

HOUSE No. 402.

[Bill accompanying the petition of J. J. McCarthy and others for legislation relative to the licensing of engineers and firemen. Mercantile Affairs. Jan. 29.]

Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and One.

AN ACT

Relative to the Licensing of Engineers and Firemen.

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

1 SECTION 1. Section one of chapter three hun-
2 dred and sixty-eight of the acts of eighteen hun-
3 dred and ninety-nine is hereby amended by strik-
4 ing out all after the word "exclusively," in the
5 ninth line thereof, to the words "and it shall
6 be," in the twelfth line thereof, so as to read as
7 follows: —

8 *Section 1.* It shall be unlawful for any person
9 to have charge of or to operate any steam boiler
10 or engine in this Commonwealth, except boilers

11 and engines upon locomotives, motor road vehi-
12 cles, boilers in private residences, boilers under
13 the jurisdiction of the United States, boilers used
14 for agricultural purposes exclusively, boilers of
15 less than eight horse power, and boilers used for
16 heating purposes exclusively; and it shall be un-
17 lawful for any owner or user of any steam boiler
18 or engine, other than those boilers or engines
19 above excepted, to operate or cause to be operated
20 a steam boiler or engine, unless the persons in
21 charge of and operating such boiler or engine are
22 duly licensed.

1 SECTION 2. Section two of chapter three hun-
2 dred and sixty-eight of the acts of eighteen
3 hundred and ninety-nine is hereby amended by
4 striking out all after the word "fireman," in the
5 third line thereof, to the words "it shall be
6 deemed," in the third line thereof, so as to read
7 as follows:—

8 *Section 2.* If any such boiler or engine is
9 found at any time in charge of or operated by
10 any person who is not a duly licensed engineer
11 or fireman, it shall be deemed prima facie evidence
12 of a violation of section one of this act.

1 SECTION 3. Section three of chapter three
2 hundred and sixty-eight of the acts of eighteen
3 hundred and ninety-nine is hereby amended by
4 striking out all after the word "his," in the fifth
5 line thereof, to the words "the applicant," in the
6 seventh line thereof, and substituting therefor the

7 words: — practical experience as provided by
8 section four of this act; and is further amended
9 by striking out all after the word “examination,”
10 in the tenth line thereof, and substituting therefor
11 the words: — practical experience; and is further
12 amended by striking out the word “ninety,” in
13 the sixteenth line thereof, and substituting there-
14 for the word: — thirty; and is further amended
15 by striking out all the words after “for,” in the
16 eighteenth line thereof, and substituting there-
17 for: — one of the following causes, to wit: in-
18 competency, untrustworthiness, intoxication while
19 on duty. In case a man is found intoxicated
20 while on duty, his license shall be revoked for a
21 period of three months and for a second offence
22 shall be revoked for one year, so as to read as
23 follows: —

24 *Section 3.* Any person desiring to act as en-
25 gineer or fireman shall make application for a
26 license to so act, to the examiner of engineers
27 for the city or town in which he resides or is
28 employed, upon blanks to be furnished by the ex-
29 aminer. The application must show his practical
30 experience, as provided by section four of this
31 act. The applicant shall be given a practical
32 examination, and if found competent and trust-
33 worthy, he shall receive, within six days after the
34 examination, a license graded according to the
35 merits of his examination and practical experience.
36 The applicant shall have the privilege of having
37 one person present during his examination, who
38 shall take no part in the same, but who may take

39 notes, if he so desires. No person shall be en-
40 titled to receive more than one examination within
41 thirty days, except in the case of an appeal, as
42 hereinafter provided. A license shall continue in
43 force three years or until the same is revoked for
44 one of the following causes, to wit: incompe-
45 tency, untrustworthiness, intoxication while on
46 duty. In case a man is found intoxicated while
47 on duty, his license shall be revoked for a period
48 of three months, and for a second offence shall be
49 revoked for one year. A license, unless so re-
50 voked, shall at the end of said three years be
51 renewed by the examiner of engineers upon
52 application and without examination, if the
53 application for renewal is made within six
54 months of expiration of license. When a
55 new license of a different grade is issued, the
56 old license must be destroyed in the presence
57 of the examiner. In case of the loss of a license
58 by fire or by other means, a new license shall be
59 issued in its place, without re-examination, upon
60 satisfactory proof of such loss to an examiner.

