

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

SEVENTY-EIGHTH LEGISLATURE

HOUSE

NO. 216

House of Representatives, Feb. 9, 1917.

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

W. R. ROIX, Clerk.

Presented by Mr. Ryder of Broctonville.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND SEVENTEEN

AN ACT for the protection of life and property against loss or damage from steam boilers and steam engines operated by incompetent persons.

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

Section 1. Within thirty days after this act has been
2 enacted, the commissioner of labor of the state of Maine
3 shall establish in the department of labor a board to be
4 known as the steam engine and boiler operator's license
5 board to consist of five or more persons, citizens of the state
6 of Maine, each of whom shall have been engaged for a
7 period of at least five years as engineer of a steam plant,

8 two years of which he shall have been in charge of a first
9 class plant of not less than five hundred horse-power.

Sect. 2. Each of the said persons constituting said board
2 shall hold office for three years.

Sect. 3. Any vacancy occurring in the membership of
2 the said board shall be filled by the commissioner of labor
3 from persons properly qualified as aforesaid for the unex-
4 pired term.

Sect. 4. Each person appointed a member of said board
2 shall before entering upon the discharge of his duties and
3 within ten days after he has been appointed, take and sub-
4 scribe to an oath before any officer authorized to administer
5 oaths in this state for the faithful performance of his duty,
6 which shall be filed with the commissioner of labor and
7 transmitted by him to the secretary of state.

Sect. 5. They shall from time to time select one of their
2 members for chairman.

Sect. 6. They may adopt all necessary rules, regulations
2 and by-laws for their government not inconsistent with the
3 laws of the state of Maine or of the United States and shall
4 prescribe rules for the examination and licensing of en-
5 gineers and firemen in charge of stationary and portable
6 steam boilers and engines within the state, and to prevent
7 the use of such steam boilers and steam engines unless the
8 person in charge shall hold such license.

Sect. 7. They shall report from time to time to said
2 commissioner and in such form as he shall prescribe.

Sect. 8. All licenses recommended by them shall be issued
2 under the hand and seal of the commissioner and a record
3 thereof kept in his office.

Sect. 9. Within sixty days after said board shall have
2 been organized no person subject to the provisions of this
3 act shall operate any steam boiler or steam engine without
4 having a license as hereinafter provided for.

Sect. 10. Any person so appointed a member of the said
2 board of examiners may be removed from said board by the
3 commissioner for incompetence or untrustworthiness the
4 same as any other person employed by the department of
5 labor appointed by him.

Sect. 11. Each member of the board of examiners shall
2 be entitled to have and to receive from the state, as and
3 for his compensation the sum of four dollars per day for
4 the time actually employed by him in the pursuance of his
5 duties as examiner, also he shall receive from the state
6 remuneration for all actual and necessary expenses incurred
7 by him in the discharge of his duties as examiner when such
8 duties shall necessitate his presence in a city or town other
9 than that in which he is permanently located.

Sect. 12. Any engineer or firemen actually in charge of
2 a steam engine or steam boiler at the time this act takes
3 effect and who has operated said boiler or engine for a
4 period of not less than twelve months shall be exempted
5 from examination required by this act and upon presenting
6 satisfactory evidence to the examiner of such service shall

7 receive a graded license the limitation of which shall not
8 exceed the actual horse-power of steam engine or boiler of
9 which he may be in charge.

Sect. 13. Any person applying for an engineer's license
2 must have at least twelve months experience in the actual
3 operation of steam boilers.

Sect. 14. No person shall have charge of or operate a
2 steam boiler or engine in this state, except boilers and
3 engines in private residences; boilers in apartment houses
4 of less than five flats, boilers and engines under the juris-
5 diction of the United States, boilers and engines of less than
6 eight horse-power and boilers used for heating purposes
7 exclusively, which are provided with a device approved by
8 the board of examiners limiting the pressure carried to
9 fifteen pounds to the square inch, unless he holds a license
10 as hereinafter provided. The owner or user of a steam
11 boiler or engine, other than boilers or engines above ex-
12 cepted, shall not operate or cause to be operated a steam
13 boiler or engine for a period of more than one week, unless
14 the person in charge of and operating it is duly licensed.

Sect. 15. If such steam engine or boiler is found to be
2 in charge of or operated by a person who is not a duly
3 licensed engineer or fireman and after a lapse of one week
4 from such time it is again found to be operated by a person
5 who is not a duly licensed it shall be deemed prima facie
6 evidence of a violation of the provisions of the preceding
7 section.

Sect. 16. The words "have charge" or "in charge" in
2 the two preceding sections shall designate the person under
3 whose supervision a boiler or engine is operated, the per-
4 son who is actually engaged in generating steam in a power
5 boiler.

