

By: Springer

S.B. No. 1806

A BILL TO BE ENTITLED

AN ACT

relating to the exemption of miniature boilers that are integrated as a component of a medical device regulated by the United States Food and Drug Administration and unfired pressure vessels contained within an autoclave from boiler inspection requirements.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 755.001, Health and Safety Code, is amended to read as follows:

Sec. 755.001. DEFINITIONS. In this chapter:

(1) "Alteration" means a substantial change in an original design.

(2) "Board" means the board of boiler rules.

(3) "Boiler" means:

(A) a heating boiler;

(B) a nuclear boiler;

(C) a power boiler;

(D) an unfired steam boiler; or

(E) a process steam generator.

(4) "Certificate inspection" means the required internal or external boiler inspection, the report of which is used by the chief inspector to decide whether to issue a certificate of operation.

(5) "Certificate of operation" means a certificate issued by the executive director to allow the operation of a boiler.

(6) "Commission" means the Texas Commission of

1 Licensing and Regulation.

2 (7) "Department" means the Texas Department of Licensing
3 and Regulation.

4 (7-a) "Executive director" means the executive director
5 of the department.

6 (8) "External inspection" means an inspection of the
7 exterior of a boiler and its appurtenances that is made, if
8 possible, while the boiler is in operation.

9 (9) "Heating boiler" means a steam heating boiler, hot water
10 heating boiler, hot water supply boiler, or potable water heater
11 that is directly fired with oil, gas, solar energy, electricity,
12 coal, or other solid or liquid fuel.

13 (10) "High-temperature water boiler" means a water boiler
14 designed for operation at pressures exceeding 160 pounds per square
15 inch or temperatures exceeding 250 degrees Fahrenheit.

16 (11) "Hot water heating boiler" means a boiler designed for
17 operation at a pressure not exceeding 160 pounds per square inch or
18 temperatures not exceeding 250 degrees Fahrenheit at or near the
19 boiler outlet.

20 (12) "Hot water supply boiler" means a boiler designed for
21 operation at pressures not exceeding 160 pounds per square inch or
22 temperatures not exceeding 250 degrees Fahrenheit at or near the
23 boiler outlet if the boiler's:

24 (A) heat input exceeds 200,000 British thermal units
25 per hour;

26 (B) water temperature exceeds 210 degrees Fahrenheit;

27 or

1 (C) nominal water-containing capacity exceeds 120
2 gallons.

3 (13) "Inspection agency" means an authorized inspection
4 agency providing inspection services.

5 (14) "Inspector" means the chief inspector, a deputy
6 inspector, or an authorized inspector.

7 (15) "Internal inspection" means a complete and thorough
8 inspection of the interior waterside and fireside areas of a boiler
9 as construction allows.

10 (16) "Miniature boilers" means boilers designed and
11 constructed not to exceed the following dimensions:

12 (a) 16 inches inside diameter of shell;

13 (b) 20 square feet of heating surface (not applicable
14 to electric boilers);

15 (c) 5 cubic feet of gross volume exclusive of casing
16 and insulation; and

17 (d) 100 psig maximum allowable working pressure.

18 (17) ~~(16)~~ "Nuclear boiler" means a nuclear power plant
19 system, including its pressure vessels, piping systems, pumps,
20 valves, and storage tanks, that produces and controls an output of
21 thermal energy from nuclear fuel and the associated systems
22 essential to the function of the power system.

23 (18) ~~(17)~~ "Portable boiler" means a boiler primarily intended
24 for use at a temporary location.

25 (19) ~~(18)~~ "Potable water heater" means a boiler designed for
26 operation at pressures not exceeding 160 pounds per square inch and
27 water temperatures not exceeding 210 degrees Fahrenheit if the

1 boiler's:

2 (A) heat input exceeds 200,000 British thermal units
3 per hour; or

4 (B) nominal water-containing capacity exceeds 120
5 gallons.

6 (20) ~~(19)~~ "Power boiler" means:

7 (A) a high-temperature water boiler; or

8 (B) a boiler in which steam is generated at a pressure
9 exceeding 15 pounds per square inch for a purpose external to the
10 boiler.

11 (21) ~~(20)~~ "Process steam generator" means an evaporator, heat
12 exchanger, or vessel in which steam is generated by the use of heat
13 resulting from the operation of a processing system that contains a
14 number of pressure vessels, such as used in the manufacture of
15 chemical and petroleum products.

16 (22) ~~(21)~~ "Repair" means the work necessary to return a
17 boiler to a safe and satisfactory operating condition without
18 changing the original design.

19 (23) ~~(22)~~ "Safety appliance" means a safety device such as a
20 safety valve or a safety relief valve for a boiler provided to
21 diminish the danger of accidents.

22 (24) ~~(23)~~ "Standard boiler" means a boiler that bears a Texas
23 stamp, the stamp of a nationally recognized engineering
24 professional society, or the stamp of any jurisdiction that has
25 adopted a standard of construction equivalent to the standard
26 required by the executive director.

27 (24-a) ~~(23-a)~~ "Steam cooker" means a steam heating boiler

1 that is:

2 (A) designed to steam cook food;

3 (B) operated at a pressure not exceeding five pounds
4 per square inch; and

5 (C) equipped with a safety appliance operated at a
6 pressure not exceeding five pounds per square inch.

7 (25) ~~(24)~~ "Steam heating boiler" means a boiler designed for
8 operation at pressures not exceeding 15 pounds per square inch.

9 (26) ~~(25)~~ "Unfired steam boiler" means an unfired pressure
10 vessel in which steam is generated. The term does not include:

11 (A) vessels known as evaporators or heat exchangers; or

12 (B) vessels in which steam is generated by using the
13 heat that results from the operation of a processing system that
14 contains a number of pressure vessels, as used in the manufacture of
15 chemical and petroleum products.

16 SECTION 2. Subsection (a), Section [755.022](#), Health and
17 Safety Code, is amended to read as follows:

18 (a) This chapter does not apply to:

19 (1) boilers owned or operated by the federal
20 government;

21 (2) pressure vessels or process steam generators, other
22 than steam collection or liberation drums of process steam
23 generators;

24 (3) manually fired miniature boilers that:

25 (A) are constructed or maintained for
26 locomotives, boats, tractors, or stationary engines only as a hobby
27 for exhibition, recreation, education, or historical purposes and

1 not for commercial use;

2 (B) have an inside diameter of 12 inches or less
3 or a grate area of two square feet or less; and

4 (C) are equipped with a safety valve of adequate
5 size, a water level indicator, and a pressure gauge;

6 (4) boilers that are designed for operation only at
7 atmospheric pressure and that are equipped with two independent
8 means to prevent the buildup of pressure;

9 (5) steam cookers; ~~or~~

10 (6) espresso machines;

11 (7) Miniature boilers, as defined in Sec. 755.001(16)
12 of this Chapter, that are integrated as a component of a medical
13 device regulated by the United States Food and Drug Administration;
14 or

15 (8) Unfired pressure vessels contained within an
16 autoclave.

17 SECTION 3. This Act takes effect September 1, 2023.