

SENATE SUBSTITUTE FOR  
HOUSE BILL NO. 4216

A bill to amend 1965 PA 290, entitled  
"Boiler act of 1965,"  
by amending the title and sections 2, 4, 4a, 7, 12, 14, and 24 (MCL  
408.752, 408.754, 408.754a, 408.757, 408.762, 408.764, and  
408.774), section 2 as amended by 2004 PA 103, sections 4 and 7 as  
amended by 1980 PA 274, and section 4a as amended by 2004 PA 265,  
and by adding sections 13a, 13b, 13c, and 13d.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

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TITLE

An act to regulate the use, construction, installation, and  
repair of **CERTAIN** boilers; to create a board of boiler rules; to  
prescribe uniform rules and regulations for **CERTAIN** boilers; to  
provide for the licensing of **CERTAIN** boiler inspectors, installers,  
and repairers **AND REGISTRATION OF CERTAIN BOILER OPERATORS AND**

1 STATIONARY ENGINEERS; TO PROVIDE FOR POWERS AND DUTIES FOR CERTAIN  
2 STATE AGENCIES AND OFFICERS; to provide fees for REGISTRATIONS,  
3 licenses, permits, inspections, and certificates; to provide  
4 penalties AND REMEDIES for the violation of this act; and to repeal  
5 ~~certain~~ acts and parts of acts.

6 Sec. 2. As used in this act:

7 (a) "Antique steam boiler" means a boiler that is no longer  
8 used in production applications and is used to demonstrate the  
9 historical significance of steam boilers in American history.

10 (B) "APPROVED APPRENTICESHIP PROGRAM" MEANS A TRAINING PROGRAM  
11 FOR BOILER OPERATORS OR STATIONARY ENGINEERS CERTIFIED BY OR  
12 MEETING THE STANDARDS OF THE UNITED STATES DEPARTMENT OF LABOR  
13 BUREAU OF APPRENTICESHIP TRAINING AND APPROVED BY THE BOARD.

14 (C) "ASSOCIATED AUXILIARIES" MEANS EQUIPMENT THAT IS REQUIRED  
15 IN THE OPERATION OF A BOILER THAT INCLUDES, BUT IS NOT LIMITED TO,  
16 PUMPS, REGULATORS, FEEDWATER HEATERS, SUPERHEATERS, DE-  
17 SUPERHEATERS, ECONOMIZERS, AIR PREHEATERS, DRAFT FANS, COMBUSTION  
18 AND POLLUTION CONTROL EQUIPMENT, AND PRIME MOVERS.

19 (D) ~~(b)~~ "Board" means the board of boiler rules created in  
20 section 3.

21 (E) ~~(e)~~ "Boiler" means a closed vessel in which water is  
22 heated, steam is generated, steam is superheated, or a combination  
23 thereof, under pressure or vacuum by the application of heat from  
24 combustible fuels, electricity, or nuclear energy. Boiler does not  
25 include facilities of an integral part of a continuous processing  
26 unit but does include a fired unit for heating or vaporizing  
27 liquids other than water, if the unit is separate from a processing

1 system and is complete within itself.

2 (F) ~~(d)~~—"Boiler for agricultural purposes" means a portable  
3 boiler used in a field or similar open area for the sole purpose of  
4 operating farm equipment or farm machinery.

5 (G) **"BOILER OPERATOR" OR "STATIONARY ENGINEER" MEANS A PERSON**  
6 **ENGAGED IN THE OPERATION OF BOILERS AND ASSOCIATED AUXILIARIES.**

7 (H) ~~(e)~~—"Certificate inspection" means an inspection, the  
8 report of which is used by the chief inspector to decide whether a  
9 certificate, as provided by section ~~19~~—20, shall be issued. The  
10 certificate inspection shall be an internal inspection if  
11 construction allows; otherwise the certificate inspection shall be  
12 as complete an inspection as possible.

13 (I) ~~(f)~~—"Director" means the director of **THE DEPARTMENT OF**  
14 labor and economic growth or a representative designated by the  
15 director.

