

# MAINE STATE LEGISLATURE

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## CHAPTER 133

## SAFETY ON INLAND STEAMERS

Sec.

- 1941. Inspection of vessels.
- 1942. Definitions.
- 1943. Lights shown; fitted.
- 1944. Inspection of steamboats and motorboats; certificate; camp and school vessels.
- 1945. Woodwork to be protected.
- 1946. Registration number displayed.
- 1947. Lifeboats to be equipped in vessels over 30 feet; life preservers.
- 1948. Stairways and gangways provided.
- 1949. Annual inspection; care of safety valve; certificate and fees.
- 1950. Personnel licensed; posting of license; no license to persons under 16.
- 1951. Compliance required; penalties; accidents investigated.
- 1952. Personnel acting without license.
- 1953. Penalties; jurisdiction.
- 1954. Oaths; subpoena of witnesses.

**§ 1941. Inspection of vessels**

Every vessel subject to chapters 131 to 137 and every person, firm or corporation owning or operating the same is placed under the jurisdiction of the Public Utilities Commission for the purposes enumerated in chapters 131 to 137. The commission shall employ such inspectors, engineers or other assistants as may be required to carry out chapters 131 to 137.

R.S.1954, c. 49, § 4.

**§ 1942. Definitions**

Wherever used or referred to in chapters 131 to 137, unless a different meaning clearly appears from the context:

**1. Commission.** "Commission" means the Public Utilities Commission.

**2. Motorboat.** "Motorboat" means any vessel propelled by motive power other than steam or outboard motor.

1955, c. 281.

**3. Steamboat.** "Steamboat" means any vessel propelled by steam.

**4. Vessel.** "Vessel" means any boat or vessel operated by machinery propelled by steam or other motive power except by outboard motor. (1955, c. 281).

R.S.1954, c. 49, § 5; 1955, c. 281.

### **§ 1943. Lights shown; fitted**

Every vessel navigated upon any of the inland waters of this State and not subject to the authority of the United States inspection laws, between the hours of sunset and sunrise, shall show:

**1. Starboard or right side.** On the starboard or right side a green light, of such character as to be visible on a dark night with a clear atmosphere at a distance of at least one mile, so constructed as to show a uniform and unbroken light over an arc of the horizon of 10 points of the compass and so fixed as to throw the light from right ahead to 2 points abaft the beam on the starboard side.

**2. Port or left side.** On the port or left side a red light, of such character as to be visible on a dark night with a clear atmosphere at a distance of at least one mile, so constructed as to show a uniform and unbroken light over an arc of the horizon of 10 points of the compass and so fixed as to throw the light from right ahead to 2 points abaft the beam on the port side.

The green and red lights shall be fitted with inboard screens, so as to prevent the lights from being seen across the bow and the illuminated portion of such lights or lenses shall be not less than 3 inches in diameter. In the case of small vessels the commission may make special rules for lights of a different character. Whoever neglects or refuses to observe this section shall be punished by a fine of \$10.

R.S.1954, c. 49, § 6.

### **§ 1944. Inspection of steamboats and motorboats; certificate; camp and school vessels**

Every steamboat navigated upon inland waters and every motorboat used for hire for the transportation of passengers or freight upon inland waters, before being so employed, shall be inspected and obtain from the commission a certificate authorizing its use subject to the following provisions: The owner or operator of any such vessel shall make application to the commission for registration, subject to such reasonable rules and regula-

tions as the commission may make, which registration, if granted, shall terminate on the last day of the calendar year in which it is issued. A vessel kept for use or rental either by itself, or in connection with a camp, cottage or real estate, or used in connection with any school or camp to which boys or girls are admitted for compensation, or utilized by any officer, agent or employee of such camp or school for the transportation of any such boys or girls, shall be considered as kept for hire and shall be subject to chapters 131 to 137.

R.S.1954, c. 49, § 7.

### **§ 1945. Woodwork to be protected**

Every vessel shall be constructed so that the woodwork about the boilers, chimneys, fireboxes, cookhouses, stove and steam pipes exposed to ignition shall be thoroughly protected by some incombustible material, in such a manner as to permit the air to circulate freely between such material and woodwork and other ignitable substance. Before granting a certificate of inspection, the commission shall require such other provisions to be made as they shall deem necessary to guard against loss or damage by fire.

