



Senate Fiscal Agency
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BILL ANALYSIS

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House Bill 4937 (Substitute H-1 as reported without amendment)

Sponsor: Representative Bruce Caswell

House Committee: Regulatory Reform

Senate Committee: Economic Development, Small Business and Regulatory Reform

Date Completed: 5-5-04

RATIONALE

Reportedly, an estimated 300 antique boilers are operated in Michigan by hobbyists as part of antique locomotives, tractors, trucks, and other vehicles that are regularly displayed at shows and events such as county fairs. In 2001, a steam tractor explosion at the Medina County Fair in Ohio killed four people and injured approximately 50 others. To prevent a similar accident from occurring in Michigan, it has been suggested that a person representing antique steam engine owners and operators should participate in promulgating steam boiler safety rules.

CONTENT

The bill would amend the Boiler Act to add to the Board of Boiler Rules a member representing antique steam engine owners and operators; and add a definition of "antique steam boiler" to the Act.

Under the bill, a 12th member would be added to the Board of Boiler Rules created in the Department of Labor and Economic Growth. The new board member would have to be a representative of antique steam boiler owners and operators. Currently, 11 members serve on the board, which prescribes uniform rules for boilers; provides for the licensing of boiler inspectors, installers, and repairers; sets fees for licenses, permits, inspections, and certificates; and prescribes penalties for violations of the Act. The current board includes representatives of owners and users of boilers and power boilers; a representative of organized labor engaged in the fabrication, installation, operation, or repair of boilers; representatives of water

tube and fire tube boiler manufacturers; a representative of a boiler insurance company; a representative of mechanical contractors in the business of repairing boilers; a representative of consulting engineers having boiler experience; and a representative of the general public.

Additionally, the bill would define "antique steam boiler" as "a boiler that is no longer used in production applications and is used to demonstrate the historical significance of steam boilers in American history".

Under the Act, antique traction steam boilers must be inspected once every three years, and those used for commercial purposes must be inspected annually. The bill would delete language setting a fee of \$25, if the inspection is made by a deputy inspector, and providing that the fee is not subject to change by rule. The bill also would refer to "antique steam boilers" (deleting "traction").

MCL 408.752 et al.

ARGUMENTS

(Please note: The arguments contained in this analysis originate from sources outside the Senate Fiscal Agency. The Senate Fiscal Agency neither supports nor opposes legislation.)

Supporting Argument

By giving a seat on the Board of Boiler Rules to someone representing antique steam engine owners and operators, the bill would help ensure that they had a say in setting the rules governing how their boilers are licensed, operated, inspected, and repaired, and prescribing the penalties for violating those rules. As the explosion in Ohio

proved, antique steam engines can be highly dangerous if they malfunction or are improperly operated. Since these machines are often demonstrated in crowded venues, such as county fairs, it is important to protect the public from the hazards the boilers can present. With appropriate regulation, antique steam engines can be displayed and operated safely.

Legislative Analyst: J.P. Finet

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: Maria Tyszkiewicz

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.