

**TITLE 380. DEPARTMENT OF LABOR
CHAPTER 25. BOILER AND PRESSURE VESSEL RULES**

SUBCHAPTER 3. ADMINISTRATION

380:25-3-29. Penalties

(a) Any person, firm or corporation violating any of the provisions of this Chapter shall be guilty of a misdemeanor and subject to a fine to be collected by suit or through compromise as provided for in Title 40, Section 141.1 through 141.18 Oklahoma Statutes, 1982. Each day of such operation in violation of the provisions shall be considered a separate offense.

(b) In lieu of, or in addition to, the penalties provided in (a) of this Section, for any violation of the Boiler and Pressure Vessel Safety Act, the Commissioner may assess an administrative fine of not more than One Thousand Dollars (\$1,000.00) per violation, per day.

(c) Payment for the fines set forth in (b) of this Section shall be due within thirty (30) days of issuance of a citation by the Commissioner or designee. Any person wishing to contest any of the aforementioned fines shall, within thirty (30) days of issuance of the citation, petition the Commissioner of Labor, in writing, for an administrative hearing. If requested, the hearing shall then be scheduled by the Commissioner or designee as provided in the Administrative Procedures Act.

(d) Any person failing to comply with a fine assessment or other administrative order of the Department within ninety (90) days of issuance of such assessment or order shall be subject to license suspension and/or revocation and/or revocation of all certificates of operation for vessels subject to the aforementioned fines. The Department may decline to renew a license or certificate of operation, or inspect all boilers or pressure vessels owned or operated by the same person or entity, until all outstanding fine assessments have been paid unless timely appeal of the assessment(s) was made and the appeal is still pending.

(e) Funds collected as payment from a violator for administrative fines imposed for violation of the Boiler and Pressure Vessel Safety Act shall not be retained by the Department of Labor, but shall be deposited to the Department of Labor Administrative Penalty Revolving Fund and transferred to the General Revenue Fund.