

MAINE STATE LEGISLATURE

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

Legislative Document

No. 253

H. P. 707

House of Representatives, February 1, 1949

Referred to the Committee on Labor, sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk

Presented by Mr. Bates of Orono.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-NINE

AN ACT Relating to Unfired Pressure Vessels.

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

Sec. 1. R. S., c. 25, § 53, amended. Section 53 of chapter 25 of the revised statutes is hereby amended by adding at the end thereof a new paragraph to read as follows:

“Vessel,” as used in sections 51 to 69, inclusive, shall mean a tank, filled wholly or partially with air, which is over 10 inches in internal diameter and which carries a gauge pressure of over 15 pounds.’

Sec. 2. R. S., c. 25, § 54, amended. The 1st sentence of section 54 of chapter 25 of the revised statutes is hereby amended to read as follows:

‘The board shall formulate rules for the safe and proper construction, installation, repair, use and operation of steam boilers and vessels in this state.’

Sec. 3. R. S., c. 25, § 56, sub-§§ I, II, III and IV, amended. Subsections I, II, III and IV of section 56 of chapter 25 of the revised statutes are hereby amended to read as follows:

‘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 or

vessel is built or where a steam boiler ~~or~~, power plant apparatus **or vessel** is being installed or operated, for the purpose of ascertaining whether such boiler **or vessel** is built, installed and operated in accordance with the provisions of sections 51 to 65, inclusive.

II. To issue, suspend and revoke inspection certificates allowing steam boilers **and vessels** to be operated, as provided in sections 51 to 65, inclusive.

III. To enforce the laws of the state governing the use of steam boilers **and vessels** 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 **and vessels** to which sections 51 to 65, inclusive, apply.'

Sec. 4. R. S., c. 25, § 57, amended. Section 57 of chapter 25 of the revised statutes is hereby amended to read as follows:

'**Sec. 57. Special inspectors; how appointed; duties.** In addition to any deputy boiler inspectors authorized and appointed under the provisions of section 55, the commissioner shall, upon the request of any company authorized to insure against loss from explosion of steam boilers **or vessels** 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 58, 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 51 to 65, inclusive. Such special inspectors shall inspect all steam boilers **and vessels** insured by their respective companies, and the owners or users of such insured boilers **and vessels** shall be exempt from the payment of the fee provided for in section 62. 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. 25, § 59, amended. Section 59 of chapter 25 of the revised statutes, as amended by section 2 of chapter 277 of the public laws of 1947, is hereby further amended to read as follows:

Sec. 59. Inspection of boilers and vessels; certificates issued. Each steam boiler or vessel used or proposed to be used within this state, except boilers and vessels exempt under the provisions of section 64, shall be thoroughly inspected internally and externally while not under the 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 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 or vessel of the sum of \$1 to the chief inspector, the latter shall issue to such owner or user an inspection certificate for each such boiler or vessel. Inspection certificates shall specify the maximum pressure that the boiler or vessel inspected may be allowed to carry. Such inspection certificate shall be valid for not more than 14 months from its date **for boilers and 26 months for vessels** and it shall be posted under glass in the ~~engine or boiler room plant~~ containing such boiler or ~~an engine operated by it~~ vessel, or, in the case of a portable boiler or vessel, in the office of the plant where it is located for the time being. The chief inspector or any deputy inspector may at any time suspend an inspection certificate when, in his opinion, the boiler or vessel for which it was issued may not continue to be operated without menace to the public safety or when the boiler or vessel is found not to comply with the rules herein provided for, and a special inspector shall have corresponding powers with respect to inspection certificates for boilers or vessels insured by the company employing him. Such suspension of an inspection certificate shall continue in effect until said boiler or vessel shall have been made to conform to the rules of the board and until said inspection certificate shall have been reinstated by a state inspector, if the inspection certificate was suspended by a state inspector, or by a special inspector if it was suspended by a special inspector. Not more than 14 months shall elapse between such inspections and **for boilers** there shall be at least 4 such inspections in 37 consecutive months. Each such boiler, except miniatures, shall also be inspected externally while under pressure with at least the same frequency and at no greater intervals. **Not more than 24 months shall elapse between internal inspections of vessels.'**

Sec. 6. R. S., c. 25, § 60, amended. Section 60 of chapter 25 of the revised statutes is hereby amended to read as follows:

'Sec. 60. Inspection certificate required; penalty. It shall be unlawful for any person, firm, partnership or corporation to operate under pressure in this state a steam boiler or vessel to which sections 51 to 65, inclusive, apply without a valid inspection certificate as provided for in said sections. The operation of a steam boiler or vessel 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. 7. R. S., c. 25, § 61, amended. Section 61 of chapter 25 of the revised statutes is hereby amended to read as follows:

'Sec. 61. Rule governing installation of new boilers and vessels. No new steam boiler **or 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 vessels** to be installed shall be inspected during construction by an inspector authorized to inspect boilers **and vessels** 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~~ **commission to make both inspections** issued by the national board of boiler and pressure vessel inspectors.'