R.S.1954, c. 49, § 8.

### **§ 1946. Registration number displayed**

Every vessel subject to registration shall display upon each side of the bow its registration number in numerals painted upon or attached thereto, in conformance with the display of boat identification numbers in Title 38, sections 201 to 239.

R.S.1954, c. 49, § 9; 1963, c. 354, § 3.

### **§ 1947. Lifeboats to be equipped in vessels over 30 feet; life preservers**

Every vessel more than 30 feet in length, measured from end to end along deck, excluding sheer, subject to registration, shall have at least one substantial boat, with life lines attached, properly supplied with oars, kept tight and in good condition at all times and ready for immediate use. In addition thereto, such other boats or life rafts shall be carried as the commission, on account of the route or the number of passengers, may deem requisite. It shall be the duty of the master of such vessel to exercise and discipline his crew in the launching, use and management of the boats and life rafts until they become skillful boat-

men. The commission may make such rules and regulations as it deems necessary, designating what boats or life rafts, if any, shall be carried by vessels less than 30 feet in length.

Every vessel shall be provided with one life preserver, approved by the commission, for each passenger and each member of the crew. The life preservers shall be kept in convenient, accessible places in such vessel, in readiness for immediate use in case of accident, and the places where they are kept shall be indicated by printed notices, posted in such places on the vessel as the commission shall direct. Floats also may be required by the commission.

Any vessel or scow while towed by another vessel shall have on board one life preserver for each person on board and shall carry such other equipment as is deemed necessary by the commission, together with a certificate to be kept on board said vessel or scow stating what equipment shall be carried.

The commission may from time to time make such reasonable rules and regulations relating to other equipment and safety appliances for vessels subject to chapters 131 to 137 as they may deem necessary.

R.S.1954, c. 49, § 10; 1955, c. 31.

### **§ 1948. Stairways and gangways provided**

Every vessel whose size and manner of construction require it shall be provided with permanent stairways and other adequate means for convenient passage from one deck to another, with gangways sufficiently large to allow persons to pass without obstruction, by freight or otherwise, fore and aft for the entire length of the vessel and to and along the guards thereof.

R.S.1954, c. 49, § 11.

### **§ 1949. Annual inspection; care of safety valve; certificate and fees**

The commission shall annually or oftener inspect every vessel of the description mentioned in section 1944, examine her hull, engine, boiler, boats and other equipment, apply proper tests to her boilers, ascertain how long it will be safe to use the same, determine the pressure of steam allowed, regulate the fusible plugs, safety valves and steam cocks, so as to insure safety; require such changes, repairs and improvements to be adopted and made as they shall deem prudent for the contemplated route. The commission shall fix the number of passengers to be trans-

ported, and no greater number shall be received or allowed at any one time unless special permission is first obtained therefor, under such precautions as the commission may deem expedient.

No person shall intentionally load or obstruct or cause to be loaded or obstructed in any way or manner the safety valve of the boiler, or employ any other means or device whereby the boiler may be subjected to a greater pressure than the amount allowed by the commission's certificate, nor shall intentionally derange or hinder the operation of any machinery or device employed to denote the state of the water or steam in any boiler or to give warning of approaching danger, nor shall intentionally permit the water to fall below the prescribed low-water line of the boiler.

The commission, if satisfied that any vessel is in all respects safe and in conformity with chapters 131 to 137, shall give its certificate, setting forth the age of the vessel, the age of the boilers, the pressure of steam it is authorized to carry, the number of boats and life preservers it requires and the number of passengers it can transport. One copy of this certificate and of this section shall be kept posted in some conspicuous place upon such vessel. If the commission refuses to grant a certificate to any vessel, it shall make and deliver to the owners of the vessel a statement in writing giving the reasons for such refusal.

