

34:7-3 et al

LEGISLATIVE HISTORY CHECKLIST  
(Dept. of Labor  
fees-increased)

NJSA 34:7-3 et al

LAWS 1982

CHAPTER 54

Bill No. A1556

Sponsor(s) Villane

Date Introduced May 24, 1982

Committee: Assembly

Senate

Amended during passage  Yes  No

Date of Passage: Assembly June 17, 1982

Senate June 24, 1982

Date of approval June 30, 1982

Following statements are attached if available:

Sponsor statement	Yes	<del>No</del> <sup>x</sup> (Below)
Committee Statement: Assembly	<del>Yes</del>	No
Senate	<del>Yes</del>	No
Fiscal Note	<del>Yes</del>	No
Veto Message	<del>Yes</del>	No
Message on signing	<del>Yes</del>	No

Following were printed:

Reports	<del>Yes</del>	No
Hearings	<del>Yes</del>	No

Sponsors' statement:

This bill increases various fees collected by the Department of Labor and represents the first increase of these fees in over 10 years.

6/22/81

ASSEMBLY, No. 1556

STATE OF NEW JERSEY

INTRODUCED MAY 24, 1982

By Assemblyman VILLANE

AN ACT concerning certain fees collected by the Department of Labor and amending sections 34:7-3, 34:7-14, 34:7-15, 34:7-16, and 34:7-25 of the Revised Statutes.

1 BE IT ENACTED *by the Senate and General Assembly of the State*  
2 *of New Jersey:*

1 1. R. S. 34:7-3 is amended to read as follows:

2 34:7-3. Each application for examination for any license issued  
3 by the bureau shall be accompanied by fees as set forth in this  
4 section. Such fees shall be made payable to the Commissioner of  
5 Labor **[and Industry]**. There shall be no other charge for the  
6 initial examination or for one re-examination taken within 6 months  
7 of the original examination. Failure to appear for examination or  
8 to obtain a passing grade shall not entitle the applicant to a refund  
9 of any fee.

10	Original application .....	<b>[\$10.00]</b> \$15.00
11	Raise of grade or additional classification	
12	application .....	<b>[7.00]</b> \$10.00
13	Additional examination, in excess of 2, on any	
14	application .....	<b>[5.00]</b> \$7.50
15	Annual license renewal if requested no later	
16	than expiration date .....	<b>[3.00]</b> \$5.00
17	License renewal for 3 years if requested no	
18	later than expiration date .....	<b>[8.00]</b> \$10.00
19	Application for renewal, if made not more than	
20	3 years after expiration and if all penalties	
21	lawfully imposed upon the applicant by the	

**EXPLANATION**—Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.  
Matter printed in italics *thus* is new matter.

22 Mechanical Inspection Bureau have been  
 23 paid ..... 1 year ..... **[5.00]** \$7.50  
 24 ..... 3 years ..... **[10.00]** \$15.00

25 Upon failure to so renew a license for a period of 3 years and  
 26 1 day after expiration date all records pertaining to such license  
 27 may be destroyed pursuant to the "Destruction of Public Records  
 28 **[Laws]** *Law* of 1953" and any application for renewal of the  
 29 license will be treated as an original application for examination.  
 30 All fees collected under this article shall be paid by the commis-  
 31 sioner into the State Treasury and shall become a part of the State  
 32 General Fund.

33 Any license may be revoked or suspended by the commissioner  
 34 upon receiving evidence of incompetence, negligence, intoxication  
 35 while on duty or other reason establishing that the licensee is unfit  
 36 to hold a license, after notice is given to the licensee and a hearing  
 37 afforded him before one or more members of the examining board.  
 38 In case revocation or suspension is recommended by the member or  
 39 members conducting the hearing, it shall not be acted upon by the  
 40 commissioner until at least 15 days' notice of the recommendation  
 41 shall be given to the licensee and an opportunity afforded him within  
 42 that time period to ask for a rehearing before the commissioner.  
 43 After rehearing, if requested, the commissioner may affirm, modify  
 44 or dismiss such recommendation. Pending a hearing or rehearing  
 45 as provided in this paragraph, the commissioner may authorize the  
 46 suspension of a license in the interest of health and safety.

