

MAINE STATE LEGISLATURE

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N I N E T Y - S E V E N T H L E G I S L A T U R E

Legislative Document

No. 36

H. P. 21

House of Representatives, January 13, 1955

Referred to the Committee on Legal Affairs, sent up for concurrence and 750 copies ordered printed.

HARVEY R. PEASE, Clerk

Presented by Mr. Curtis of Bowdoinham.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FIFTY-FIVE

AN ACT Relating to Boilers and Unfired Steam Pressure Vessels.

Be it enacted by the People of the State of Maine, as follows:

Sec. 1. R. S., c. 30, § 64, amended. The 4th sentence of section 64 of chapter 30 of the revised statutes is hereby amended to read as follows:

'Of these said 4 appointed members, one shall be a representative of the owners and users of ~~steam~~ boilers within this State, one a representative of the boiler manufacturers within this State, one a representative of the operating steam engineers in this State and one a representative of a boiler inspection and insurance company licensed to do business within the State.'

Sec. 2. R. S., c. 30, § 67, amended. Section 67 of chapter 30 of the revised statutes is hereby amended to read as follows:

'**Sec. 67. Rules and regulations.** The Board shall formulate rules for the safe and proper construction, installation, repair, use and operation of ~~steam~~ boilers in this State. The rules so formulated shall conform as nearly as practicable to the boiler code of the American Society of Mechanical Engineers and amendments and interpretations thereto made and approved by the council of the society.

Rules formulated by the Board shall become effective 90 days after the date they are adopted. Any change in the rules which would raise the standards governing the methods of construction of new ~~steam~~ boilers or the quality of material used in them shall not become effective until 6 months after the date of adoption of such change in the rules; provided, however, that before any rules or regulations are adopted, a public hearing shall be held, suitable notification to be published in at least 3 newspapers throughout the State.'

Sec. 3. R. S., c. 30, § 69, amended. Section 69 of chapter 30 of the revised statutes is hereby amended to read as follows:

'Sec. 69. Powers of chief inspector. The chief inspector is empowered:

I. To have free access for himself and his deputy or deputies during reasonable hours, to any premises in the State where a ~~steam~~ boiler is built or where a ~~steam~~ boiler or power plant apparatus is being installed or operated, for the purpose of ascertaining whether such boiler is built, installed and operated in accordance with the provisions of sections 64 to ~~79~~ 83, inclusive.

II. To issue, suspend and revoke inspection certificates allowing ~~steam~~ boilers to be operated, as provided in sections 64 to ~~79~~ 83, inclusive.

III. To enforce the laws of the State governing the use of ~~steam~~ boilers and to enforce the rules of the Board of Boiler Rules.

IV. To keep a complete record of the type, dimensions, age, conditions, pressure allowed upon, location and date of last inspection of all boilers to which sections 64 to ~~79~~ 83, inclusive, apply.

V. To publish and distribute among boiler manufacturers and others requesting them, copies of the rules adopted by the Board.

VI. To hold examinations and issue certificates of competency to inspectors who have successfully passed such examinations.'

Sec. 4. R. S., c. 30, § 70, amended. Section 70 of chapter 30 of the revised statutes is hereby amended to read as follows:

'Sec. 70. Special inspectors; duties. In addition to any deputy boiler inspectors authorized and appointed under the provisions of section 68, the Commissioner shall, upon the request of any company authorized to insure against loss from explosion of ~~steam~~ boilers in this State, issue to the boiler inspectors of such company certificates of authority as special inspectors, provided that each inspector before receiving his certificate of authority shall pass satisfactorily the examination provided for in section 71, or, in lieu of such examination, shall hold a certificate as an inspector of steam boilers for a state that has a standard of examination equal to that of this State, or a certificate from the National Board of Boiler and Pressure Vessel Inspectors. Such special inspectors shall receive no salary from, nor shall any of their expenses be paid by, the State, and the continuance of a special inspector's certificate shall be conditioned upon his continuing in the employ of a boiler inspection and insurance company duly authorized as aforesaid, and upon his maintenance of the standards imposed by the provisions of sections 64 to ~~79~~ 83, inclusive. Such special inspectors shall inspect all ~~steam~~ boilers insured by their respective companies, and the owners or users of such insured boilers shall be exempt from the payment of the fees provided for in section 76. Each company employing such special inspectors shall within 30 days following each annual internal inspection made by such inspectors, file a report of such inspection with the chief inspector.'

Sec. 5. R. S., c. 30, § 71, amended. The 1st sentence of the 2nd paragraph of section 71 of chapter 30 of the revised statutes is hereby amended to read as follows:

'A certificate of competency may be revoked by the chief inspector of ~~steam~~ boilers for the incompetence or untrustworthiness of the holder thereof or for wilful falsification of any matter or statement contained in his application or in a report of any inspection.'

Sec. 6. R. S., c. 30, § 72, amended. The 1st sentence of section 72 of chapter 30 of the revised statutes is hereby amended to read as follows:

'Each steam boiler used or proposed to be used within this State and all hot water **supply and hot water** heating boilers located in schoolhouses, **and all boilers owned by municipalities**, except boilers exempt under the provisions of section 78, shall be thoroughly inspected ~~internally and externally~~ while not under pressure by the chief inspector or by one of the deputy inspectors or special inspectors provided for herein, as to its design, construction, installation, condition and operation; ~~and if~~. **Each steel boiler shall be inspected internally and externally; and all normally accessible surfaces of cast iron boilers shall be cleaned for inspection but need not be dismantled unless in the opinion of the inspector it is necessary.** If it shall be found to be suitable and to conform to the rules of the Board of Boiler Rules, upon payment by the owner or user of such a boiler of the sum of \$2 to the chief inspector, the latter shall issue to such owner or user an inspection certificate for each such boiler.'

