



**House
Legislative
Analysis
Section**

Manufacturer's Bank Building, 12th Floor
Lansing, Michigan 48909
Phone: 517/373-6466

***A SUMMARY OF HOUSE BILL 5289 AS
INTRODUCED 11-14-89***

The Boiler Act regulates the construction, use and repair of boilers used to generate steam power for power plants. The bill would amend the act to require the licensing and examination of boiler operators or stationary engineers in the state.

Boiler Classification Levels. Boiler operator and stationary engineer licenses would have different levels of classification, and each level would be limited according to operating authorization, as follows:

- a "low pressure boiler operator" could operate a low pressure boiler plant of up to 4,000 square feet of boiler heating surface (BHS);
- a "high pressure boiler operator" could operate a boiler plant of up to 4,000 square feet of BHS, or not more than 10 steam engine-turbine horsepower;
- a "third-class stationary engineer" could operate a boiler plant that of up to 7,500 square feet of BHS, or not more than 100 steam engine-turbine horsepower;
- a "second-class stationary engineer" could operate a boiler plant of up to 20,000 square feet of BHS, or not more than 200 steam engine-turbine horsepower; and
- a "first-class stationary engineer" could operate a boiler plant of any size.

To obtain licensure at one of the classification levels an applicant would have to meet specific minimum requirements, depending on the operator classification level applied for, as follows:

- for a low pressure boiler operator, an applicant would have to have at least one year experience operating or maintaining low or high pressure boilers, steam prime movers, or their auxiliaries;
- for a high pressure boiler operator, an applicant would have to have one or more of the following:

- a) two or more years experience as a high pressure boiler operator;
- b) a low pressure boiler operator's license and not less than one year experience as a low pressure boiler operator;
- c) not less than one year of either a qualified training program or an approved apprenticeship program.

- for a third-class stationary engineer, an applicant would have to have one or more of the following:

- a) a high pressure boiler operator license and at least one year experience working under that license;
- b) a low pressure boiler operator license, with at least one year experience as a low pressure boiler operator, and at least one year maintenance experience on high pressure boilers and boiler auxiliary apparatus;

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Sponsor: Rep. Mary C. Brown

Committee: State Affairs

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- c) a high pressure boiler operator license with at least one year experience either in boiler maintenance or as an apprentice in an approved training program in a boiler plant with at least 4,000 square feet of BHS;
- d) at least three years experience operating boilers in a boiler plant with at least 4,000 square feet of BHS; or
- e) at least one year experience operating boilers in a boiler plant with at least 4,000 square feet of BHS, as well as "sufficient" experience operating steam prime movers larger than ten horsepower, for a combined total of at least three years experience.

- for a second-class stationary engineer, an applicant would have to have one or more of the following:

- a) a third-class stationary engineer license and not less than one year experience under that license;
- b) a bachelor's degree in engineering from an accredited college or university and at least 1 year experience as an engineer in the engineering or research division of a steam electric power generating plant;
- c) at least four years experience operating boilers in a boiler plant with at least 7,500 square feet of BHS;
- d) at least one year experience operating boilers in a boiler plant with at least 7,500 square feet of BHS, along with "sufficient" experience operating steam prime movers larger than 100 horsepower, for a sum total of at least four years experience; or
- e) at least 1 year's experience operating boilers in a boiler plant with at least 7,500 square feet of BHS, along with "sufficient" experience operating boilers in a boiler plant with at least 4,000 square feet of BHS, for a sum total of at least 4 years' experience; and

- for a first-class stationary engineer, an applicant would have to have one or more of the following:

- a) a second-class stationary engineer license and at least two years experience under that license;
- b) at least six years experience operating boilers in a boiler plant with at least 20,000 square feet of BHS;
- c) at least two years experience operating boilers in a boiler plant with at least 20,000 square feet of BHS, along with "sufficient" experience operating steam prime movers larger than 200 horsepower, for a sum total of at least six years experience; or
- d) at least two years experience operating boilers in a boiler plant with at least 20,000 square feet of BHS, with "sufficient" experience operating boilers in a boiler plant with at least 7,500 square feet of BHS, for a sum total of at least six years experience.

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Examination, Fees. A person could not engage in the business of operating boilers unless he or she had obtained a license from the director of the Department of Labor or was a participant in an approved apprenticeship program or qualified training program. The board could use an examination, and charge an appropriate fee, to determine whether or not an applicant was competent for licensure. A boiler operator examination would be either written or oral, while an examination for a stationary engineer would have to be both written and oral. However, a person licensed as a boiler operator or stationary engineer in another state, municipality, or country — which had at least equal minimum requirements for licensure as this state and offered reciprocal licensing privileges for licensees from Michigan — could, upon payment of a \$30 fee, be issued a license by the state boiler board without taking the examination.

Until July 1, 1989, applicants could be "grandparented" into the licensure program, and thus be licensed without examination, provided that they submitted evidence of one or more of the following:

- Submitting evidence of at least five years of experience at the appropriate license level;
- Possessing a boiler operator or stationary engineer license;
- Having successfully completed a four-year approved apprenticeship program or a four-year qualified training program.

A license applicant could not be younger than 18 years of age, would have to be mentally and physically capable to perform his or her duties in a safe and competent manner, and would have to meet the specific requirements of the boiler operator classification level the person applied for. The director would have to issue a license upon board recommendation of an applicant and after the applicant had paid a testing fee of \$10, and a license fee of \$20, as determined by administrative rule. Annual license renewal, also accompanied by a \$20 or higher fee, would be required.

Penalties. A person could not operate a nonresidential steam or hot water boiler without having the proper licensee present. A licensee's license could be suspended due to licensee incompetence, or willful falsification of required information on the licensee's application or in an inspection report. Operation of a boiler by a non-licensed person would be a misdemeanor punishable by up to 60 days imprisonment, \$500, or both, where each day of illegal operation would count as a separate offense.

MCL 408.752 et al.