16 (J) ~~(g)~~—"External inspection" means an inspection ~~which~~—**THAT**  
17 does not involve examination of the internal surfaces of the  
18 pressure parts of the boiler.

19 (K) ~~(h)~~—"Heating surface" means the heating surface determined  
20 by the boiler manufacturer and recorded in the manufacturer's data  
21 report or by rules established by the board for a boiler if the  
22 manufacturer's data report is not available or the boiler is not  
23 stamped with its heating surface.

24 (L) ~~(i)~~—"High pressure, high temperature water boiler" means a  
25 water heating boiler operating at pressure exceeding 160 p.s.i.g.  
26 or temperatures exceeding 250 degrees Fahrenheit.

27 (M) ~~(j)~~—"Low pressure boiler" means a steam boiler operated at

1 pressures not exceeding 15 p.s.i.g., or a hot water heating boiler  
2 operated at pressures not exceeding 160 p.s.i.g. or temperatures  
3 not exceeding 250 degrees Fahrenheit.

4 (N) ~~(k)~~—"P.S.I.G." means pounds per square inch gauge.

5 (O) ~~(l)~~—"Power boiler" means a closed vessel in which steam or  
6 other vapor is generated at a pressure of more than 15 p.s.i.g. by  
7 the direct application of heat.

8 (P) ~~(m)~~—"Process boiler" means a boiler operated at a pressure  
9 or temperature from which more than 10% of the boiler's capacity is  
10 used for direct steam humidification or direct process work.

11 (Q) "QUALIFIED TECHNICAL EDUCATION PROGRAM" MEANS AN  
12 EDUCATIONAL PROGRAM APPROVED BY THE BOARD THAT HAS A MINIMUM OF 350  
13 CONTACT HOURS IN CLASSROOM HANDS-ON TRAINING, FIELD TRAINING, OR  
14 SUPERVISED PLANT VISITS FOR HIGH PRESSURE BOILER OPERATORS. THE  
15 BOARD MAY ESTABLISH LESSER STANDARDS FOR AN EDUCATIONAL PROGRAM FOR  
16 LOW PRESSURE OPERATOR TRAINING OR OTHER ENTRY LEVEL TRAINING  
17 POSITIONS ONLY.

18 (R) "QUALIFIED TRAINING PROGRAM" MEANS EITHER OF THE  
19 FOLLOWING:

20 (i) AN IN-HOUSE TRAINING PROGRAM APPROVED BY THE BOARD AND  
21 OFFERED TO BOILER OPERATORS AND STATIONARY ENGINEERS BY AN  
22 EMPLOYER.

23 (ii) AN IN-HOUSE TRAINING PROGRAM IMPLEMENTED OR DEVELOPED BY A  
24 UTILITY AND OFFERED TO BOILER OPERATORS AND STATIONARY ENGINEERS BY  
25 AN EMPLOYER AS A RESULT OF NEGOTIATIONS BETWEEN AN EMPLOYER AND ITS  
26 EMPLOYEES.

27 (S) "RULE" MEANS A RULE PROMULGATED PURSUANT TO THE

1 ADMINISTRATIVE PROCEDURES ACT OF 1969, 1969 PA 306, MCL 24.201 TO  
2 24.328.

3 (T) ~~(n)~~ "Secondhand boiler" means a boiler ~~which~~ **THAT** has  
4 changed ownership and location after initial use.

5 Sec. 4. (1) The ~~board~~ **DEPARTMENT** shall ~~formulate definitions~~  
6 ~~and~~ **PROMULGATE** rules for the safe construction, installation,  
7 inspection, **OPERATION**, and repair of boilers in the state.

8 (2) The ~~definitions and rules formulated~~ **PROMULGATED** for new  
9 construction shall be based upon and follow the generally accepted  
10 nationwide engineering standards, formulae, and practices  
11 established and pertaining to boiler construction and safety. The  
12 ~~board~~ **DEPARTMENT**, by ~~resolution~~ **RULE**, may adopt an existing  
13 published codification, known as the boiler and pressure vessel  
14 code of the American society of mechanical engineers, with the  
15 amendments and interpretations.

