

MAINE STATE LEGISLATURE

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NINETY - NINTH LEGISLATURE

Legislative Document

No. 107

H. P. 69

House of Representatives, January 21, 1959.

Referred to the Committee on Legal Affairs, sent up for concurrence and 750 copies ordered printed.

HARVEY R. PEASE, Clerk

Presented by Mr. Curtis of Bowdoinham.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED FIFTY-NINE

AN ACT Revising Laws Relating to Boilers and Unfired Steam Pressure Vessels.

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

Sec. 1. R. S., c. 30, § 67, amended. Section 67 of chapter 30 of the Revised Statutes is amended to read as follows:

'Sec. 67. Rules and regulations. The board shall formulate rules for the safe and proper construction, installation, inspection, repair, use and operation of steam boilers in this State. The rules so formulated shall conform as nearly as practicable to the boiler code of the American Society of Mechanical Engineers and amendments and interpretations thereto made and approved by the council of the society.

Rules formulated by the board shall become effective 90 days after the date they are adopted. Any change in the rules which would raise the standards governing the methods of construction of new steam boilers 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; provided, however, that before. Before any rules or regulations are adopted, a public hearing shall be held, suitable notification to be published in at least 3 newspapers throughout the State.'

Sec. 2. R. S., c. 30, § 69, amended. Section 69 of chapter 30 of the Revised Statutes is amended to read as follows:

'Sec. 69. Powers of chief inspector. The chief inspector is empowered:

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 is built or where a steam boiler or power plant apparatus is being installed or operated, for

the purpose of ascertaining whether such boiler is built, installed and operated in accordance with the provisions of sections 64 to ~~79~~ 84.

II. To issue, suspend and revoke inspection certificates allowing ~~steam~~ boilers to be operated, as provided in sections 64 to ~~79~~ 84.

III. To enforce the laws of the State governing the use of ~~steam~~ boilers 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 to which sections 64 to ~~79~~ 84 apply.

V. To publish and distribute among boiler manufacturers and others requesting them, copies of the rules adopted by the board.

VI. To hold examinations ~~and issue certificates of competency to inspectors who have successfully passed such examinations to establish the fitness of applicants to become authorized boiler inspectors in this State.~~

Sec. 3. R. S., c. 30, § 70, amended. Section 70 of chapter 30 of the Revised Statutes is amended to read as follows:

'Sec. 70. Special inspectors; duties. In addition to any deputy boiler inspectors authorized and appointed under the provisions of section 68, the commissioner shall, upon the request of any company authorized to insure against loss from explosion of ~~steam~~ boilers 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 71, 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 64 to ~~79~~ 84. Such special inspectors shall inspect all ~~steam~~ boilers insured by their respective companies **to which the provisions of sections 64 to 84 apply**, and the owners or users of such insured boilers shall be exempt from the payment of the fees provided for in section 76. Each company employing such special inspectors shall within 30 days following each ~~annual internal~~ **required** inspection made by such inspectors, file a report of such inspection with the Chief Inspector.'

Sec. 4. R. S., c. 30, § 72, amended. The first 2 sentences of section 72 of chapter 30 of the Revised Statutes, as amended by section 2 of chapter 404 of the public laws of 1955 are further amended to read as follows:

'Each ~~steam~~ boiler used or proposed to be used within this State and all hot water supply and hot water heating boilers located in schoolhouses, and all boilers owned by municipalities covered by the provisions of sections 64 to 84, used or proposed to be used within this State, except boilers exempt under the

provisions of section 78, shall be thoroughly inspected while not ~~under pressure~~ **in service** 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. Each steel boiler shall be inspected internally and externally; **except that steel hot water heating boilers shall be internally inspected only once every 36 months, unless in the opinion of the inspector a more frequent inspection is necessary; but such boilers shall be inspected at all normally accessible surfaces at intervals of not more than 14 months; and all normally accessible surfaces of cast iron boilers shall be cleaned for inspection each cast iron boiler shall be inspected at all normally accessible surfaces but need not be dismantled internally inspected unless in the opinion of the inspector ~~it~~ such internal inspection is necessary.**

Sec. 5. R. S., c. 30, § 72, amended. The last 2 sentences of section 72 of chapter 30 of the Revised Statutes are amended to read as follows:

'Not more than 14 months shall elapse between ~~such the aforesaid~~ inspections and there shall be at least 4 such inspections in 37 consecutive months. Each such boiler, except ~~miniatures~~ **miniature boilers and boilers exempt from the provisions of sections 64 to 84**, shall also be inspected externally, preferably while under pressure, ~~with at least the same frequency and at no greater intervals~~ **at intervals of not more than 14 months and there shall be not less than 4 such inspections in 37 consecutive months.'**

Sec. 6. R. S., c. 30, § 74, amended. Section 74 of chapter 30 of the Revised Statutes, as amended by section 4 of chapter 272 of the public laws of 1957 is further amended to read as follows:

'**Sec. 74. Inspection certificate.** It shall be unlawful for any person, firm, partnership or corporation to operate under pressure in this State a ~~steam~~ boiler to which sections 64 to 84 apply without a valid inspection certificate as provided for in said sections. The operation of **such a steam** boiler 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.'

Sec. 7. R. S., c. 30, § 75, amended. The first sentence of section 75 of chapter 30 of the Revised Statutes is repealed and the following sentence enacted in place thereof:

'**All new boilers installed in this State, except boilers exempted by the provisions of section 78, shall conform to the rules governing new installations adopted by the Board of Boiler Rules.'**

Sec. 8. R. S., c. 30, § 76, amended. The first sentence of section 76 of chapter 30 of the Revised Statutes is amended to read as follows:

'The owner or user of a ~~steam~~ boiler, required by the provisions of sections 64 to ~~79~~ 84, to be inspected by the Chief Inspector or his deputy inspectors, shall pay the inspector upon inspection \$10.'

Sec. 9. R. S., c. 30, § 81, amended. Section 81 of chapter 30 of the Revised Statutes is amended to read as follows:

'Sec. 81. Inspection reports. In case a boiler 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~~ **required** inspection of such boiler shall be filed with the department.

~~In case an insurance company cancels insurance upon any steam boiler 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. Notice by the insurance company shall immediately be given the department upon the placing of insurance, or the termination of insurance, on any boiler to which the provisions of sections 64 to 84 apply.'~~

Sec. 10. R. S., c. 30, § 83, amended. The first paragraph of section 83 of chapter 30 of the Revised Statutes, as amended by section 7 of chapter 272 of the public laws of 1957 is further amended to read as follows:

~~No~~ **Any steam boiler or unfired steam pressure vessel which has been allowed to carry pressures exceeding 15 pounds per square inch** that has been condemned for further use **at such pressures** 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 **not** be operated in this State at a gauge pressure of over 15 pounds **per square inch**. Each steam boiler or unfired steam pressure vessel **carrying pressures of 15 pounds per square inch or less; or any hot water heating boiler; or hot water supply boiler** located in a schoolhouse or owned by a municipality, if condemned, shall not be operated.'