NEBRASKA ADMINISTRATIVE CODE

TITLE 229 - DEPARTMENT OF LABOR

CHAPTER 11 - SPECIAL INSPECTORS - INSURANCE COMPANIES

001. This chapter is adopted pursuant to *Neb. Rev. Stat.* §48-727.

002. Upon application to the Commissioner by any insurance company authorized to insure boilers and pressure vessels in the State of Nebraska, inspectors whose qualifications are approved by the Commissioner will be granted a Nebraska commission authorizing inspection of boilers and pressure vessels insured by the company. The fee for Nebraska commissions shall be charged at the following rates:

A. Initial application $20.00.

B. Annual renewal $20.00.

003. The Commissioner may issue a waiver of inspection by the Department for the period covered by said policy of insurance.

004. Each insurance company shall, within one year from the effective date of these rules, submit to the Department complete data on each boiler and pressure vessel insured by them in the State of Nebraska. Each subsequent annual certificate inspection shall be reported to the Department within fourteen (14) days after inspection. Inspections may be performed sixty (60) calendar days prior to expiration date of the C~~c~~ertificate of I~~i~~nspection.

005. All insurance companies shall notify the Department within thirty (30) days of all new boiler and pressure vessel insurance policies written, canceled, not renewed or suspended because of unsafe conditions.

006. If a special inspector, upon the first inspection of a newly insured boiler or pressure vessel finds that the boiler or pressure vessel or any of the appurtenances are in such condition that the company refuses insurance on same, the company shall immediately notify the Department of the fact together with a report on the defects. If, upon inspection, a Special Inspector finds a boiler or pressure vessel to be unsafe for further operation, the Special Inspector shall promptly notify the owner or user and the Chief Inspector, stating what repairs or other corrective measures are required to bring the object into compliance with these regulations. Until such corrections have been made, no further operation of the boiler or pressure vessel involved shall be permitted. If a~~n inspection~~ C~~c~~ertificate of Inspection for the object is required and is in force, it shall be suspended by the Chief Inspector. When reinspection establishes that the necessary repairs have been made or corrective actions have been taken and that the boiler or pressure vessel is safe to operate, the Chief Inspector shall be notified. A C~~c~~ertificate of I~~i~~nspection, where applicable, will be issued upon completion of the required repairs.

007. If a required inspection is not performed by a Special Inspector upon a boiler or pressure vessel insured by the insurance company for which he/she works, within 45 days after the expiration date of the certificate of inspection the Department may, perform a special inspection and charge the owner-user the special inspection fee set forth in 229 NAC 7 §005.

008. Inspection Reports to be Submitted by Inspectors

A. Inspectors shall, within one year of the effective date of these regulations for boilers and two years for pressure vessels, submit to the Chief Boiler Inspector an inspection report ~~on forms supplied~~ in a format approved by the Chief Inspector for each boiler and pressure vessel subject to inspection in this state. Complete data shall be submitted for each nonstandard boiler or pressure vessel.

B. Subsequent inspections by Deputy and Special Inspectors, of both standard and nonstandard boilers and pressure vessels, shall be reports ~~on forms supplied~~ in a format approved by the Chief Inspector.

C. Inspection reports as required in subdivisions (A) and (B) of this section shall be submitted within 14 days from date of the completion of the inspection.

D. Owner-user inspection agencies shall submit reports in accordance with 229 NAC 12 §004(D).

009. Insurance companies shall notify the Chief Inspector of new, canceled or suspended insurance on boilers or pressure vessels.

All insurance companies shall notify the Chief Inspector, within 30 days, of all boilers or pressure vessel on which insurance is written, canceled, not renewed or suspended because of unsafe conditions.

010. Special inspectors shall notify the Chief Inspector of unsafe boilers and pressure vessels. If a Special Inspector, upon first inspection of a new risk, finds that a boiler or pressure vessel or any appurtenance thereof, is in such condition that the Special Inspector's company would refuse insurance, the company shall immediately notify the Chief Inspector and submit a report on the defects. If, upon inspection, a Special Inspector finds a boiler or pressure vessel to be unsafe for further operation, the Special Inspector shall promptly notify the owner or user, stating what repairs or other corrective measures are required to bring the object into compliance with these rules and regulations. If the owner or user fails to make such repairs or adopt such other corrective measures promptly, the Special Inspector shall immediately notify the Chief Inspector. Until such corrections have been made no further operation of the boiler or pressure vessel involved shall be permitted. If an ~~inspection~~ C~~c~~ertificate of Inspection for the object is required and is in force, it shall be suspended by the Chief Inspector. When reinspection establishes that the necessary repairs have been made or corrective actions have been taken and that the boiler or pressure vessel is safe to operate, the Chief Inspector shall be notified. Then a~~n~~ ~~inspection~~ C~~c~~ertificate of Inspection, where applicable, will be issued.

011. Special inspectors commissioned by the State of Nebraska under this chapter shall devote full time to inspection work and neither directly nor indirectly be involved in the manufacture, ownership, or agency of the objects inspected.