1 2. R.S. 34:7-14 is amended to read as follows:

2 34:7-14. a. All steam or hot water boilers or similar equipment  
 3 potentially capable of generating steam, except steam boilers  
 4 having adequate relief devices set to discharge at a pressure not  
 5 greater than 15 pounds per square inch, gage, or hot water boilers  
 6 having adequate relief devices set to discharge at a pressure not  
 7 greater than 160 pounds per square inch, gage, and which hot  
 8 water boilers are reliably limited to temperatures not exceeding 250  
 9 degrees Fahrenheit, when such steam or hot water boilers serve  
 10 dwellings of less than six-family units or other dwellings with ac-  
 11 commodations for less than 25 persons, shall be inspected and be  
 12 subject to a hydrostatic test, if necessary, at least once in each year,  
 13 at 12-month intervals, by an inspector of the Mechanical Inspection  
 14 Bureau, excepting, however, such as may be insured after having  
 15 been regularly inspected in accordance with the terms of this article  
 16 by insurance companies, whose inspectors shall have satisfactorily  
 17 passed an examination or received certificates of competency ap-  
 18 proved by the commissioner. Such inspection shall be as completely

19 internal and external as construction permits. The inspection of  
20 any equipment described in this chapter by a certified inspector of  
21 an insurance company shall be acceptable in lieu of State inspection.  
22 This article shall not apply to any boiler having less than 10 square  
23 feet of heating surface or a heat input of less than 10 kilowatts or  
24 40,000 British Thermal Units per hour or to equipment under the  
25 jurisdiction and control of the United States Government, the in-  
26 spection of which is actively regulated by a federal agency, or to  
27 equipment used solely for the propulsion of motor vehicles regu-  
28 lated by the Motor Vehicle Act, Title 39, of the Revised Statutes.

29 b. All other pressure vessels may be inspected and be subject to  
30 test after installation and periodically at such intervals as the com-  
31 missioner may by rule establish. Inspection and test shall be  
32 performed by an inspector of the Mechanical Inspection Bureau,  
33 excepting, however, such as may be insured after having been regu-  
34 larly inspected in accordance with the terms of this article, by  
35 insurance companies, whose inspectors shall have satisfactorily  
36 passed an examination or received certificates of competency ap-  
37 proved by the commissioner, or such as may be regularly inspected  
38 by a certified user-inspector of a registered inspection agency ap-  
39 proved by the commissioner. Such user-inspector shall have passed  
40 an examination or received a certificate of competency from the  
41 commissioner, and the inspection shall be conducted in such manner  
42 as the commissioner may by rule provide. The inspection of any  
43 equipment described in this subsection by a certified inspector of  
44 an insurance company or a certified user-inspector of a registered  
45 inspection agency shall be acceptable in lieu of State inspection  
46 where such inspections are recorded with the Mechanical Inspection  
47 Bureau accompanied by fees in accordance with the following  
48 schedule: one to 25 vessels, ~~[\$3.00]~~ \$5.00 each; 26 to 100 vessels,  
49 \$2.50 each; 101 to 500 vessels, \$2.00 each; and over 500 vessels, \$1.50  
50 each. These fees are to be collected from the owner or user but  
51 payable by the inspection agency to the Department of Labor ~~[and~~  
52 ~~Industry]~~. This subsection shall not apply to any pressure vessel:

53 (1) Subject to internal or external pressure not exceeding 15  
54 psig; or

55 (2) Having inside diameter not exceeding 6 inches; or

56 (3) Used for water storage purposes serving dwellings of less  
57 than six-family units or other dwellings with accommodations for  
58 less than 25 persons, when none of the following limitations is ex-  
59 ceeded:

60 (a) 200 degrees Fahrenheit

61 (b) 120 gallons water containing capacity

62 (c) 160 psig; or

63 (4) Under the jurisdiction and control of the United States  
 64 Government, the inspection of which is actively regulated by a  
 65 Federal agency; or to equipment used solely for the propulsion of  
 66 motor vehicles regulated by the Motor Vehicle Act, Title 39, of the  
 67 Revised Statutes.

