

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 may be granted a Nebraska commission authorizing them to inspect 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 it 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 no earlier than sixty (60) calendar days prior to expiration date of the Certificate of Inspection.
005. All insurance companies and Authorized Inspection Agencies shall notify the Department within thirty (30) days of the issuance of any insurance policy on any boiler or pressure vessel located within the state. All insurance companies and Authorized Inspection Agencies shall also notify the Department within thirty (30) days of the cancelation, non-renewal or suspension of any policy.
006. In the event that an insurance company refuses to issue an insurance policy on any boiler or pressure vessel located within the state, due to the condition of the boiler or pressure vessel or any appurtenances thereof, the insurance company shall immediately notify the Department of this fact, and shall submit a report to the Department of such conditions.
007. If a Special Inspector, upon the inspection of a boiler or pressure vessel, for which an insurance company has denied issuing a policy of insurance, including a first inspection on a new risk, finds that the boiler or pressure vessel or any of the appurtenances thereof are in such condition that the

boiler or pressure vessel is unsafe for further operation, the Special Inspector shall promptly notify the owner or user and the Chief Boiler 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 Certificate of Inspection for the object is required and is in force, it shall be suspended by the Chief Boiler 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 Boiler Inspector shall be notified. A Certificate of Inspection, where applicable, shall be issued upon completion of the required repairs.

008. Within 45 days after the expiration date of the Certificate of Inspection of a boiler or pressure vessel, if a required inspection is not performed by a Special Inspector upon a boiler or pressure vessel pursuant to a policy of insurance of an insurance company or an inspection contract with the AIA for which the inspector works, the Department may, perform a special inspection and charge the owner-user the special inspection fee set forth in 229 NAC 7 §005.
009. Inspection Reports to be Submitted by Inspectors:
- A. Inspectors shall, within one year of the effective date of these regulations for boilers, and within two years of the effective date of these regulations for pressure vessels, submit to the Chief Boiler Inspector an inspection report in a format approved by the Chief Boiler 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 reported in a format approved by the Chief Boiler 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).
010. 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 to insure or inspect the object, the company shall immediately notify the Chief Boiler Inspector and submit a report on such conditions. 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 Boiler Inspector. Until such corrections have been made, no further operation of the boiler or pressure vessel involved shall be permitted. If a Certificate of Inspection for the object is required and is in force, it shall be suspended by the Chief Boiler 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 Boiler Inspector shall be notified. Then a Certificate of Inspection, where applicable, will be issued.

011. Special inspectors commissioned by the State of Nebraska under this chapter shall not be either directly or indirectly involved in the manufacture or ownership of the objects inspected, nor shall they act as the agent of the manufacturer or owner with respect to such objects.