

HOUSE BILL 808

C2

8lr2702
CF SB 622

By: **Delegates Weldon, Bartlett, G. Clagett, Hecht, Krebs, O'Donnell, Shank, and Stull**

Introduced and read first time: February 6, 2008

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Business Regulation – Stationary Engineers – Boilers**

3 FOR the purpose of altering the types of boilers certain stationary engineers may
4 oversee; defining certain terms; and generally relating to stationary engineers.

5 BY repealing and reenacting, with amendments,
6 Article – Business Occupations and Professions
7 Section 6.5–101 and 6.5–302
8 Annotated Code of Maryland
9 (2004 Replacement Volume and 2007 Supplement)

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

12 **Article – Business Occupations and Professions**

13 6.5–101.

14 (a) In this title the following words have the meanings indicated.

15 (b) “Board” means the State Board of Stationary Engineers.

16 (c) **“BOILER” MEANS:**

17 (1) **A CLOSED VESSEL IN WHICH WATER IS HEATED, STEAM IS**
18 **GENERATED, STEAM IS SUPERHEATED, OR A COMBINATION OF THESE**
19 **FUNCTIONS IS ACCOMPLISHED, UNDER PRESSURE OR VACUUM FOR USE**
20 **EXTERNALLY TO THE VESSEL BY THE DIRECT APPLICATION OF HEAT FROM THE**
21 **COMBUSTION OF FUELS OR FROM ELECTRICITY OR NUCLEAR ENERGY; OR**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(2) A FIRED UNIT FOR HEATING OR VAPORIZING LIQUIDS OTHER**
2 **THAN WATER IF THE UNIT IS SEPARATE FROM A PROCESSING SYSTEM AND IS**
3 **COMPLETE WITHIN ITSELF.**

4 **(D) “HEATING BOILER” MEANS:**

5 **(1) A STEAM BOILER THAT OPERATES AT PRESSURES NOT**
6 **EXCEEDING 15 PSIG; OR**

7 **(2) A HOT WATER BOILER THAT OPERATES AT PRESSURES NOT**
8 **EXCEEDING 160 PSIG OR TEMPERATURES NOT EXCEEDING 250 DEGREES**
9 **FAHRENHEIT.**

10 **(E) “HIGH PRESSURE, HIGH TEMPERATURE WATER BOILER” MEANS A**
11 **WATER BOILER THAT OPERATES AT PRESSURES EXCEEDING 160 PSIG OR**
12 **TEMPERATURES EXCEEDING 250 DEGREES FAHRENHEIT.**

13 **[(c)] (F) (1) “License” means, unless the context requires otherwise, a**
14 **license issued by the Board to perform the functions of a stationary engineer.**

15 **(2) “License” includes, unless the context requires otherwise:**

16 (i) a Grade 5 license;

17 (ii) a Grade 4 license;

18 (iii) a Grade 3 license;

19 (iv) a Grade 2 license; and

20 (v) a Grade 1 license.

21 **(G) “POWER BOILER” MEANS A BOILER IN WHICH STEAM OR OTHER**
22 **VAPOR IS GENERATED AT A PRESSURE OF MORE THAN 15 PSIG.**

23 **[(d)] (H) “Provide stationary engineer services” means to oversee the**
24 **operation of a power plant, plant of machinery, or boiler, each generating pressure of**
25 **at least 15 psi and operating at 30 or more horsepower.**

26 **[(e)] (I) “Stationary engineer” means an individual who is licensed by the**
27 **Board to provide stationary engineer services in accordance with the license grades**
28 **described in § 6.5–302 of this title.**

29 6.5–302.

1 (a) A Grade 5 stationary engineer licensee may oversee the operation of a
2 **POWER BOILER OR A HIGH PRESSURE, HIGH TEMPERATURE WATER** boiler that:

3 (1) (i) [operates at a pressure of more than 15 psi and] can be
4 operated at 30 to 99 horsepower; and

5 (ii) is located in a building not open for public use;

6 (2) is inspected in accordance with the boiler laws and regulations by a
7 special inspector or a deputy boiler inspector;

8 (3) if not equipped with a 24-hour computerized monitoring system
9 and automatic controls, is visited by a Grade 5 licensee at least once every 24 hours
10 that the boiler is in operation; and

11 (4) if equipped with a 24-hour computerized monitoring system and
12 automatic controls, is visited by a Grade 5 licensee at least once per week that the
13 boiler is in operation, if the licensee:

14 (i) is responsible for the safe operation of the equipment at all
15 times;

16 (ii) is available to observe the monitoring equipment or devices
17 and make the necessary adjustments at least once every 24 hours; and

18 (iii) maintains a daily inspection log.