16 (3) The ~~board~~ **DEPARTMENT** shall ~~formulate~~ **PROMULGATE** rules for  
17 the safe inspection and maintenance of boilers ~~which~~ **THAT** were in  
18 use in the state before July 1, 1966. The rules ~~formulated~~  
19 **PROMULGATED** shall be based upon and follow the generally accepted  
20 nationwide engineering standards and may be based upon an existing  
21 published codification ~~known as the inspection code of the~~  
22 national board of boiler and pressure vessel inspectors.

23 ~~———— (4) The rules formulated by the board shall be promulgated~~  
24 ~~pursuant to Act No. 306 of the Public Acts of 1969, as amended,~~  
25 ~~being sections 24.201 to 24.315 of the Michigan Compiled Laws.~~

26 (4) ~~(5)~~ A departure from the requirements of this section  
27 ~~shall be~~ **IS** permitted in an unusual situation involving a boiler of

1 special design or construction, if the board is satisfied that a  
2 proposed facility will provide a degree of safety commensurate with  
3 the intent of this act.

4 (5) UPON PAYMENT OF A FEE AS PRESCRIBED BY SECTION 4A AND  
5 WITHOUT EXAMINATION, THE BOARD MAY REGISTER AN APPLICANT FOR THE  
6 USE OF A TITLE DESCRIBED IN SECTION 13A WHO IS A BOILER OPERATOR OR  
7 STATIONARY ENGINEER LICENSED OR REGISTERED AS A BOILER OPERATOR OR  
8 STATIONARY ENGINEER IN ANOTHER STATE, MUNICIPALITY, OR COUNTRY  
9 WHOSE REQUIREMENTS FOR LICENSURE OR REGISTRATION ARE, AT A MINIMUM,  
10 SUBSTANTIALLY EQUIVALENT TO THE REQUIREMENTS OF THIS STATE FOR  
11 REGISTRATION AS DETERMINED BY THE BOARD, IF THAT OTHER STATE,  
12 MUNICIPALITY, OR COUNTRY EXTENDS THE SAME PRIVILEGES THROUGH  
13 RECIPROCITY TO A BOILER OPERATOR OR STATIONARY ENGINEER REGISTERED  
14 IN THIS STATE.

15 Sec. 4a. (1) ~~The board, with the advice of the director~~  
16 **DEPARTMENT, IN CONSULTATION WITH THE BOARD,** shall promulgate rules  
17 ~~pursuant to the administrative procedures act of 1969, 1969 PA 306,~~  
18 ~~MCL 24.201 to 24.328,~~ to establish the fee schedules for licenses,  
19 permits, certificates, **REGISTRATIONS, EXAMINATIONS,** and  
20 inspections. The fees shall reflect the actual costs and expenses  
21 for the department of labor and economic growth in issuing  
22 licenses, permits, **REGISTRATIONS, EXAMINATIONS,** and certificates  
23 and in conducting inspections.

24 (2) ~~Beginning the effective date of the amendatory act that~~  
25 ~~added subsection (3)~~ **JULY 23, 2004,** the department of labor and  
26 economic growth shall issue an initial or renewal license, ~~to~~  
27 ~~install or repair a boiler or a permit, for the installation or~~

1 ~~repair of a boiler~~ **OR REGISTRATION**, not later than 90 days after  
2 the applicant files a completed application. Receipt of the  
3 application is considered the date the application is received by  
4 any agency or department of the state of Michigan. If the  
5 application is considered incomplete by the department of labor and  
6 economic growth, the department of labor and economic growth shall  
7 notify the applicant in writing, or make the information  
8 electronically available, within 30 days after receipt of the  
9 incomplete application, describing the deficiency and requesting  
10 the additional information. The 90-day period is tolled upon  
11 notification by the department of labor and economic growth of a  
12 deficiency until the date the requested information is received by  
13 the department of labor and economic growth. The determination of  
14 the completeness of an application does not operate as an approval  
15 of the application for the **REGISTRATION**, license, or permit and  
16 does not confer eligibility of an applicant determined otherwise  
17 ineligible for issuance of a **REGISTRATION**, license, or permit.