Sec. 8. R. S., c. 25, § 62, amended. Section 62 of chapter 25 of the revised statutes, as amended by section 4 of chapter 297 of the public laws of 1945 and by section 3 of chapter 277 of the public laws of 1947, is hereby further amended by inserting before the last sentence of said section a new sentence to read as follows:

'In cases of unfired pressure vessels, the board is hereby authorized to set reasonable fees based on the size of such vessels.'

Sec. 9. R. S., c. 25, § 63-A, additional. Chapter 25 of the revised statutes is hereby amended by adding thereto a new section to be numbered 63-A, to read as follows:

'Sec. 63-A. Application of sections 51 to 65, inclusive, to unfired pressure vessels now in use. The provisions of sections 51 to 65, inclusive, shall not be construed as in any way preventing the use or sale of unfired pressure vessels in this state which shall have been installed or in use in this state prior to the effective date of this act 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 59.'

Sec. 10. R. S., c. 25, § 64, amended. Section 64 of chapter 25 of the revised statutes is hereby amended to read as follows:

'Sec. 64. Exemptions. The provisions of sections 51 to 65, inclusive, shall not apply to boilers **or vessels** which are under federal control; or

those under the control of **either** the public utilities commission **or the insurance department**; 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 **or vessels** used for agricultural purposes only; or to steam heating boilers 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 the provisions of section 62.'

Sec. 11. R. S., c. 25, § 66, amended. Section 66 of chapter 25 of the revised statutes is hereby amended to read as follows:

Sec. 66. Registration of certain steam boiler or unfired pressure vessels; registered boilers and vessels to be stamped; exceptions; penalty. 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 state department of labor and industry, 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 **or vessel** 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 **or vessel** 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 unfired ~~steam~~ pressure vessel shall be punished by a fine of \$10.

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

The provisions of this section shall not apply to boilers **or vessels** subject to federal inspection and control, ~~or to boilers used in steamboats, or those~~ under the control of the public utilities commission **or insurance department**, or ~~boilers~~ used in automotive vehicles.'

Sec. 12. R. S., c. 25, § 67, amended. Section 67 of chapter 25 of the revised statutes is hereby amended to read as follows:

'Sec. 67. Filing of inspection reports. In case a boiler or vessel 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 or vessel carrying over 15 pounds gauge pressure or the policy expires and is not renewed, notice shall immediately be given the department. Any insurance company shall likewise notify said department immediately upon the placing of insurance on such boiler or vessel.'

Sec. 13. R. S., c. 25, § 68, amended. Section 68 of chapter 25 of the revised statutes is hereby amended to read as follows:

'Sec. 68. Condemned vessels to be stamped; penalty. 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.

The stamp "XXX Me." placed on condemned boilers or vessels shall be made ~~across above~~ the registration mark or number of the boiler or vessel, or if the boiler or vessel has no registration mark or number, a stamp shall be placed in the location of this mark as determined by the rules of the American Society of Mechanical Engineers boiler code.

The stamping shall be done with individual letters ~~driven into the plate so far as to thoroughly cancel any previous registration~~ and shall be made with letters at least $\frac{3}{8}$ of an inch high.

Any person who obliterates such condemnation mark shall be punished by a fine of not less than \$100.

The laws and regulations of the American Society of Mechanical Engineers boiler or ~~unfired pressure~~ vessel code shall be used in all mathematical computations necessary to determine the safety of a boiler or vessel.'

Sec. 14. R. S., c. 25, § 69, amended. Section 69 of chapter 25 of the revised statutes is hereby amended to read as follows:

'Sec. 69. Condemned vessels shall not be operated; penalty. 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

or vessels 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 **or vessel** in violation of the provisions of this section shall be punished by a fine of not less than \$100.'