

**LABOR DEPARTMENT**

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**IMPORTANT NOTICE:** Every effort has been made to make this synopsis as accurate and complete as possible. However, jurisdictional laws, regulations and rules are subject to change without notice. As a result, the information contained herein is neither guaranteed nor warranted. User is advised to consult the jurisdiction's chief inspector before reaching any decision that may have critical impact or significant financial consequence.

**EMPOWERMENT**

The state legislature empowered to make, alter, and amend rules and regulations.  
 Boiler Board: Yes. (Contact above official for more information.)

**DATE OF LAW PASSAGE 1911**

Date of latest amendment to law: August 2004.  
 Date rules and regulations implemented: 1911 for high-pressure boilers and 1964 for low-pressure boilers.  
 Date of latest rules and regulations: April 1992.  
 State statute: New York State Laws, Labor, Chapter 31. *Boilers*.

**RULES FOR CONSTRUCTION AND STAMPING***Construction:*

1. *New York Industrial Code*, Rules 4 and 14.
2. ASME Code (2004 Edition, 2006 Addendum), Sections 1, 11, IV, V, VIII (Division 1), and code cases.
3. Boilers built to ASME Code are acceptable, but must be shop-inspected by an inspector holding a *National Board Commission*.
4. Code addenda and case interpretations accepted automatically.
5. Manufacturers must file a copy of *Manufacturer's Data Report* with the department on ASME forms for boilers stamped ASME, NEW YORK STANDARD, or NATIONAL BOARD.
6. *National Board Inspection Code* (2004 Edition, 2006 Addendum).
7. National Board registration required for high-pressure boilers and pressure vessels.
8. Special design or construction requires approval of the department.

*Stamping:*

Where appropriate, the following National Board stamps or ASME Code symbol stamps are required:

1. National Board: R, VR.
2. ASME Code: A, E, H, M, PP, S, U, V.

**OBJECTS SUBJECT TO RULES FOR CONSTRUCTION AND STAMPING**

All boilers, except the following:

1. Boilers subject to inspection by inspectors of boilers under the U.S. Department of Transportation.
2. Boilers located on farms and used solely for agricultural purposes.
3. Steam or vapor boilers operating at a gage pressure of not more than 15 psi and which are located in dwellings occupied by fewer than six families.
4. Hot-water boilers which are located in dwellings occupied by fewer than six families.

5. Boilers subject to inspection or control of a federal agency.
6. Low-pressure boilers under 100,000 BTU per hour.
7. Miniature model locomotive, boat, tractor, or stationary engine constructed and maintained as a hobby and not for commercial use, and having a volume of less than 2 cubic feet and a grate area not in excess of 2 square feet.
8. Electric high-pressure miniature boilers.

All unfired pressure vessels, except:

1. Pressure vessels meeting the requirements of the U.S. Department of Transportation for the shipment of liquids or gases under pressure.
2. An air tank on a vehicle used for carrying passengers or freight or used directly in the operation of trains.
3. Pressure vessels having a volume of 5 cubic feet or less or having an inside diameter not exceeding 6 inches.
4. Pressure vessels designed for pressures of less than 15 psi.
5. Hot-water supply storage tanks, provided none of the following limitations is exceeded:
  - a. A heat input of 200,000 BTU per hour;
  - b. A water temperature of 210°F;
  - c. A nominal water-containing capacity of 120 gallons.
6. Pressure vessels under federal control or regulation.
7. Pressure vessels containing water under pressure, including one containing air, the compression of which serves only as a cushion, provided neither of the following limitations is exceeded:
  - a. A design pressure of 300 psi;
  - b. A design temperature of 210°F
8. Pressure vessels used for agricultural purposes.

#### OBJECTS SUBJECT TO RULES FOR FIELD INSPECTION

Same as OBJECTS SUBJECT TO RULES FOR CONSTRUCTION AND STAMPING.