18 (3) If the department of labor and economic growth fails to  
19 issue or deny a **REGISTRATION**, license, or permit within the time  
20 required by this section, the department of labor and economic  
21 growth shall return the **REGISTRATION**, license, or permit fee and  
22 shall reduce the **REGISTRATION**, license, or permit fee for the  
23 applicant's next renewal application, if any, by 15%. The failure  
24 to issue a **REGISTRATION**, license, or permit within the time  
25 required under this subsection does not allow the department to  
26 otherwise delay the processing of the application, and that  
27 application, upon completion, shall be placed in sequence with

1 other completed applications received at that same time. The  
2 department of labor and economic growth shall not discriminate  
3 against an applicant in the processing of the application based  
4 upon the fact that the **REGISTRATION**, license, or permit fee was  
5 refunded or discounted under this subsection.

6 (4) Beginning October 1, 2005, the director shall submit a  
7 report by December 1 of each year to the standing committees and  
8 appropriations subcommittees of the senate and house of  
9 representatives concerned with occupational issues. The director  
10 shall include all of the following information in the report  
11 concerning the preceding fiscal year:

12 (a) The number of initial and renewal applications the  
13 department **OF LABOR AND ECONOMIC GROWTH** received and completed  
14 within the 90-day time period described in subsection (2).

15 (b) The number of applications denied.

16 (c) The number of applicants not issued a **PERMIT**,  
17 **REGISTRATION**, **OR** license within the 90-day time period and the  
18 amount of money returned to licensees, **PERMITTEES**, and registrants  
19 under subsection (3).

20 (5) To accomplish the objectives of this section and this act,  
21 a state boiler inspection fund is created **AS A RESTRICTED FUND** in  
22 the state treasury. The state treasurer is the custodian of the  
23 fund and may invest the surplus of the fund. Earnings from those  
24 investments shall be credited to the fund. The state treasurer  
25 shall notify the director and the ~~Legislature~~ **LEGISLATURE** of  
26 interest credited and the balance of the fund as of September 30 of  
27 each year. The director shall supervise and administer the fund.



1 Fees received by the department of labor and economic growth and  
2 money collected under this act shall be deposited in the state  
3 boiler inspection fund and shall be appropriated by the ~~Legislature~~  
4 **LEGISLATURE** for the operations of the boiler division and indirect  
5 overhead expenses in the department of labor and economic growth.  
6 Funds that are unexpended at the end of each fiscal year shall not  
7 lapse to the general fund and shall be returned to the state boiler  
8 inspection fund.

9 (6) As used in this section, "completed application" means an  
10 application complete on its face and submitted with any applicable  
11 **REGISTRATION**, licensing, or permit fees as well as any other  
12 information, records, approval, security, or similar item required  
13 by law or rule from a local unit of government, a federal agency,  
14 or a private entity but not from another department or agency of  
15 the state of Michigan.

16 Sec. 7. This act shall not apply to **ANY OF THE FOLLOWING**:

17 (a) Boilers under federal control.

18 (b) Boilers used in the power plants of self-propelled  
19 vehicles designed primarily for the transportation of persons or  
20 property upon a highway, except vehicles used exclusively upon  
21 stationary rails or tracks.

22 (c) Boilers used solely for agricultural purposes.

23 (d) Steam or vapor boilers carrying a pressure of not more  
24 than 15 p.s.i.g., which are located in a private residence or in an  
25 apartment building with a capacity of less than 6 families. ~~except~~  
26 ~~that installers and repairers of such boilers shall be licensed as~~  
27 ~~provided in section 13.~~

1 (e) Hot water boilers operated at a pressure not exceeding 160  
 2 p.s.i.g. or a temperature not exceeding 250 degrees Fahrenheit that  
 3 are located in a private residence or in an apartment building with  
 4 a capacity of less than 6 families. ~~except that installers and~~  
 5 ~~repairers of such boilers shall be licensed as provided in section~~  
 6 ~~13.~~