Sec. 7. R. S., c. 30, § 74, amended. Section 74 of chapter 30 of the revised statutes is hereby amended to read as follows:

'**Sec. 74. Inspection certificate.** It shall be unlawful for any person, firm, partnership or corporation to operate under pressure in this State a ~~steam~~ boiler to which sections 64 to ~~79~~ 83, inclusive, apply without a valid inspection certificate as provided for in said sections. The operation of a ~~steam~~ boiler without an inspection certificate shall constitute a misdemeanor on the part of the owner or user thereof and be punishable by a fine of not more than \$100, or by imprisonment for not more than 30 days, or by both such fine and imprisonment.'

Sec. 8. R. S., c. 30, § 75, amended. The 1st paragraph of section 75 of chapter 30 of the revised statutes is hereby amended to read as follows:

'No new ~~steam~~ boiler which does not conform to the rules formulated by the Board of Boiler Rules governing new installations shall be installed in this State.'

Sec. 9. R. S., c. 30, § 76, amended. The 1st sentence of section 76 of chapter 30 of the revised statutes is hereby amended to read as follows:

'The owner or user of a ~~steam~~ boiler, required by the provisions of sections 64 to ~~79~~ 83, inclusive, to be inspected by the chief inspector or his deputy inspectors, shall pay the inspector upon inspection \$10.'

Sec. 10. R. S., c. 30, § 77, amended. Section 77 of chapter 30 of the revised statutes is hereby amended to read as follows:

'**Sec. 77. Application of §§ 64 to 83 to boilers now in use.** The provisions of sections 64 to ~~79~~ 83, inclusive, shall not be construed as in any way prevent-

ing the use or sale of ~~steam~~ boilers in this State which shall have been installed or in use in this State prior to July 6, 1935, and which shall have been made to conform to the rules of the Board of Boiler Rules governing existing installations and which shall have been inspected as provided for in section 72.'

Sec. 11. R. S., c. 30, § 78, amended. Section 78 of chapter 30 of the revised statutes is hereby amended to read as follows:

'Sec. 78. Exemptions. The provisions of sections 64 to 79, inclusive, shall not apply to boilers which are under federal control; or those under the control of the Public Utilities Commission; or to boilers used solely for propelling motor road vehicles; or to boilers of steam fire engines brought into the State for temporary use in times of emergency to check conflagrations; or to boilers used for agricultural purposes only; or to steam heating boilers, ~~except boilers located in schoolhouses, which carry pressures not exceeding 15 pounds per square inch, constructed and installed in accordance with the rules adopted by the board of boiler rules and hot water supply boilers which are located in private residences or in an apartment house of less than 6 families, or to hot water heating boilers carrying a pressure of not more than 30 pounds per square inch gauge, and which are located in private residences or in apartment houses of less than 6 families;~~ or to miniature boilers exempt by the provisions of section 76.'

Sec. 12. R. S., c. 30, § 80, amended. The first 3 paragraphs of section 80 of chapter 30 of the revised statutes are hereby amended to read as follows:

'No ~~steam~~ boiler or unfired steam pressure vessel ~~subjected to a pressure of over 15 pounds to the square inch~~ shall be operated in this State unless such boiler or unfired steam pressure vessel shall have been registered in the office of the Department, upon blanks to be furnished by said Department upon request, such blanks to contain information regarding maker's name, type of construction, date of construction, age, location and when last inspected, and such other information as may be required by said Department.

After a ~~steam~~ boiler of steel construction has been registered in the Department, said Department shall furnish, and the owner or user shall stamp or have stamped a number as given, on the shell of the boiler in the space commonly used for such purposes, with letters and figures not less than $\frac{3}{8}$ of an inch high and said Department shall furnish the owner or user of a cast iron boiler with a metal tag which shall be attached to the boiler. Any person, firm or corporation who fails to so stamp or obliterates or covers such numbers shall be punished by a fine of not more than \$100.

Whoever fails to so register any ~~steam~~ boiler or unfired steam pressure vessel shall be punished by a fine of \$10.'

Sec. 13. R. S., c. 30, § 81, amended. Section 81 of chapter 30 of the revised statutes is hereby amended to read as follows:

'Sec. 81. Inspection reports. In case a boiler is insured and inspected by a duly accredited insurance company licensed to do business in this State, a copy

of the record of each internal inspection of such boiler shall be filed with the Department.

In case an insurance company cancels insurance upon any ~~steam~~ boiler ~~carry-~~
~~ing over 15 pounds gauge pressure described in section 72~~ or the policy expires
and is not renewed, notice shall immediately be given the Department. Any in-
surance company shall likewise notify said Department immediately upon the
placing of insurance on such boiler.'

Sec. 14. R. S., c. 30, § 82, amended. The 1st paragraph of section 82 of
chapter 30 of the revised statutes is hereby amended to read as follows:

'Every ~~steam~~ boiler or unfired steam pressure vessel condemned in this State
shall be stamped in the following manner, "XXX Me.," and the Department
shall immediately be notified of such condemnation.'

Sec. 15. R. S., c. 30, § 83, amended. Section 83 of chapter 30 of the revised
statutes is hereby amended to read as follows:

'Sec. 83. Operation of condemned vessels. No ~~steam~~ boiler or unfired steam
pressure vessel that has been condemned for further use in this or any other
State by an authorized boiler inspector employed by an insurance company or by
an inspector authorized to inspect boilers by a state or the Federal Government
shall be operated in this State ~~at a gauge pressure of over 15 pounds.~~

Whoever operates a boiler in violation of the provisions of this section shall
be punished by a fine of not less than \$100.'