#### INSPECTIONS REQUIRED

Item	Internal	External
High-pressure steam boilers	1 Year	1 Year"
High-pressure hot-water boilers	3 Years*	1 Year"
Low-pressure steam boilers	3 Years	2 Years
Low-pressure hot-water boilers	5 Years	2 Years

\*If equipped with manholes and handholes, an annual internal inspection is required.

-Approximately six months after each internal inspection.

#### INSURANCE INSPECTION REQUIREMENTS

1. Inspections made by inspectors employed by insurance companies and commissioned by the department are accepted in lieu of inspections made by a department inspector.
2. Reports of inspection must be filed with the department on National Board forms - or electronically through the jurisdiction online system - within 21 days after inspection with a fee of \$50.00 for each boiler inspected.
3. Reports of external high-pressure inspections are not required provided an internal inspection report has been submitted.
4. Reports of all internal and external low-pressure inspections must be submitted. The internal low-pressure inspection is considered as a noncertificate inspection for which the \$50.00 fee will not be charged.
5. A shop inspection made by an inspector holding a *National Board Commission* will be accepted.
6. The department must be notified of *suspension of insurance on account of dangerous conditions*.
7. The department must be notified of new business and discontinuance of insurance.

## CERTIFICATE OF INSPECTION

*Certificate of Inspection*, valid for 12 months for high-pressure boilers and 24 months for low-pressure boilers, is issued by the insurance company for insured boilers and by the department for uninsured boilers (excepted: cities performing their own inspections).

### STATE FEES

1. Boilers - internal inspection ..... \$200.00
2. Boilers - external inspection ..... \$75.00

*Not more than \$275.00 shall be charged for the inspection of any one boiler for any one year.*

3. Boilers used with antique steam engines maintained as a hobby and displayed at fairs - internal inspection ..... \$25.00
4. Boilers used with antique steam engines maintained as a hobby and displayed at fairs - external inspection ..... \$25.00

*Not more than \$50.00 shall be charged for the inspection of any one boiler for any one year*

5. Miniature high-pressure, nonelectric boilers ..... \$50.00

*Penalty for delinquent payment (30 days) is three times the above fees.*

### MISCELLANEOUS

1. Examinations for *Certificate of Competency* are held by the State Boiler Examining Board on the first Wednesday and Thursday in March, June, September, and December. A \$100.00 examination fee is required.
2. *Reciprocal Commission* can be secured by an inspector holding a *National Board Commission*, provided his/her employer has filed an application together with a photostatic copy of the *National Board Commission* or *Certificate of Competency* issued by the state (where written examination was taken and the inspector appeared before the chief boiler inspector for an oral examination covering state requirements). The *Certificate of Competency* is renewed annually for a \$35.00 fee.
3. Repairs to boilers shall be performed by organizations in possession of a valid *National Board* or *New York State Repair Certificate of Authorization* and/or a valid *ASME Certificate of Authorization*. The repair organization shall have a documented quality control program containing a description of the scope of work it intends to perform with supporting welding procedures and qualification reports in accordance with Section IX of the ASME Code.
4. Alterations to boilers shall be performed in accordance with the *National Board Inspection Code*. An organization holding only a *National Board* or *New York State Repair Certificate of Authorization* may do alterations provided the design changes involved are certified by the holder of an appropriate ASME Code symbol stamp and *Certificate of Authorization* and such changes are verified by the ASME Code stamp holder's authorized inspector.  
  
*Alterations may be performed by an organization that holds an ASME Code symbol stamp listed in the same section of the ASME Code as the code symbol on the boiler to be altered.*
5. There are no statewide boiler operator licensing laws.
6. A copy of Code Rules 4 and 14, *Construction, Installation, Inspection and Maintenance of High-Pressure Boilers; Construction of Unfired Pressure Vessels*, may be obtained by writing or calling the address under LABOR DEPARTMENT or downloading from the Internet at [http://www.labor.state.ny.us/workerprotection/safetyhealth/DOSH\\_CODE\\_RULES.shtml](http://www.labor.state.ny.us/workerprotection/safetyhealth/DOSH_CODE_RULES.shtml)