

---

By: **Chairman, Economic Matters Committee (By Request - Departmental -  
Labor, Licensing and Regulation)**

Introduced and read first time: February 2, 2004

Assigned to: Economic Matters

---

A BILL ENTITLED

1 AN ACT concerning

2 **Commissioner of Labor and Industry - Boiler and Pressure Vessel Safety -**  
3 **Authority and Inspection Intervals**

4 FOR the purpose of exempting certain model steam boilers from the Boiler and  
5 Pressure Vessel Safety Act; requiring that certain time intervals for certificate  
6 inspections of boilers and pressure vessels be set by regulation; altering the  
7 period of validity for a certain certificate; defining certain terms; and generally  
8 relating to boiler and pressure vessel safety.

9 BY repealing and reenacting, without amendments,

10 Article - Public Safety  
11 Section 12-901(a) and 12-911(a)  
12 Annotated Code of Maryland  
13 (2003 Volume)

14 BY repealing

15 Article - Public Safety  
16 Section 12-911(b)  
17 Annotated Code of Maryland  
18 (2003 Volume)

19 BY adding to

20 Article - Public Safety  
21 Section 12-901(i), 12-903(b)(11), and 12-911(b)  
22 Annotated Code of Maryland  
23 (2003 Volume)

24 BY repealing and reenacting, with amendments,

25 Article - Public Safety  
26 Section 12-901(i) through (k), 12-903(b)(9) and (10), and 12-909(d)  
27 Annotated Code of Maryland  
28 (2003 Volume)

1 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
2 MARYLAND, That the Laws of Maryland read as follows:

3 **Article - Public Safety**

4 12-901.

5 (a) In this subtitle the following words have the meanings indicated.

6 (I) "MODEL STEAM BOILER" MEANS A BOILER THAT IS:

7 (1) INDIVIDUALLY FABRICATED FOR NONCOMMERCIAL USE;

8 (2) USED PRIMARILY FOR DEMONSTRATION, EXHIBITION, OR  
9 EDUCATIONAL PURPOSES; AND

10 (3) NOT FOR PROFIT.

11 [(i)] (J) "Power boiler" means a boiler in which steam or other vapor is  
12 generated at a pressure of more than 15 psig.

13 [(j)] (K) (1) "Pressure vessel" means a vessel in which the pressure is  
14 obtained:

15 (i) from an external source; or

16 (ii) by the application of heat from:

17 1. an indirect source; or

18 2. a direct source other than a boiler.

19 (2) "Pressure vessel" does not include a pipe, piping component, or  
20 structure whose primary function is to transport fluids.

21 [(k)] (L) "Secretary" means the Secretary of Labor, Licensing, and Regulation.

22 12-903.

23 (b) This subtitle does not apply to:

24 (9) a mechanical device of any of the following types:

25 (i) a pump;

26 (ii) a compressor;

27 (iii) a turbine;

28 (iv) a generator; or

1 (v) a hydraulic or pneumatic cylinder; [or]

2 (10) the water-containing part of an air-conditioning or refrigeration  
3 system condenser or evaporator:

4 (i) that uses halocarbon refrigerant;

5 (ii) that is constructed in accordance with the requirements of  
6 ANSI/ASHRAE Standard 15 (the safety code for mechanical refrigeration) in effect at  
7 the time of construction; and

8 (iii) if neither of the following limitations is exceeded:

9 1. a design pressure of 300 psig; and

10 2. a design temperature of 210 degrees Fahrenheit; OR

11 (11) MODEL STEAM BOILERS.

12 12-909.

13 (d) (1) Except for boilers and pressure vessels exempt under subsection (a)  
14 of this section or § 12-903 of this subtitle, each boiler and each pressure vessel that is  
15 used or proposed to be used in the State shall be inspected thoroughly as to its  
16 construction, installation, and condition in accordance with this subsection.

17 (2) A certificate inspection required under this subsection shall be:

18 (i) an internal inspection if construction allows; or

19 (ii) an inspection that is as complete as possible.

20 [(3) (i) A power boiler or a high pressure, high temperature water  
21 boiler shall:

22 1. receive a certificate inspection annually; and

23 2. be externally inspected annually while under pressure, if  
24 possible.

25 (ii) The Board may extend to 2 years the interval between  
26 certificate inspections of a power boiler if:

27 1. the power boiler has internal continuous water treatment  
28 under the general supervision of a professional engineer who has experience in the  
29 treatment of boiler water; and

30 2. the owner or user of the power boiler keeps available, for  
31 examination by the Chief Boiler Inspector or by a deputy boiler inspector or special  
32 inspector, accurate records that show:

1                                   A.       the date, time, and reason that the power boiler is out of  
2 service; and

3                                   B.       a chemical and physical analysis of samples of the boiler  
4 water taken at regular intervals of not more than 48 hours of operation that  
5 adequately show the condition of the boiler water and any elements or characteristics  
6 of the boiler water that are capable of producing corrosion or other deterioration of the  
7 power boiler or its parts.

8                   (4)       A heating boiler shall receive a certificate inspection biennially.

9                   (5)       (i)       A pressure vessel that is subject to internal corrosion shall  
10 receive a certificate inspection biennially.

11                   (ii)       A pressure vessel that is not subject to internal corrosion shall  
12 receive a certificate inspection at intervals set by the Board.

13                   (iii)       Internal inspection is not required of a pressure vessel if:

14                                   1.       the contents of the pressure vessel are known to be  
15 noncorrosive to the material of which the shell, heads, or fittings are constructed:

16                                   A.       from the chemical composition of the contents; or

17                                   B.       from evidence that the contents are adequately treated  
18 with a corrosion inhibitor; and

19                                   2.       the pressure vessel is constructed in accordance with  
20 regulations adopted under this subtitle.

21                   (6)       A nuclear vessel within the scope of this subtitle shall be inspected  
22 and reported in a form and with appropriate information designated by the Board.]

23                   (3)       (I)       CERTIFICATE INSPECTIONS SHALL BE CONDUCTED AT  
24 TIME INTERVALS SET FORTH IN REGULATIONS ADOPTED UNDER THIS SUBTITLE.

25                   (II)       THE INTERVALS SHALL PROTECT PUBLIC SAFETY TAKING INTO  
26 CONSIDERATION THE DESIGN, TYPE, AGE, EXTENT OF AUTOMATED MONITORING,  
27 FUEL, AND OPERATING CHARACTERISTICS OF THE BOILER OR PRESSURE VESSEL.

28 12-911.

29       (a)       If the report filed in accordance with § 12-910(a) of this subtitle shows that  
30 a boiler or pressure vessel complies with regulations adopted under this subtitle, the  
31 Chief Boiler Inspector shall issue to the owner or user of the boiler or pressure vessel  
32 a certificate that bears the date of inspection and specifies the maximum pressure  
33 under which the boiler or pressure vessel may be operated.

34       [(b)       Unless the Board has extended the interval between certificate inspections  
35 as authorized by this subtitle, the certificate is valid for:

1           (1)       not more than 12 months after its date of issuance for a power boiler  
2 or high pressure, high temperature water boiler; and

3           (2)       not more than 24 months after its date of issuance for a low pressure  
4 steam or vapor heating boiler, hot water heating boiler, hot water supply boiler, or  
5 pressure vessel.]

6       (B)       THE CERTIFICATE IS VALID FOR THE PERIOD THAT CORRESPONDS TO THE  
7 INTERVAL BETWEEN CERTIFICATE INSPECTIONS AS ESTABLISHED BY REGULATION  
8 UNDER § 12-909 OF THIS SUBTITLE.

9       SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take  
10 effect July 1, 2004.