The owners of each vessel registered shall pay to the commission the sum of \$1 for each registration. The owners of each vessel inspected and certified shall pay to the commission the sum of \$5 for each inspection, and each person licensed shall pay to the commission the sum of \$2 for every original license and \$2 for each renewal thereof. In the case of a vessel of 3 tons or less of gross measurement, no fees for inspection or license shall be required or paid. In cases where the master is pilot of the vessel, he shall not be required to hold 2 licenses, but may act in either or both capacities under one license when the license expressly authorizes him to do so. The commission shall account for all sums of money so received and pay the same into the State Treasury.

R.S.1954, c. 49, § 12.

**§ 1950. Personnel licensed; posting of license; no license to persons under 16**

Every person employed as master, pilot, engineer or operator on any vessel subject to chapters 131 to 137 shall be examined by the commission as to his qualifications, and if satisfied there-

with, it shall grant him a license for the office, which license shall expire on the last day of the calendar year in which it is issued unless sooner revoked by the commission for intemperance, incompetency or willful violation of duty. The commission may grant a renewal of such license upon written application and without further examination, subject to such reasonable rules and regulations as the commission may prescribe. Said license shall be framed under glass and posted in some conspicuous place on board such vessel. Any master, pilot, engineer or operator who holds a license to navigate any such vessel may under such license be employed on any other vessel owned or navigated upon inland waters within this State. No license shall be issued to any person under 16 years of age as master, pilot, engineer or operator of any vessel subject to chapters 131 to 137.

R.S.1954, c. 49, § 13.

**§ 1951. Compliance required; penalties; accidents investigated**

Every vessel described in section 1944 shall comply with all the terms and provisions of chapters 131 to 137 and with all orders, regulations and requirements of the commission. If any such vessel is navigated without complying therewith or without the certificate of the commission, the owners and master, severally, shall forfeit to the State \$500 for each offense, half thereof to the informer, unless otherwise provided, for which sum the vessel so engaged is liable and may be proceeded against by attachment in a civil action commenced within 60 days after the commission of the offense, or said penalty may be recovered by indictment. In case of damage by collision, fire or explosion, the commission shall forthwith, and in other cases in its discretion the commission may, investigate the cause thereof, and if found to have been occasioned by a violation of any of the aforesaid provisions or of the orders, regulations and requirements of said commission, they shall so certify to the Attorney General and to the county attorney in the county where the offense was committed, together with the names of the parties and witnesses, and prosecution shall be instituted forthwith against all parties liable. If any such vessel is deprived of the services of any licensed officer, without the consent, fault or collusion of the master, owner or any person interested in the vessel, the deficiency may be supplied temporarily until another licensed officer can be obtained. If the owners and master of such vessel seasonably notify the commission of the expiration of its certificate and re-

quest a new inspection and certificate and said commission fails to make said inspection and issue said certificate when the vessel is entitled thereto, such owners or master are not liable for any of the penalties provided in chapters 131 to 137 on account of navigating such vessel without a certificate of inspection.

R.S.1954, c. 49, § 14; 1961, c. 317, § 123.

### § 1952. Personnel acting without license

Whoever acts as master, pilot, engineer or operator on any vessel subject to chapters 131 to 137, without having in force the license required by section 1950, shall be punished by a fine of \$50 for every day he acts without such license.

R.S.1954, c. 49, § 15.

### § 1953. Penalties; jurisdiction

Any person who shall violate any of the provisions of chapters 131 to 137 for which a specific penalty is not otherwise prescribed shall be punished by a fine of not less than \$10 nor more than \$500, or by imprisonment for not more than 11 months, or by both. The District Court shall have concurrent jurisdiction with the Superior Court of all complaints and prosecutions under sections 1901 to 1952.

R.S.1954, c. 49, § 16; 1963, c. 402, § 93.

### § 1954. Oaths; subpoena of witnesses

Each of the public utilities commissioners, for the purposes mentioned in chapters 131 to 137, may administer oaths, certify to official acts, issue subpoenas, compel the attendance of witnesses and the production of books, accounts, papers, documents and testimony, punish by fine and imprisonment for contempt and issue all processes necessary to the performance of the duties imposed upon the commission by chapters 131 to 137.

R.S.1954, c. 49, § 17.