1 R. S. 34:7-15 is amended to read as follows:

2 34:7-15 a. For each annual internal and external inspection of  
 3 vessels specified in section 34:7-14a. of this Title, which shall in-  
 4 clude hydrostatic test if found necessary, the owner, lessee or  
 5 operator of the vessel shall pay to the Department of Labor [and  
 6 Industry] a fee of ~~[\$10.00]~~ \$15.00 for vessels having 10 and not  
 7 over 60 square feet of heating surface, ~~[\$15.00]~~ \$20.00 for vessels  
 8 over 60 and not over 1,000 square feet of heating surface and  
 9 ~~[\$25.00]~~ \$35.00 for vessels over 1,000 square feet of heating surface;  
 10 plus the actual travel expense of the inspector.

11 b. For each inspection of vessels specified in section 34:7-14b. of  
 12 this Title, the owner, lessee or operator of the vessel shall pay to the  
 13 Department of Labor [and Industry] the actual travel expense of  
 14 the inspector and a fee of \$5.00 for vessels not over 30 square feet  
 15 size, \$10.00 for vessels over 30 but not over 60 square feet size,  
 16 \$15.00 for vessels over 60 but not over 100 square feet size, \$20.00  
 17 for vessels over 100 square feet size. In determining size rating, the  
 18 extreme diameter multiplied by the vessel length, or equivalent  
 19 dimensions, shall be used.

20 c. The Mechanical Inspection Bureau shall maintain an inspec-  
 21 tion service for the purpose of providing shop inspection of those  
 22 vessels regulated by chapter 7 of Title 34, which are under construc-  
 23 tion or new, or which are to be used for a purpose other than that  
 24 for which originally approved, or which have never been subjected  
 25 to a previous inspection in New Jersey. This service shall be  
 26 provided for New Jersey builders, owners or users of such vessels  
 27 upon their request only. The fees for this service, exclusive of the  
 28 actual travel expenses of the inspector, which also shall be paid,  
 29 shall be set by the commissioner and shall be: (1) Not more than  
 30 \$25.00 for each vessel inspected, provided that he may establish  
 31 a charge for each visit, for the purpose of inspection, of not less  
 32 than \$50.00 nor more than \$150.00; (2) For construction review of  
 33 vessel not designed in accordance with standards set by the Board  
 34 of Boiler, Pressure Vessel and Refrigeration Rules, not less than  
 35 \$200.00, nor more than \$500.00.

1 4. R. S. 34:7-16 is amended to read as follows:

2 34:7-16. In addition to the annual internal and external inspec-  
 3 tion, there may be an external inspection if found necessary of

to regulate the use of

4 each vessel specified in section 34:7-14 a. of this Title, which shall  
 5 be made as nearly as may be at the expiration of 6 months from  
 6 each annual inspection and for which the owner, lessee or operator  
 7 shall pay to the inspector a fee of ~~[\$10.00]~~ \$15.00, in addition to  
 8 the actual cost of travel incurred by the inspector in going to and  
 9 returning from the place of inspection. Each vessel insured by an  
 10 insurance company may also be given an external inspection by a  
 11 certified inspector.