1 SECTION 4. Licenses shall be granted accord-
2 ing to the competency and practical experience of
3 the applicant, and any person applying for a
4 license must have served three years as an en-
5 gineer or fireman or both before being eligible for
6 examination, and licenses shall be graded accord-
7 ing to the competency of the applicant and dis-
8 tributed in the following classes:—

ENGINEERS' LICENSES.

- 9 First class. Unlimited in horse power.
- 10 Second class. To have charge of and operate
11 any boiler or boilers, and any engine not exceed-
12 ing two hundred horse power.
- 13 Third class. To have charge of and operate
14 any boiler or boilers, and any engine not exceed-
15 ing one hundred horse power.
- 16 Hoisting and portable engineers' license. To
17 have charge of and operate hoisting and portable
18 engines. Any engineer applying for this license
19 shall be examined as to his competency to operate
20 the particular class of engines included in this
21 license, and if found competent shall be granted a
22 license to operate said engine.

SPECIAL LICENSES.

- 23 Any person desiring to have charge of or to
24 operate any particular steam plant or type of plant
25 not exceeding fifteen horse power, may be ex-
26 amined as to his competency and practical experi-
27 ence for such service, and no other, and if found
28 competent and trustworthy shall be granted a
29 license for such service and no other; but no
30 person shall be examined for a special license for
31 a particular plant unless a written request for
32 such examination, signed by the owner or user of
33 said plant, is filed with the application.
- 34 Firemen's licenses. First class licenses shall be
35 issued to have charge of and operate any boiler
36 or boilers in this Commonwealth, and persons

37 holding first class licenses at the time of the pas-
38 sage of this act shall be given first class licenses
39 under this act without further examination.

40 Second class. Second class licenses shall be
41 issued to have charge of and operate any boiler or
42 boilers in this Commonwealth, where the pressure
43 carried does not exceed fifteen pounds to the
44 square inch, whether or not the safety device of
45 the district police is attached.

46 Any person holding a first class fireman's
47 license shall be eligible to make application for
48 an engineer's license and receive whatever grade
49 he is capable of.

50 Special licenses shall not be issued to firemen.

1 SECTION 5. Section five of chapter three hun-
2 dred and sixty-eight of the acts of eighteen hun-
3 dred and ninety-nine is hereby amended by adding
4 thereto the following words:— or operating an
5 engine of the grade which the plant requires, but
6 no person shall be so engaged unless he has a
7 license, — so as to read: —

8 *Section 5.* The words "have charge" in this
9 act shall be construed to designate the person
10 under whose supervision a boiler or engine is
11 operated. The "person operating" shall be
12 understood to mean any and all persons actually
13 engaged in generating steam in any power boiler,
14 or operating an engine of the grade which the
15 plant requires, but no person shall be so engaged
16 unless he has a license.

1 SECTION 6. All examiners are hereby author-
2 ized to administer oaths to applicants for license,
3 and every applicant must take oath before said
4 examiners that all statements made in his applica-
5 tion are true.

1 SECTION 7. All acts and parts of acts incon-
2 sistent herewith are hereby repealed: *provided*,
3 *however*, that such repeal shall not invalidate any
4 license granted under the acts repealed, and
5 licensees holding licenses at the time of the pas-
6 sage of this act shall have the same powers as are
7 given by section four of this act to licensees of a
8 similar grade.

1 SECTION 8. This act shall take effect upon its
2 passage.