19 (b) A Grade 4 stationary engineer licensee may oversee the operation of a
20 **POWER BOILER OR A HIGH PRESSURE, HIGH TEMPERATURE** boiler that:

21 (1) (i) [operates at a pressure of more than 15 psi and] can operate
22 at 30 to 99 horsepower; and

23 (ii) is located in a building open for public use;

24 (2) is inspected in accordance with the boiler laws and regulations by a
25 special inspector or a deputy boiler inspector;

26 (3) if not equipped with a 24-hour computerized monitoring system
27 and automatic controls, is attended by a Grade 4 licensee as follows:

28 (i) at all times that the boiler is in operation; or

29 (ii) if located in a school:

30 1. at all times during regular school hours; and

1 2. only when at least 150 students, faculty, or members
2 of the public occupy the building where the boiler is located during nonregular school
3 hours;

4 (4) if equipped with a 24-hour computerized monitoring system and
5 automatic controls, is attended by a Grade 4 licensee as follows:

6 (i) if located in a hospital, hotel, residential facility, or other
7 building generally open to the public, is visited at least once every 8 hours that the
8 building is open for public use, if the licensee:

9 1. is responsible for the safe operation of such equipment
10 at all times;

11 2. is available to observe the monitoring equipment or
12 devices and make necessary adjustments at least once every 24 hours; and

13 3. maintains a daily inspection log; and

14 (ii) if located in a school, is visited at least once every 8 hours:

15 1. during regular school hours; and

16 2. during nonregular school hours when the school
17 building in which the boiler is located is occupied by at least 150 students, faculty, or
18 members of the public, if the licensee:

19 A. is responsible for the safe operation of such equipment
20 at all times;

21 B. is available to observe the monitoring equipment or
22 devices and make necessary adjustments at least once every 24 hours; and

23 C. maintains a daily inspection log.

24 (c) A Grade 3 stationary engineer licensee may oversee the operation of a
25 **POWER BOILER OR A HIGH PRESSURE, HIGH TEMPERATURE** boiler that:

26 (1) [operates at a pressure of more than 15 psi and] can operate at 100
27 to 299 horsepower;

28 (2) is inspected in accordance with the boiler laws and regulations by a
29 special inspector or a deputy boiler inspector;

30 (3) if not equipped with a 24-hour computerized monitoring system
31 and automatic controls, has a Grade 3 licensee in attendance at all times that the
32 boiler is in operation; and

1 (4) if equipped with a 24-hour computerized monitoring system and
2 automatic controls, is attended by a Grade 3 licensee as follows:

3 (i) if not located in a building open for public use, does not
4 require regular full-time attendance or scheduled visitation, if the licensee:

5 1. is responsible for the safe operation of such equipment
6 at all times;

7 2. is available to observe the monitoring equipment or
8 devices and make necessary adjustments at least once every 24 hours; and

9 3. maintains a daily inspection log; and

10 (ii) if located in a school, hospital, hotel, residential facility, or
11 other building generally open to the public, is visited at least once every 8 hours that
12 the building is open for public use, if the licensee:

13 1. is responsible for the safe operation of such equipment
14 at all times;

15 2. is available to observe the monitoring equipment or
16 devices and make necessary adjustments at least once every 24 hours; and

17 3. maintains a daily inspection log.

18 (d) A Grade 2 stationary engineer licensee may oversee the operation of a
19 **POWER BOILER OR A HIGH PRESSURE, HIGH TEMPERATURE** boiler that:

20 (1) [operates at a pressure of more than 15 psi and] can operate at 300
21 to 499 horsepower;

22 (2) is inspected in accordance with the boiler laws and regulations by a
23 special inspector or a deputy boiler inspector;

24 (3) if not equipped with a 24-hour computerized monitoring system
25 and automatic controls, has a Grade 2 licensee in attendance at all times that the
26 boiler is in operation; and

27 (4) if equipped with a 24-hour computerized monitoring system and
28 automatic controls, is attended by a Grade 2 licensee as follows:

29 (i) if not located in a building open for public use, does not
30 require regular full-time attendance or scheduled visitation, if the licensee:

1 1. is responsible for the safe operation of such equipment
2 at all times;

3 2. is available to observe the monitoring equipment or
4 devices and make necessary adjustments at least once every 24 hours; and

5 3. maintains a daily inspection log; and

6 (ii) if located in a school, hospital, hotel, residential facility, or
7 other building generally open to the public, is visited at least once every 8 hours that
8 the building is open for public use, if the licensee:

9 1. is responsible for the safe operation of such equipment
10 at all times;

11 2. is available to observe the monitoring equipment or
12 devices and make necessary adjustments at least once every 24 hours; and

13 3. maintains a daily inspection log.

14 (e) A Grade 1 stationary engineer licensee may oversee the operation of a
15 **POWER BOILER OR A HIGH PRESSURE, HIGH TEMPERATURE** boiler that:

16 (1) [operates at a pressure of more than 15 psi and] can operate at 500
17 or more horsepower;

18 (2) is inspected in accordance with the boiler laws and regulations by a
19 special inspector or a deputy boiler inspector;

20 (3) if not equipped with a 24-hour computerized monitoring system
21 and automatic controls, has a Grade 1 licensee in attendance at all times that the
22 boiler is in operation; and

23 (4) if equipped with a 24-hour computerized monitoring system and
24 automatic controls and is attended by a Grade 1 licensee as follows:

25 (i) if not located in a building open for public use, does not
26 require regular visitation, if the licensee:

27 1. is responsible for the safe operation of such equipment
28 at all times;

29 2. is available to observe the monitoring equipment or
30 devices and make necessary adjustments at least once every 24 hours; and

31 3. maintains a daily inspection log; and

1 (ii) if located in a school, hospital, hotel, residential facility, or
2 other building generally open to the public, is visited at least once every 8 hours that
3 the building is open for public use, if the licensee:

4 1. is responsible for the safe operation of such equipment
5 at all times;

6 2. is available to observe the monitoring equipment or
7 devices and make necessary adjustments at least once every 24 hours; and

8 3. maintains a daily inspection log.

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
10 October 1, 2008.