

# HOUSE . . . . No. 696

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By Mr. Putnam of Needham (by request), petition of Lyman E. Matta relative to the licensing and supervision of installers of oil burners. Military Affairs and Public Safety.

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## The Commonwealth of Massachusetts

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In the Year One Thousand Nine Hundred and Fifty-Two.

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### AN ACT RELATIVE TO THE LICENSING AND SUPERVISION OF INSTALLERS OF OIL BURNERS.

*Be it enacted by the Senatè and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 Chapter 143 of the General Laws is hereby  
2 amended by inserting after section 88, as appearing  
3 in the Tercentenary Edition, the following nine  
4 sections: —

5 DEFINITIONS.

6 *Section 89.* “Registration of persons, firms, etc., to  
7 install, repair and maintain oil burners” — No per-  
8 son, firm or corporation shall enter into, engage in,  
9 or work at the business of installing, maintaining or  
10 repairing oil burners used to supply heat and/or for  
11 the heating of water, unless such person, firm or  
12 corporation has received a license and a certificate  
13 therefor, issued by the commissioner and in accord-  
14 ance with the provisions hereinafter set forth.

15 “Master installer” — The words “master in-  
16 staller” as used in this chapter shall mean a cor-  
17 poration, firm or person having a regular place of  
18 business, who, by the employment of journeymen,  
19 performs the work of installing or maintaining or  
20 repairing oil burners used to supply heat and/or for  
21 the heating of water.

22 “Journeyman installer” — The words “journey-  
23 man installer” as used in this chapter shall mean a  
24 person doing any work of installing, maintaining or  
25 repairing oil burners used to supply heat and/or for  
26 the heating of water, for hire.

27 *Section 90.* “Examination of applicants for li-  
28 cense; issuance and renewal; fees” — The commis-  
29 sioner shall hold frequent examinations in the cities  
30 of Boston, Worcester and Springfield each year and  
31 shall hold annual or occasional examinations in other  
32 places in the commonwealth. Public notice of all  
33 examinations to be held shall be given at least  
34 thirty days prior to the date thereof. The commis-  
35 sioner shall grant a credit of five per cent to the ex-  
36 amination standing of each applicant who has served  
37 in the army or navy of the United States in time of  
38 war, or the Korean conflict, and has been honorably  
39 discharged or released from active duty. Said ex-  
40 aaminations shall be sufficient to give ample oppor-  
41 tunity for all applicants to be thoroughly and care-  
42 fully examined, may be written, oral or in practical  
43 work, and shall be supervised by the commissioner or  
44 person appointed by him for the purpose, but no  
45 license or certificate shall be granted without the  
46 sanction of the commissioner.

47 *Section 91.* “Forms of licenses” — Two forms of  
48 licenses shall be issued. The first, hereinafter re-

49 ferred to as Certificate A, shall be known as a “mas-  
50 ter installer’s license.”

51 (1) Certificate A shall be issued to any person, firm  
52 or corporation engaged in or about to engage in the  
53 business of installing oil burners to provide heat  
54 and/or hot water, qualified under this chapter. The  
55 certificate shall specify the name of the person, firm  
56 or corporation so applying, and the name of the per-  
57 son, who, in the case of a firm, shall be one of the  
58 members, and in the case of a corporation, one of  
59 its officers, passing said examination, by which he  
60 or it shall be authorized to enter upon or engage in  
61 business as set forth therein. The holding of Cer-  
62 tificate A shall not entitle the holder individually to  
63 engage in or perform the actual work of installing oil  
64 burners as previously described in this section, but  
65 shall entitle him to conduct business as a master  
66 installer.

67 (2) Certificate B shall be granted to any person  
68 who has passed an examination as set forth in sec-  
69 tion ninety of this chapter. It shall specify the name  
70 of such person, who shall thereby be authorized to  
71 engage in the business of journeyman installer.