1 5. R. S. 34:7-25 is amended to read as follows:

2 34:7-25. All refrigeration systems using flammable or toxic  
 3 refrigerants of over three tons of refrigerating capacity or requir-  
 4 ing over six driving horsepower, and all refrigeration systems using  
 5 nonflammable and nontoxic refrigerants of over 18 tons of refriger-  
 6 ating capacity or requiring over 36 driving horsepower, having  
 7 relief devices set over 15 pounds per square inch gage and used  
 8 in a plant of any size or storage capacity, shall be inspected annually  
 9 by an inspector of the Mechanical Inspection Bureau or of an  
 10 insurance company, as provided in section 34:7-14 a. of this Title;  
 11 and the owner, lessee or operator shall comply with the recom-  
 12 mendations of the inspector in conformity with the rules and  
 13 regulations adopted by the Board of Boiler, Pressure Vessel and  
 14 Refrigeration Rules of the Mechanical Inspection Bureau and  
 15 approved by the commissioner.

16 The fees for such inspection by an inspector of the Mechanical  
 17 Inspection Bureau shall be as follows:

18 a. Refrigeration systems of 25 tons and over, but less than 300  
 19 tons of refrigerating capacity, the sum of ~~[\$25.00]~~ \$35.00 for each  
 20 inspection, plus the actual travel expense of the inspector;

21 b. Refrigeration systems under 25 tons and over 3 tons of  
 22 refrigerating capacity, the sum of ~~[\$15.00]~~ \$20.00 for each inspec-  
 23 tion, plus the actual travel expense of the inspector;

24 c. Refrigeration systems of 300 tons or over of refrigerating  
 25 capacity, the sum of ~~[\$35.00]~~ \$45.00 for each inspection, plus the  
 26 actual travel expenses of the inspector.

27 The fees and travel expenses shall be paid to the inspector, at the  
 28 time of inspection, by the owner, lessee or operator of the refrigera-  
 29 tion system.

30 The annual inspection and inspection reports of refrigeration  
 31 systems by insurance companies licensed to do business within this  
 32 State and otherwise complying with this chapter shall be accepted  
 33 in lieu of other inspections. Each insurance company shall file with  
 34 the commissioner a report of each inspection and shall pay to him  
 35 a fee of ~~[\$5.00]~~ \$7.50 for each annual refrigeration system inspec-

36 tion, to be collected by the insurer from the owner or lessee of the  
37 plant inspected. After the owner, lessee or operator has complied  
38 with the rules and regulations, a certificate shall be issued by the  
39 Mechanical Inspection Bureau, which certificate shall be valid for  
40 1 year and be the authority for the operation of the refrigeration  
41 system during such time. Upon expiration, the certificate shall be  
42 renewed by the Mechanical Inspection Bureau if the refrigeration  
43 system is found to be in proper condition for operation within the  
44 prescribed rules of the Mechanical Inspection Bureau. All fees  
45 collected under this act shall be paid by the commissioner or his  
46 duly authorized representative into the State Treasury and shall  
47 become a part of the State General Fund.

1 6. This act shall take effect on the first day of the calendar  
2 month following enactment.

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#### STATEMENT

This bill increases various fees collected by the Department of Labor and represents the first increase of these fees in over 10 years.

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6/30/82

Bill Signings:

Senate Bill No. 1600w/line item -- which is the appropriations bill.

Assembly Bill No. 1475 -- which amends the "Corporation Business Tax Act" to provide that deduction for depreciation would be uncoupled from federal depreciation allowance based upon the Accelerated Cost Recovery System.

Assembly Bill No. 1551 - which authorizes the sale of certain parcels of real property owned by the State.

Assembly Bill No. 1552 - which increases certain commercial filing fees collected by the Secretary of State.

Assembly Bill No. 1554 -- which increases various fees charged by the Division of Motor Vehicles.

Assembly Bill No. 1556 -- which increases various fees collected by the Department of Labor.

Assembly Bill No. 1662 -- which provides reductions in the Corporation Business Tax Act; net worth tax to be phased out over 4 years, and provisions which require indebtedness to be added back to net worth for certain shareholders to be repealed.