

# MAINE STATE LEGISLATURE

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ONE HUNDRED AND SIXTH LEGISLATURE

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Legislative Document

No. 206

H. P. 164

House of Representatives, January 17, 1973

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

E. LOUISE LINCOLN, Clerk

Presented by Mr. Sproul of Augusta.

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STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-THREE

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**AN ACT** Revising the Boiler Law to Include Certain Pressure Vessels.

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

**Sec. 1. R. S., T. 26, § 141, sub-§ 2, amended.** Subsection 2 of section 141 of Title 26 of the Revised Statutes is amended to read as follows:

2. **Code.** "Code" shall mean the ~~power~~ boiler and pressure vessel code of the American Society of Mechanical Engineers.

**Sec. 2. R. S., T. 26, § 142, amended.** Section 142 of Title 26 of the Revised Statutes, as amended by chapter 55 of the public laws of 1971, is further amended by adding at the end the following:

This subchapter shall not apply to the following pressure vessels:

1. Federal control. Pressure vessels which are under federal control;
2. Certain gases. Pressure vessels used for the transportation and storage of compressed or liquified gases when constructed in compliance with specifications of the United States Department of Transportation;
3. Vehicles. Pressure vessels located on vehicles operating under the rules of other state authorities and used for carrying passengers or freight;
4. Railroad right-of-way. Pressure vessels installed on the right-of-way of railroads and used directly in the operation of trains;
5. Agriculture. Pressure vessels used solely for agricultural purposes on farms;

6. **Apartments and private homes.** Pressure vessels located in private residences and apartment houses with less than 6 apartments;

7. **Certain pressure.** Pressure vessels having an internal or external operating pressure not exceeding 15 pounds per square inch;

8. **Water capacity.** Pressure vessels with a normal water containing capacity of 120 gallons or less for containing water under pressure, including those containing air, the compression of which serves only as a cushion;

9. **Water heated.** Pressure vessels containing water heated by steam or any other direct or indirect means when none of the following limitations are exceeded:

A. A heat input of 200,000 British thermal units per hour;

B. A water temperature of 200° Fahrenheit;

C. A normal water containing capacity of 120 gallons;

10. **Excess.** Pressure vessels that do not exceed:

A. Five cubic feet in volume and 250 pounds per square inch gauge pressure; or

B. One and one-half cubic feet in volume and 600 pounds per square inch gauge pressure; or

C. An inside diameter of 6 inches with no limitation on pressure;

11. **Circuit breaker.** Pressure vessels that are used as an integral part of a circuit breaker or transformer.

**Sec. 3. R. S., T. 26, § 173, amended.** The first sentence of the first paragraph of section 173 of Title 26 of the Revised Statutes, as amended by section 1 of chapter 51 of the public laws of 1971, is further amended to read as follows:

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

**Sec. 4. R. S., T. 26, § 173, amended.** The 2nd sentence of the 2nd paragraph of section 173 of Title 26 of the Revised Statutes, as amended by section 2 of chapter 51 of the public laws of 1971, is further amended to read as follows:

Any change in the rules which would raise the standards governing the methods of construction of new boilers and pressure vessels 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.

**Sec. 5. R. S., T. 26, § 174, amended.** Section 174 of Title 26 of the Revised Statutes, as amended by section 3 of chapter 51 of the public laws of 1971, is further amended to read as follows:

#### § 174. Installation of new boilers and pressure vessels

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

All new boilers and pressure vessels unless otherwise exempt to be installed shall be inspected during construction by an inspector authorized to inspect boilers in this State, or, if constructed outside the State, by an inspector holding a certificate of authority from the chief inspector of this State or an inspector who holds a certificate of inspection issued by the National Board of Boiler and Pressure Vessel Inspectors.

**Sec. 6. R. S., T. 26, § 213, amended.** The first paragraph of section 213 of Title 26 of the Revised Statutes is amended to read as follows:

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 installed or operated in this State ~~at a gauge pressure of over 15 pounds. Each steam boiler or unfired steam pressure vessel located in a schoolhouse or owned by a municipality, if condemned, shall not be operated.~~

**Sec. 7. R. S., T. 26, § 214, amended.** The first paragraph of section 214 of Title 26 of the Revised Statutes, as amended by section 13 of chapter 620 of the public laws of 1971, is further 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 bureau shall immediately be notified of such condemnation.

**Sec. 8. R. S., T. 26, § 215, amended.** Section 215 of Title 26 of the Revised Statutes, as amended by section 13 of chapter 620 of the public laws of 1971, is further amended to read as follows:

§ 215. Registration; stamping

No ~~steam boiler or unfired steam~~ pressure vessel subjected to a pressure of ~~over 15 pounds to the square inch, except those exempt under section 142,~~ shall be operated in this State unless such boiler or unfired steam pressure vessel shall have been registered in the office of the bureau upon blanks to be furnished by said bureau 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 bureau.

No pressure vessel except those exempt under section 142 shall be installed and operated in this State after June 30, 1974, unless it has been constructed, inspected and stamped in conformity with the ASME Boiler and Pressure Code, section VIII and is registered with and approved by the board.

A pressure vessel which does not bear the ASME stamping may be registered with and approved by the board, provided the person desiring to install the vessel shall make application to the board and shall file a copy of the manufacturer's data report or a copy of the construction details together with material specifications for review and approval prior to installation.

After a ~~steam~~ boiler or pressure vessel has been registered in the bureau said bureau 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. 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 pressure vessel or ~~unfired steam pressure vessel~~ shall be punished by a fine of \$10.

In case a boiler or ~~unfired steam~~ pressure vessel, subject to this section, is moved from one location to another, notice shall be given the bureau of such removal and of the new location in which the boiler or pressure vessel is to be set up.

~~This section shall not apply to boilers subject to federal inspection and control, or to boilers used in steamboats, or those under the control of the Public Utilities Commission or boilers used in automotive vehicles.~~

#### STATEMENT OF FACT

Presently, Maine does not have any laws governing the construction, installation, repair, registration or inspection of unfired pressure vessels except for the registration of certain steam pressure vessels.

The U. S. Department of Labor, Occupational Safety and Health Administration (OSHA) has now published rules for compressed air and compressed gas vessels and we can expect that the full range of pressure vessels will soon be included in the Act.

If a state has enacted laws and adopted rules that are at least equal to the Federal Standards, OSHA will allow that state to enforce its own law with its own personnel and facilities. If the state has no such law or adequate personnel, the Federal will enforce their own standard with their personnel.

This bill will give Maine a basic law that will satisfy OSHA or, at least provide the working tools to be used if, or when, the Federal standards become more stringent.

This bill will only require that after the effective date, all new pressure vessels except those listed in section 142 shall be registered with the bureau and that after June 30, 1974, all new pressure vessels must be constructed and stamped in compliance with the ASME code.