

By Mr. Caron of Springfield, petition of Paul E. Caron and James P. Jajuga for legislation to revise and modernize the requirements for the operation and inspection of certain boilers and pressure vessels. Public Safety.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Ninety-Four.

AN ACT TO REVISE AND MODERNIZE THE REQUIREMENTS FOR THE OPERATION AND INSPECTION OF CERTAIN BOILERS AND PRESSURE VESSELS.

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 1 of Chapter 146 of the General Laws,
2 as appearing in the 1992 Official Edition, is hereby amended by
3 inserting after the definition of the word "Chief" the following: —
4 "Chief Engineer", a person designated by the owner or user of
5 equipment subject to the provisions of this chapter, as the person
6 directly responsible for the overall operation of such equipment,
7 in accordance with provisions of this chapter.

1 SECTION 2. Section 3 of Chapter 146 of the General Laws,
2 as so appearing, is hereby amended in the first line thereof by
3 striking the word "annually" and inserting in place thereof the
4 following: — semi-annually.

1 SECTION 3. Sectionn 8 of Chapter 146 of the General Laws,
2 as so appearing, is hereby amended in the fourth line thereof by
3 inserting after the phrase "boiler room" the following: — or
4 control room.

1 SECTION 4. Chapter 146 of the General Laws is hereby
2 amended by striking section 11, as so appearing, and inserting in
3 place thereof the following: —

4 Section 11. All such boilers shall be externally inspected not
5 less than once annually. During such inspection the district
6 engineering inspector shall observe the general condition of each
7 boiler, the pressure of steam carried by such boiler, and ascer-
8 tain that the safety valves and appliances which indicate the
9 pressure of steam and level of water in the boiler are in proper
10 working order.

1 SECTION 5. Chapter 146 of the General Laws is hereby
2 amended by striking section 18, in its entirety, and inserting in
3 place thereof the following: —

4 Section 18. Every insurance company that insures equipment
5 and installations covered by provisions of this chapter shall,
6 within fourteen days following any inspection, forward to the chief
7 and the district engineering inspector, reports of such inspections
8 including changes in such equipment and any recommendations
9 for the safe operation thereof. Such reports shall be made on forms
10 approved by the chief, and shall contain all orders made by the
11 company regarding such equipment.

1 SECTION 6. Section 19 of Chapter 146 of the General Laws,
2 as so appearing, is hereby amended in the first line thereof by
3 inserting after the word “chief” the following: — and the
4 engineering inspector of the district.

1 SECTION 7. Section 22 of Chapter 146 of the General Laws,
2 as so appearing, is hereby amended by inserting at the end thereof
3 the following new paragraph: —

4 The department of public safety may retain that portion of the
5 fees so collected to maintain an account not to exceed five hundred
6 thousand dollars at any one time. The fees so retained may be
7 used to employ such personnel as are necessary to carry out the
8 inspectional and administrative functions required by this
9 chapter. Said account shall be audited as provided by law on an
10 annual basis.

1 SECTION 8. Section 23 of Chapter 146 of the General Laws,
2 as so appearing, is hereby amended by inserting, in line 4, after
3 the word “shall”, the following phrase: — within thirty days of
4 such inspection.

1 SECTION 9. Section 26 of Chapter 146 of the General Laws,
2 as so appearing, is hereby amended in the second line thereof by
3 striking the phrase “certificate of inspection”, and inserting in
4 place thereof the following: — first inspection tag of the
5 department of public safety.

1 SECTION 10. Section 27 of Chapter 146 of the General Laws,
2 as so appearing, is hereby amended by striking the last sentence
3 thereof and inserting in place thereof the following: — It shall be
4 placed in the control room or the boiler room of the plant where
5 it is accessible and easily read, except that the certificate of
6 inspection for a portable boiler shall be kept with said boiler and
7 easily accessible.

1 SECTION 11. Section 30 of Chapter 146, as so appearing, is
2 hereby amended by striking said section and inserting in place
3 thereof the following: —

4 Section 30. In the event that the insurance required by this
5 chapter on any boiler subject to the provisions of this chapter
6 expires or, where such insurance is suspended or denied, following
7 inspection of the boiler by the insurer, on the grounds that said
8 boiler is unsafe for operation, the insurer shall forthwith notify
9 the owner or duly authorized agent, the district engineering
10 inspector and the chief, in writing. Upon receipt of such notice
11 the owner or user of such boiler shall immediately cease the
12 operation of such boiler.

13 The said boiler shall not then again be operated until such time
14 as it has been put into a safe condition and inspected by either
15 the district engineering inspector, and a certificate of inspection
16 issued, or by a duly qualified inspector employed by the insurer.

1 SECTION 12. Section 33 of Chapter 146 of the General Laws,
2 as so appearing, is hereby amended by striking the words
3 “twenty nor more than five hundred dollars” and inserting in place
4 thereof the following: — five hundred nor more than five
5 thousand dollars.

