

1 AN ACT relating to licensing.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 236.097 is amended to read as follows:

4 (1) An owner facility subject to piping inspection by the department under this chapter
5 may apply for a license from the department to allow the facility to conduct its own
6 site piping inspections, other than for boiler external piping, in lieu of an inspection
7 by the department.

8 (a) No piping inspections shall be conducted under an owner facility license
9 unless the owner's piping inspector is licensed pursuant to subsection (2) of
10 this section, or the contracted independent inspection agency is licensed
11 pursuant to subsection (3) of this section. The department shall be notified of
12 the owner facility's retention of the owner's piping inspector or independent
13 inspection agency.

14 (b) 1. The department shall develop and make available on the department's
15 website~~[Web site]~~ an application for a license described in this
16 subsection.

17 2. The application shall require the owner facility to:

18 a. List all owner's piping inspectors retained by the facility;

19 b. List all independent inspection agencies retained by the facility;

20 and

21 c. Provide evidence that the facility has employees who hold, or
22 retains a contractor who holds, a license issued under KRS
23 236.210 for the facility and the facility has general liability
24 insurance through a company permitted to transact insurance in
25 Kentucky.

26 3. The list of owner's piping inspectors and independent inspection
27 agencies shall be updated and provided to the department within thirty

- 1 (30) days of a change.
- 2 (c) The department shall issue or deny a license under this subsection within
3 forty-five (45) days of receiving a complete application.
- 4 (d) With the application, the applicant shall submit a fee of one thousand dollars
5 (\$1,000). If the application is denied by the department, the department shall
6 refund five hundred dollars (\$500) of the application fee to the applicant.
- 7 (e) An owner facility license shall be issued for a period of two (2) years.
- 8 (f) To renew a license the applicant shall submit a completed renewal application
9 no later than sixty (60) days prior to license expiration with a nonrefundable
10 renewal fee of five hundred dollars (\$500).
- 11 (g) Prior to renewal, the department shall conduct an audit of piping at owner-
12 licensed facilities. The audit shall verify that the piping conforms to standards
13 prescribed by the ASME adopted by the department. An owner facility license
14 shall continue in effect until approved or denied by the department so long as
15 a renewal application is submitted as required by paragraph (f) of this
16 subsection.
- 17 (h) Each licensed owner facility shall maintain records of all piping inspections,
18 including identification of the owner's piping inspector or independent
19 inspection agency, for a period of five (5) years following the inspection.
20 Records of inspections shall be made available to the department upon
21 request.
- 22 (2) An owner's piping inspector shall be licensed by the department prior to conducting
23 piping inspections, other than for boiler external piping.
- 24 (a) The department shall develop and make available on the department's
25 website~~[Web site]~~ an application for an owner's piping inspector license.
- 26 (b) The department shall issue or deny a license under this subsection upon
27 review of a completed application demonstrating that the applicant meets the

1 following criteria:

2 1. For inspections of piping repairs, the applicant is certified as defined
3 under American Petroleum Institute Standard 570, Piping Inspection
4 Code: Inspection, Repair, Alteration, and Rerating of In-Service Piping
5 Systems; or

6 2. For all other inspections of piping, the applicant qualifies under owner
7 inspection requirements pursuant to ASME piping code B31.1 or B31.3,
8 as applicable, or the applicant holds a commission from the National
9 Board of Boiler and Pressure Vessel Inspectors.

10 (c) With the application, the applicant shall submit an initial nonrefundable
11 license application fee of one hundred dollars (\$100) for a two (2) year
12 license.

13 (d) The initial license fee may be prorated for not less than thirteen (13) months
14 or more than thirty-six (36) months.

15 (e) An initial owner's piping inspector license shall expire on the final day of the
16 applicant's birth month in the second year following the issue date.

17 (f) To renew a license, the applicant shall submit a completed renewal
18 application and a nonrefundable renewal fee of fifty dollars (\$50) to the
19 department.

20 (3) Any independent inspection agency that employs licensed owner's piping inspectors
21 shall be licensed by the department as an independent inspection agency.

22 (a) The department shall develop and make available on the department's
23 website~~[Web site]~~ an independent inspection agency license application.

24 (b) With the application, the applicant shall submit a fee of one thousand dollars
25 (\$1,000) and a list of all owner's piping inspectors employed by the
26 independent inspection agency. If the application is denied, five hundred
27 dollars (\$500) shall be refunded to the applicant.

- 1 (c) The list of owner's piping inspectors employed by the independent inspection
2 agency shall be updated and provided to the department within thirty (30)
3 days of change.
- 4 (d) An independent inspection agency license shall be effective for a period of
5 two (2) years following the date of issuance.
- 6 (e) To renew a license, the applicant shall submit a completed renewal
7 application and a nonrefundable renewal fee of five hundred dollars (\$500).
- 8 (f) Each licensed independent inspection agency shall maintain a record of all
9 piping inspections for a period of five (5) years following the inspection,
10 including identification of the owner's piping inspectors. Records of
11 inspections shall be made available to the department upon request.
- 12 (4) The licensing requirements of this section shall only apply to piping otherwise
13 required to be inspected by a boiler inspector employed by the department pursuant
14 to this chapter.