72 (3) “Fees; re-examination” — Persons desiring an  
73 examination shall make written application therefor,  
74 accompanied by the proper fee, which shall be twenty-  
75 five dollars for Certificate A and five dollars for  
76 Certificate B. An applicant failing to pass his ex-  
77 amination shall not have his fee returned to him but  
78 will be entitled to one free re-examination. For each  
79 subsequent re-examination for Certificate A he shall  
80 pay fifteen dollars, and for Certificate B, one dollar.

81 (4) “Expiration and renewal” — Certificate A:  
82 Each “Certificate A” shall expire on July thirty-

83 first in each year, but may be renewed by the same  
84 person, or the same firm or corporation, acting by  
85 one or more of its members or officers, without fur-  
86 ther examination, upon payment of a fee of fifteen  
87 dollars, application therefor being made during said  
88 month, or, in case of sickness, absence or other dis-  
89 ability of the holder, at such time thereafter as the  
90 commissioner may permit.

91 (5) Certificate B: Each Certificate B shall ex-  
92 pire on July thirty-first in each year, but may be re-  
93 newed upon payment of a fee of one dollar, and upon  
94 the same conditions set forth in the preceding para-  
95 graph.

96 (6) "Holders to display certificate, etc." —  
97 Holders of Certificate A shall keep their certificate  
98 of registration displayed conspicuously in their place  
99 of business or principal offices. Holders of Certifi-  
100 cate B shall be furnished by the commissioner with  
101 evidence of having been so licensed, in card form or  
102 otherwise, which shall be carried on the person of the  
103 licensee and exhibited upon request.

104 (7) Any certificate expiring while the holder thereof  
105 is in the military or naval service of the United  
106 States shall be renewed without further examination  
107 upon payment of the prescribed fee, at any time  
108 within four months after such person's discharge from  
109 the service.

110 (8) Examination papers for Certificate A and  
111 Certificate B shall be preserved for at least two  
112 years, after which time they may, at the discretion  
113 of the commissioner, be destroyed.

114 (9) "Records to be open to public, etc." — Rec-  
115 ords of the examinations shall be open to the public  
116 at all times, and they shall have printed annually a

117 manual of their regulations, including the names of  
118 all licensees.

119 *Section 92.* "Certificates not transferable; may  
120 be suspended or revoked" — No certificates issued  
121 under this chapter shall be assignable or transferable.  
122 They may, after hearing, be suspended or revoked  
123 by the commissioner upon failure or refusal of the  
124 licensee to comply with the rules and requirements  
125 of the commissioner, or for other sufficient cause.

126 *Section 93.* "Penalties" — Any person, firm or  
127 corporation, or employee thereof, and any representa-  
128 tive, member or officer of such firm or corporation  
129 individually, entering upon or engaging in the busi-  
130 ness and work hereinbefore defined, without being  
131 licensed under section ninety-one, shall be subject  
132 to a fine of not less than ten nor more than one hun-  
133 dred dollars for a first offence, and for a subsequent  
134 offence shall be subject to a fine of not less than fifty  
135 nor more than five hundred dollars, or by imprison-  
136 ment in the house of correction for six months, or  
137 both.

138 *Section 94.* "Exemption of apprentices and  
139 learners" — Nothing contained herein shall forbid  
140 the employment by holders of Certificate A or of  
141 Certificate B of learners or apprentices working with  
142 and under the direct personal supervision of licensed  
143 journeymen installers; provided, that no such  
144 journeyman installer shall have more than one  
145 learner or apprentice working with him and under his  
146 direct personal supervision as aforesaid.

147 *Section 95.* "Penalty for misstatement" — Any  
148 person applying for a journeyman's license and mak-  
149 ing any misstatement as to his experience or other  
150 qualifications, or any person, firm or corporation

151 subscribing to or vouching for any such misstatement  
152 shall be subject to the penalties set forth in section  
153 ninety-three.

154 *Section 96.* "Disposition of fees and fines" —  
155 Fees and fines collected under sections ninety-one  
156 and ninety-five shall be paid to the commonwealth.

157 *Section 97.* "Exemptions" — Nothing contained  
158 in sections eighty-nine to ninety-six, inclusive, shall  
159 apply to the installation, maintenance or repair of  
160 range oil burners.