Sect. 17. Whoever desires to act as engineer or fireman shall
2 apply for a license therefor to the examiner of engineers for
3 the city or town in which he resides or is employed upon
4 blanks to be furnished by the examiner. Application shall be
5 accompanied by a fee of two dollars and shall show his total
6 experience. Wilful falsification on the matter of state-
7 ments contained in the application shall be deemed sufficient
8 cause for the revocation of said license at any time. The
9 applicant shall be given a practical examination and if
10 found competent and trustworthy, he shall receive within
11 six days after the examination, a license graded according
12 to the merits of his examination. The applicant shall have
13 the privilege of having one person present during the exam-
14 ination who shall take no part in the same but who may
15 take notes if he so desires. No person shall be entitled to
16 receive more than one examination within ninety days ex-
17 cept in the case of an appeal as hereinafter provided. A
18 license shall continue in force until it is revoked for the
19 incompetence or untrustworthiness of the licensee, and a
20 license shall remain revoked until a new one is granted. If
21 a new license of a different grade is issued the old license
22 shall be destroyed in the presence of the examiner. If a

23 license is lost by fire or other means, a new license shall
24 be issued in its place without re-examination of the licensee
25 upon the satisfactory proof of such loss to the examiner.

Sect. 18. License shall be granted according to the com-
2 petence of the applicant and shall be distributed in the fol-
3 lowing classes: Engineer's license: First class, to have
4 charge of and to operate any steam plant. Second class,
5 to have charge of and to operate a boiler or boilers and
6 to have charge of and operate engines no one of which shall
7 exceed one hundred and fifty horse-power, or to operate a
8 first class plant under the engineer in direct charge of the
9 plant. Third class, to have charge of and to operate a
10 boiler or boilers not exceeding in the aggregate one hundred
11 and fifty horse-power, and an engine not exceeding fifty
12 horse-power or to operate a second class plant under the
13 engineer in direct charge of the plant. Fourth class, to
14 have charge of and to operate hoisting and portable engines
15 and boilers. Firemen's license: First class, to have charge
16 of and to operate any boiler or boilers where the pres-
17 sure carried does not exceed twenty-five pounds to the
18 square inch, or to operate high pressure boilers under the
19 engineer in direct charge thereof. Second class, to operate
20 any boiler or boilers under the engineer in direct charge
21 thereof. A person holding a first class firemen's license
22 may operate a third class plant under the engineer in direct
23 charge of the plant. A person holding an engineer's or
24 firemen's license who desires to have charge of or to operate

25 a particular steam plant or type of plant may, providing
26 he holds an engineer's or firemen's license, if he files with
27 his application a written request signed by the owner or
28 user of said plant for such examination, be examined as
29 to his competence for such services and no other, and if
30 found competent and trustworthy shall be granted a license
31 for such service and no other. No special license shall be
32 granted to give any person charge of a plant over one hun-
33 dred and fifty horse-power.

Sect. 19. The horse-power of a boiler shall be ascertained
2 upon the basis of three horse-power for each square foot of
3 grate surface for a power boiler, and on the basis of one
4 and a half horse-power for each square foot of grate sur-
5 face if the boiler is used for heating purposes exclusively.
6 The engine power shall be forty pounds per square inch of
7 piston for a simple engine, fifty pounds for a condensing
8 engine, and seventy pounds for a compound engine, reck-
9 oned upon area of high pressure piston.

Sect. 20. A person who is aggrieved by the action of an
2 examiner in refusing or revoking a license may appeal
3 therefrom to the remaining examiners, three or more of
4 whom shall together act as a board of appeal, and shall
5 have the power to hear the parties and pass upon the sub-
6 ject of appeal. If appeal is taken it must be within one
7 month after the decision of the examiner. The applicant
8 may have the privilege of having one first class engineer
9 present during the hearing of his appeal, but he shall take

10 no part therein. The decision of the majority of such
11 examiners so acting as a board of appeal shall be final if
12 approved by the chairman of said board of examiners.

Sect. 21. An engineer's or firemen's license granted un-
2 der the provisions of the preceding sections or to the cor-
3 responding provisions of earlier laws, shall be placed so as
4 to be easily read in a conspicuous place in the engine room
5 or boiler room of the plant operated by the holder of such
6 license.

Sect. 22. Whoever violates any of the provisions of the
2 preceding sections shall be punished by a fine of not less
3 than ten dollars or more than three hundred dollars or by
4 imprisonment for not more than three months. A trial
5 justice shall have jurisdiction of complaints for violation
6 of the provisions of the preceding sections, and in such
7 cases may impose a fine of not more than fifty dollars. All
8 members of the board of examiners shall have authority in
9 the pursuance of their duty to enter any premises on which
10 a boiler or engine is situated, and any person who hinders
11 or prevents or attempts to prevent any examiner from so
12 entering, shall be liable to the penalty as specified in this
13 section.

Sect. 23. The sum of Twelve Hundred Dollars is hereby
2 appropriated, the same or so much thereof as may be
3 necessary, to be used for the purpose of this act for the
4 years nineteen seventeen and nineteen eighteen.