

815 KAR 15:080. Boiler and pressure vessel licenses.

RELATES TO: KRS 236.097, 236.210

STATUTORY AUTHORITY: KRS 236.030, 236.097, 236.210

NECESSITY, FUNCTION, AND CONFORMITY: KRS 236.030 requires the commissioner to promulgate administrative regulations that establish reasonable standards for the safe construction, installation, inspection, and repair of boilers, pressure vessels, and associated pressure piping in Kentucky. KRS 236.210 requires the commissioner to establish reasonable fees for the licensing of all boiler and pressure vessel contractors. KRS 236.097 establishes criteria and fees for the issuance of owner facility, owner's piping inspector, and independent inspection agency licenses, and requires the department to develop the applications required for the issuance and renewal of these licenses. This administrative regulation establishes the fees, standards, and forms incident to the licensing of boiler and pressure vessel contractors, owner facilities, owner's piping inspectors, and independent inspection agencies.

Section 1. Boiler and Pressure Vessel Contractors.

(1) Application. An applicant for an initial boiler and pressure vessel contractor license shall submit to the department:

- (a) Proof that the applicant is eighteen (18) years of age or older;
- (b) A completed Boiler and Pressure Vessel Contractor License Application on Form PLB-BPV-1;
- (c) A passport-sized color photograph of the applicant taken within the past six (6) months; and
- (d) A nonrefundable license fee of \$250 payable to the Kentucky State Treasurer. If an initial license is for a period of less than twelve (12) months, the initial license fee shall be reduced on a pro rata basis. The initial license fee shall not be prorated for less than seven (7) months.

(2) Examination.

- (a) An applicant for a boiler and pressure vessel contractor license shall take and pass the examination required by KRS 236.210 before an initial license may be issued under this section.
- (b) The applicant shall successfully complete the examination with a passing score of at least seventy (70) percent.
- (c) A passing score on the examination shall be valid for a period of three (3) years.

(3) Termination of an application.

- (a) The initial application shall remain pending until all requirements are met or for a period of up to one (1) year after the date the application is submitted to the department.
- (b) At the end of one (1) year, the application shall be void.

(4) License Renewal.

- (a) A boiler and pressure vessel contractor license shall expire annually on the last day of the licensee's birth month unless renewed in accordance with this subsection.
- (b) An applicant for renewal of a boiler and pressure vessel contractor license shall submit to the department on or before the expiration of the license:
 - 1. A completed Boiler and Pressure Vessel Contractor License Application on Form PLB-BPV-1; and
 - 2. A nonrefundable annual renewal fee of \$175 payable to the Kentucky State Treasurer.

(5) Representation.

- (a) A boiler or pressure vessel contractor shall provide general supervision to and be primarily responsible for all work performed by the licensee's employees.

(b) A company or individual may engage in the business of installing, erecting, or repairing boilers, pressure vessels, or pressure piping within the Commonwealth if one person connected with such a company or individual responsible for the boiler, pressure vessel, or pressure piping work is a boiler and pressure vessel contractor.

(c) Any boiler and pressure vessel contractor, responsible for the boiler, pressure vessel, or pressure piping work for a company or individual engaged in the boiler, pressure vessel, or pressure piping business, shall notify the department at any time he commences or severs his connection with the company or individual.

(d) A boiler and pressure vessel contractor shall only represent one (1) company or individual at a time.

Section 2. Owner Facilities.

(1) Application. An applicant for an owner facility license shall submit to the department:

(a) A completed Owner Facility License Application on Form PLB-BPV-2;

(b) The fee required by KRS 236.097(1)(d), payable to the Kentucky State Treasurer;

(c) Proof of employee or contractor who holds a license pursuant to KRS 236.210; and

(d) Proof that the facility has general liability insurance through a company permitted to transact insurance in Kentucky.

(2) License Renewal.

(a) An owner facility license shall expire after a period of two (2) years, on the last day of the month in which the license was initially issued, unless renewed in accordance with this subsection.

(b) An applicant for renewal of an owner facility license issued in accordance with this section shall, by no later than sixty (60) days prior to the expiration of the license, submit to the department:

1. A completed Owner Facility License Application on Form PLB-BPV-2; and

2. The fee required by KRS 236.097(1)(f), payable to the Kentucky State Treasurer.

(3) Inspection prohibition. An owner facility shall not conduct, or allow to be conducted, any piping inspections under the owner facility's license unless the inspector performing the inspection is licensed pursuant to Section 3 or Section 4 of this administrative regulation.

Section 3. Owner's Piping Inspectors.

(1) Application. An applicant for an initial owner's piping inspector license shall submit to the department:

(a) Proof that the applicant is eighteen (18) years of age or older;

(b) A completed Owner's Piping Inspector License Application on Form PLB-BPV-3;

(c) A passport-sized color photograph of the applicant taken within the past six (6) months; and

(d) The nonrefundable fee required by KRS 236.097(2)(c), payable to the Kentucky State Treasurer. If an initial license is for a period of less than twenty-four (24) months, the initial license fee shall be prorated in accordance with KRS 236.097(2)(d).

(2) License renewal.

(a) An owner's piping inspector license shall expire on the last day of the licensee's birth month in the second year following the issue date.

(b) An applicant for renewal of an owner's piping inspector license shall, on or before the expiration of the license, submit to the department:

1. A completed Owner's Piping Inspector License Application on Form PLB-BPV-3; and

2. The fee required by KRS 236.097(2)(f), payable to the Kentucky State Treasurer.

Section 4. Independent Inspection Agencies.

(1) Application. An applicant for an initial independent inspection agency license shall submit to the department:

(a) A completed Independent Inspection Agency License Application on Form PLB-BPV-4; and

(b) The fee required by KRS 236.097(3)(b), payable to the Kentucky State Treasurer.

(2) License renewal.

(a) An independent inspection agency license shall expire after a period of two (2) years, on the last day of the month in which the license was initially issued.

(b) An applicant for renewal of an independent inspection agency license shall, on or before the expiration of the license, submit to the department:

1. A completed Independent Inspection Agency License Application on Form PLB-BPV-4; and

2. The fee required by KRS 236.097(3)(e), payable to the Kentucky State Treasurer.

Section 5. Incorporation by Reference.

(1) The following material is incorporated by reference:

(a) Form PLB-BPV-1, "Boiler and Pressure Vessel Contractor License Application", May 2020;

(b) Form PLB-BPV-2, "Owner Facility License Application", May 2020;

(c) Form PLB-BPV-3, "Owner's Piping Inspector License Application", May 2020; and

(d) Form PLB-BPV-4, "Independent Inspection Agency License Application", May 2020.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Department of Housing, Buildings and Construction, Boiler Section, 500 Mero Street, Frankfort, Kentucky 40601, Monday through Friday, 8 a.m. to 4:30 p.m. and is available online at <http://dhbc.ky.gov/Pages/default.aspx>.

(13 Ky.R. 1211; eff. 1-13-1987; 20 Ky.R. 2739; eff. 5-18-1994; 24 Ky.R. 956; eff. 12-15-1997; 27 Ky.R. 3373; eff. 8-15-2001; 31 Ky.R. 1748; 32 Ky.R. 83; eff. 7-27-2005; 42 Ky.R. 1641; eff. 2-5-2016; 45 Ky.R. 805, 1543; eff. 1-4-2019; TAm eff. 5-29-2020.)