor probation supervision vary by jurisdiction. Any fiscal impact on the judiciary and local court systems would depend on how provisions of the bill affect court caseloads and related administrative costs. Any increase in penal fine revenue would increase funding for local libraries, which are the constitutionally designated recipients of those revenues.

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