

**As Reported by the House Commerce, Labor, and Technology
Committee**

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Am. H. B. No. 12

Representative Roegner

**Cosponsors: Representatives Young, Butler, Terhar, Stebelton, Lynch,
McGregor, Gonzales, Thompson, Hood, Scherer**

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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 that comply with standards established by the Board of Building Standards. 1
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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: 7
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Sec. 4104.02. (A) The board of building standards shall: 9

~~(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; 10
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~~(B)~~(2) Prescribe tests, if it is considered necessary, to 16

ascertain the qualities of materials used in the construction of 17
boilers and pressure vessels; 18

~~(C)(3)~~ Adopt rules regulating the construction and sizes of 19
safety valves for boilers and pressure vessels of different sizes 20
and pressures, for the construction, use, and location of fusible 21
plugs, appliances for indicating the pressure of steam and level 22
of water in the boiler or pressure vessels, and such other 23
appliances as the board considers necessary to safety in operating 24
boilers; 25

~~(D)~~ Establish reasonable fees for the performance of reviews, 26
surveys, or audits of manufacturer's facilities by the division of 27
industrial compliance for certification by the American society of 28
mechanical engineers and the national board of boiler and pressure 29
vessel inspectors; 30

~~(E)(4)~~ Adopt rules that prescribe the conditions and 31
requirements for design, certification, reporting, installation, 32
operation, and periodic testing and maintenance of controls and 33
safety devices on an automatically operated boiler directly fired 34
with gas, oil, gas-oil, or electricity that would allow an owner 35
to operate a low pressure steam boiler or power boiler without the 36
presence of a licensed low pressure boiler operator, a licensed 37
high pressure boiler operator, or a licensed steam engineer as 38
required in section 4104.05 of the Revised Code. 39

(B) The definitions and rules adopted by the board for the 40
construction, installation, repair, conservation of energy, and 41
operation of boilers and the construction and repair of pressure 42
vessels and for ascertaining the safe working pressures to be used 43
on such boilers and pressure vessels shall be based upon and 44
follow generally accepted engineering standards, formulae, and 45
practices established and pertaining to boilers and pressure 46
vessel construction, operation, and safety, and the board may, for 47
this purpose, adopt existing published standards as well as 48

amendments thereto subsequently published by the same authority. 49

(C) When a person desires to manufacture a special type of 50
boiler or pressure vessel, the design of which is not covered by 51
the rules of the board, the person shall submit drawings and 52
specifications of such boiler or pressure vessel to the board for 53
investigation, after which the board may permit its installation. 54

(D) The provisions of sections 119.03 and 119.11 of the 55
Revised Code in particular, and the applicable provisions of 56
Chapter 119. of the Revised Code in general, shall govern the 57
proceedings of the board of building standards in adopting, 58
amending, or rescinding rules pursuant to this section. 59

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Sec. 4104.05. (A) ~~No~~ Unless otherwise provided by the rules 61
adopted by the board of building standards pursuant to division 62
(A)(5) of section 4104.02 of the Revised Code, no person shall 63
operate a low pressure steam boiler at that has more than ~~thirty~~ 64
~~horsepower~~ three hundred sixty square feet of heating surface, 65
unless one of the following applies to that person: 66

(1) The person is licensed as a steam engineer, high pressure 67
boiler operator, or low pressure boiler operator in accordance 68
with section 4104.19 of the Revised Code. 69

(2) The person is working under the direct supervision of a 70
steam engineer, high pressure boiler operator, or low pressure 71
boiler operator. 72

(B) ~~No~~ Unless otherwise provided by the rules adopted by the 73
board pursuant to division (A)(5) of section 4104.02 of the 74
Revised Code, no person shall operate a power boiler at that has 75
more than ~~thirty horsepower~~ three hundred sixty square feet of 76
heating surface, unless one of the following applies to that 77
person: 78

(1) The person is licensed as a steam engineer or high pressure boiler operator in accordance with section 4104.19 of the Revised Code. 79
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(2) The person is working under the direct supervision of a steam engineer or high pressure boiler operator. 82
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(C) ~~No~~ Unless otherwise provided by the rules adopted by the board pursuant to division (A)(5) 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: 84
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(1) The person is licensed as a steam engineer in accordance with section 4104.19 of the Revised Code. 89
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(2) The person is working under the direct supervision of a steam engineer. 91
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~~(D) For purposes of this section, a horsepower means twelve square feet of boiler heating surface.~~ 93
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Section 2. That existing sections 4104.02 and 4104.05 of the Revised Code are hereby repealed. 95
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