

AN ACT

To amend sections 4104.02 and 4104.05 of the Revised Code to eliminate the licensed operator requirement for boilers directly fired with gas, oil, gas-oil, or electricity or stationary steam engines that comply with standards established by the Board of Building Standards.

Be it enacted by the General Assembly of the State of Ohio:

SECTION 1. That sections 4104.02 and 4104.05 of the Revised Code be amended to read as follows:

Sec. 4104.02. (A) The board of building standards shall:

~~(A)~~(1) Formulate rules for the construction, installation, repair, conservation of energy, and operation of boilers and the construction and repair of pressure vessels and for ascertaining the safe working pressures to be carried on such boilers and pressure vessels and the qualification of inspectors of boilers and pressure vessels;

~~(B)~~(2) Prescribe tests, if it is considered necessary, to ascertain the qualities of materials used in the construction of boilers and pressure vessels;

~~(C)~~(3) Adopt rules regulating the construction and sizes of safety valves for boilers and pressure vessels of different sizes and pressures, for the construction, use, and location of fusible plugs, appliances for indicating the pressure of steam and level of water in the boiler or pressure vessels, and such other appliances as the board considers necessary to safety in operating boilers;

~~(D)~~ Establish reasonable fees for the performance of reviews, surveys, or audits of manufacturer's facilities by the division of industrial compliance for certification by the American society of mechanical engineers and the national board of boiler and pressure vessel inspectors;

~~(E)~~(4) Adopt rules that prescribe the conditions and requirements for design, certification, reporting, installation, operation, and periodic testing and maintenance of controls and safety devices on an automatically operated boiler directly fired with gas, oil, gas-oil, or electricity or a stationary steam engine that would allow an owner to operate a low pressure steam boiler.

power boiler, or a stationary steam engine without the presence of a licensed low pressure boiler operator, a licensed high pressure boiler operator, or a licensed steam engineer as required in section 4104.05 of the Revised Code.

(B) The definitions and rules adopted by the board for the construction, installation, repair, conservation of energy, and operation of boilers and the construction and repair of pressure vessels and for ascertaining the safe working pressures to be used on such boilers and pressure vessels shall be based upon and follow generally accepted engineering standards, formulae, and practices established and pertaining to boilers and pressure vessel construction, operation, and safety, and the board may, for this purpose, adopt existing published standards as well as amendments thereto subsequently published by the same authority.

(C) When a person desires to manufacture a special type of boiler or pressure vessel, the design of which is not covered by the rules of the board, the person shall submit drawings and specifications of such boiler or pressure vessel to the board for investigation, after which the board may permit its installation.

(D) The provisions of sections 119.03 and 119.11 of the Revised Code in particular, and the applicable provisions of Chapter 119. of the Revised Code in general, shall govern the proceedings of the board of building standards in adopting, amending, or rescinding rules pursuant to this section.

Sec. 4104.05. (A) ~~No~~ Unless otherwise provided by the rules adopted by the board of building standards pursuant to division (A)(4) of section 4104.02 of the Revised Code, no person shall operate a low pressure steam boiler at that has more than thirty horsepower three hundred sixty square feet of heating surface, unless one of the following applies to that person:

(1) The person is licensed as a steam engineer, high pressure boiler operator, or low pressure boiler operator in accordance with section 4104.19 of the Revised Code.

(2) The person is working under the direct supervision of a steam engineer, high pressure boiler operator, or low pressure boiler operator.

(B) ~~No~~ Unless otherwise provided by the rules adopted by the board pursuant to division (A)(4) of section 4104.02 of the Revised Code, no person shall operate a power boiler at that has more than thirty horsepower three hundred sixty square feet of heating surface, unless one of the following applies to that person:

(1) The person is licensed as a steam engineer or high pressure boiler operator in accordance with section 4104.19 of the Revised Code.

(2) The person is working under the direct supervision of a steam engineer or high pressure boiler operator.

(C) ~~No~~ Unless otherwise provided by the rules adopted by the board pursuant to division (A)(4) of section 4104.02 of the Revised Code, no person shall operate a stationary steam engine at more than thirty horsepower unless one of the following applies to that person:

(1) The person is licensed as a steam engineer in accordance with section 4104.19 of the Revised Code.

(2) The person is working under the direct supervision of a steam engineer.

~~(D) For purposes of this section, a horsepower means twelve square feet of boiler heating surface.~~

SECTION 2. That existing sections 4104.02 and 4104.05 of the Revised Code are hereby repealed.

Speaker _____ *of the House of Representatives.*

President _____ *of the Senate.*

Passed _____, 20____

Approved _____, 20____

Governor.

Am. H. B. No. 12

130th G.A.

The section numbering of law of a general and permanent nature is complete and in conformity with the Revised Code.

Director, Legislative Service Commission.

Filed in the office of the Secretary of State at Columbus, Ohio, on the ___ day of _____, A. D. 20____.

Secretary of State.

File No. _____ Effective Date _____