

MAINE STATE LEGISLATURE

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ONE HUNDRED AND FIFTH LEGISLATURE

Legislative Document

No. 162

H. P. 118

House of Representatives, January 13, 1971

Referred to Committee on Legal Affairs. Sent up for concurrence and ordered printed.

BERTHA W. JOHNSON, Clerk

Presented by Mr. Shaw of Chelsea.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-ONE

AN ACT to Amend the Boiler Law to Include Steam and Hot Water Heating and Supply Boilers.

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

Sec. 1. R. S., T. 26, § 142, amended. Section 142 of Title 26 of the Revised Statutes is amended to read as follows:

§ 142. Exemptions

This subchapter shall not apply to boilers which are under federal control; or ~~to those to boilers~~ 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 or boilers owned by municipalities, 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;~~ or to miniature boilers exempt by section 245; or to steam heating boilers, and hot water heating boilers and hot water supply boilers located in private residences and dwellings of less than 6 apartments.

Sec. 2. R. S., T. 26, § 173, amended. The first sentence of section 173 of Title 26 of the Revised Statutes is amended to read as follows:

The board shall formulate rules for the safe and proper construction, installation, repair, **inspection**, use and operation of steam boilers in this State.

Sec. 3. R. S., T. 26, § 244, amended. The first 2 sentences of section 244 of Title 26 of the Revised Statutes are amended to read as follows:

~~Each steam boiler and all hot water supply and hot water heating boilers located in schoolhouses, and all boilers owned by municipalities, except boilers exempt under section 142, shall be thoroughly inspected while not under pressure by the chief inspector or by one of the deputy inspectors or authorized inspectors, as to its design, construction, installation, condition and operation. The Board of Boiler Rules shall specify the method of inspection and the frequency of such inspections. 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.~~

Sec. 4. R. S., T. 26, § 244, amended. The 3rd sentence of section 244 of Title 26 of the Revised Statutes, as amended by section 1 of chapter 211 of the public laws of 1965, is further amended to read as follows:

Whenever any boiler is inspected as ~~hereinbefore provided for in this section~~ **specified by the Board of Boiler Rules** and is found to be suitable and to conform to the rules of the Board of Boiler Rules, upon payment of the fee of \$3 to the department by the owner or user of such a boiler, the chief inspector shall issue to said owner or user an inspection certificate for each such boiler.

Sec. 5. R. S., T. 26, § 244, amended. The last 2 sentences of section 244 of Title 26 of the Revised Statutes are repealed as follows:

~~Not more than 14 months shall elapse between such inspections and there shall be at least 4 such inspections in 37 consecutive months. Each such boiler, except miniatures, shall be inspected externally while under pressure with at least the same frequency and at no greater intervals.~~

STATEMENT OF FACT

This bill proposes to amend section 142 of Title 26 of the Revised Statutes to provide that all so-called low-pressure heating boilers be included within the scope of the "Boiler Law," except those that are located in private residences and in dwellings of less than 6 apartments.

Low-pressure heating boilers include steam boilers which carry pressures not in excess of 15 pounds per square inch, hot water heating boilers, and hot water supply boilers. Presently, only those low-pressure heating boilers that are located in schoolhouses or owned by municipalities are included under the "Boiler Law."

When constructed according to nationally recognized standards and properly installed, equipped, maintained and operated, low-pressure heating boilers are reasonably safe devices, but if such is not the case any such boiler becomes a danger to life, limb and property, and to eliminate these dangers as far as possible, such boilers should be brought under the law and subject to

the applicable boiler rules and regulations of this State, thereby assuring that they are installed, maintained and operated in a reasonably safe manner.

Experience gained from the inspections made of a total of 1,828 low-pressure heating boilers owned by municipalities or located in schoolhouses, and brought under the law in 1953 and 1957, shows that among these boilers there were a total of 2,466 violations of applicable boiler rules and regulations, where the more serious violations involved safety valves on 627 boilers which included: 44 boilers without safety valves, and 569 boilers with either inadequate or unapproved safety valves, and 14 boilers with inoperative safety valves.

Concerning the removal of inspection frequencies from section 244 and adding this responsibility to the duties of the Board of Boiler Rules, there are many new types of boilers being installed and operated recently and the frequencies shown in the law no longer apply. If the board gains this responsibility, a degree of flexibility can be established which will fit all situations.