1 SECTION 13. Section 41 of Chapter 146 of the General Laws,
2 as so appearing, is hereby amended by striking the words “fifty

3 dollars" and inserting in place thereof the following: — two
4 hundred.

1 SECTION 14. Chapter 146 of the General Laws is hereby
2 amended by striking section 49, in its entirety, and inserting in
3 place thereof the following: —

4 Section 49. Licenses shall be granted according to the com-
5 petence and the qualifications of the applicant according to
6 section 50 of this chapter. Any person designed to be in charge
7 of a steam plant will hereby be classified as the chief engineer.
8 Such licenses shall be classified as follows: —

9 Engineer's Licenses: First class, to have charge of and operate
10 any steam plant. Second class, to have charge of and operate any
11 boiler or boilers, and to have charge of and operate steam turbines,
12 on one of which shall exceed one hundred fifty horse power, or
13 to operate a first class plant under the chief engineer in charge
14 thereof. Third class, to have charge of and operate any boiler or
15 boilers not exceeding, in the aggregate one hundred fifty horse
16 power when solid fuel is burned or not exceeding, in the aggregate,
17 five hundred horse power based on the relieving capacity of the
18 valve or valves when steam is generated by use of liquid or gaseous
19 fuel, electric or atomic energy, or any other source of heat, and
20 a steam turbine or turbines not exceeding fifty horse power each,
21 or to operate a second class plant under the chief engineer in direct
22 charge thereof. Fourth class, to have charge and operate hoisting
23 and portable steam engines and boilers.

24 Fireman's Licenses: First class, to have charge of and to
25 operate any boiler or boilers where the safety valve or valves are
26 set to blow at a pressure not exceeding twenty-five pounds per
27 square inch, or to supervise high pressure boilers under the
28 engineer of fireman in direct charge thereof. Second class, to
29 operate or supervise any boiler or boilers under the engineer or
30 fireman in direct charge thereof.

31 No engineer or fireman in charge of a steam plant shall be
32 permitted to be in charge of any other steam plant.

33 Special Licenses: A person who desires to have charge of or
34 to operate a particular steam plant may, if he files with the appli-
35 cation for examination a written request signed by the owner or
36 user of the plant, be examined as to his or her competence for
37 such specific service and no other, and, if found competent and

38 trustworthy, shall be granted a license for such service, and none
39 other; provided that no special license shall be granted to give any
40 person charge of or permission to operate a steam turbine of over
41 fifty horse power, or a boiler or boilers exceeding, in the aggregate,
42 two hundred fifty horse power and a pressure greater than one
43 hundred fifty pounds per square inch gauge pressure, except that
44 where the main power plant is run exclusively by water power,
45 developed on the premises of such plant a major part of the year,
46 and has auxiliary steam power for use during periods of low water,
47 a special license may be granted to an applicant holding an
48 engineer's license.

1 SECTION 15. Section 64 of Chapter 146 of the General Laws,
2 as so appearing, is hereby amended by striking said section in its
3 entirety and inserting in place thereof the following: —

4 Whoever desires to act as an engineer or fireman shall apply
5 for a license to the department. The applicant shall be examined
6 by the inspector assigned to the district in which the appli-
7 cant resides or is employed. The examinations shall be uniform
8 throughout the commonwealth in a form approved by the chief.
9 The examination shall be given in two parts, the first part of which
10 shall be written and the second part of which shall be oral with
11 the exception of the second class fireman's examination which
12 shall consist of the written part only; provided, however, that any
13 applicant may be given only an oral examination if he so requests
14 in writing, stating the reasons for such request and if such reasons
15 are deemed valid by the chief or his designee. A mark of seventy
16 percent shall be considered passing on any such written exam. The
17 failure of any applicant taking a written examination to achieve
18 such a passing mark shall result in the removal of his application
19 from any further consideration. The time allotted for the written
20 examination shall be four hours.

21 Upon the completion of the written portion of the examination,
22 the applicant shall receive notice within ten days that he or she
23 has passed the said written portion and is eligible to take the oral
24 portion of the examination, where applicable. Upon passage of
25 the oral portion of the examination, where the applicant is found
26 to be competent and trustworthy, shall receive a license graded
27 in accordance with the merits of his examination within ten days

28 of the oral examination. An applicant for a first class or second
29 class engineer's license shall be examined by a board consisting
30 of three district engineering inspectors of the department, or two
31 such inspectors and the chief, if such chief is a qualified examiner,
32 and if the applicant is employed, one member of said board shall
33 be the department inspector of boilers assigned to the area where
34 the applicant is so employed, and the decision of said board shall
35 be final. An applicant for a license as an engineer of any other
36 class or as a fireman, or for a special license, shall be examined
37 by one inspector of the division, from whose decision there shall
38 be an appeal as provided in section sixty-six.