7 Sec. 12. ~~Examination~~ **THE EXAMINATION** for chief, deputy, or  
 8 special inspectors shall be ~~in writing and~~ **WRITTEN. THE EXAMINATION**  
 9 **FOR BOILER OPERATORS SHALL BE EITHER WRITTEN OR ORAL. THE**  
 10 **EXAMINATION FOR STATIONARY ENGINEERS SHALL BE BOTH WRITTEN AND**  
 11 **ORAL. THE EXAMINATIONS** shall be ~~held~~ **ADMINISTERED** by the board,  
 12 ~~with at least~~ **AND NOT LESS THAN** 2 members of the board **SHALL BE**  
 13 present at all times during ~~the~~ **AN** examination. ~~Such examination~~  
 14 **EXAMINATIONS** shall be confined to questions ~~, the answers to which~~  
 15 **THAT** will aid in determining the fitness and competency of the  
 16 applicant for the intended service, and may be those prepared by  
 17 the national board of boiler and pressure vessel inspectors. **THE**  
 18 **BOARD MAY ADOPT ANY EXAMINATION IT DETERMINES APPROPRIATE AND MAY**  
 19 **DELEGATE ANY ADMINISTRATIVE FUNCTIONS RELATING TO THE CONDUCT OF**  
 20 **THE EXAMINATION.** If an applicant for ~~an inspector's~~ **A** license fails  
 21 to pass the examination, ~~he~~ **THE APPLICANT** may appeal to the board  
 22 for another examination which shall be given by the board within 90  
 23 days. The record of an applicant's examination shall be accessible  
 24 to the applicant and ~~his~~ **THE APPLICANT'S** employer.

25 **SEC. 13A. (1) AN INDIVIDUAL MAY OPERATE A BOILER AND**  
 26 **ASSOCIATED AUXILIARIES WITHOUT OBTAINING A REGISTRATION UNDER THIS**  
 27 **ACT.**

1           (2) AN INDIVIDUAL OR BUSINESS ENTITY SHALL NOT USE THE TERMS  
2 "REGISTERED BOILER OPERATOR", "CERTIFIED BOILER OPERATOR",  
3 "REGISTERED STATIONARY ENGINEER", "CERTIFIED STATIONARY ENGINEER",  
4 "LOW PRESSURE REGISTERED BOILER OPERATOR", "LOW PRESSURE CERTIFIED  
5 BOILER OPERATOR", "HIGH PRESSURE REGISTERED BOILER OPERATOR", "HIGH  
6 PRESSURE CERTIFIED BOILER OPERATOR", "THIRD-CLASS REGISTERED  
7 STATIONARY ENGINEER", "THIRD-CLASS CERTIFIED STATIONARY ENGINEER",  
8 "SECOND-CLASS REGISTERED STATIONARY ENGINEER", "SECOND-CLASS  
9 CERTIFIED STATIONARY ENGINEER", "FIRST-CLASS REGISTERED STATIONARY  
10 ENGINEER", "FIRST-CLASS CERTIFIED STATIONARY ENGINEER", OR ANY  
11 OTHER NAME, STYLE, OR DESCRIPTION THAT INDICATES THAT THE  
12 INDIVIDUAL OR AN INDIVIDUAL EMPLOYED BY THE BUSINESS ENTITY IS  
13 REGISTERED UNDER THIS ACT UNLESS THE INDIVIDUAL HAS BEEN ISSUED A  
14 REGISTRATION UNDER THIS ACT.

15           (3) THE INDIVIDUAL PARTICIPATING IN AN APPROVED APPRENTICESHIP  
16 PROGRAM, A QUALIFIED TECHNICAL TRAINING PROGRAM, OR A QUALIFIED  
17 TRAINING PROGRAM MAY USE THE TITLE "APPRENTICE CERTIFIED BOILER  
18 OPERATOR" OR "APPRENTICE CERTIFIED STATIONARY ENGINEER".

19           (4) AN INDIVIDUAL REGISTERED UNDER THIS ACT SHALL ONLY USE 1  
20 OF THE TITLES DESCRIBED IN SUBSECTION (2) OR THE ABBREVIATION  
21 "R.B.O.", "C.B.O.", "R.S.E.", OR "C.S.E.".

22           (5) A PERSON APPLYING FOR A REGISTRATION UNDER THIS ACT SHALL  
23 BE NOT LESS THAN 18 YEARS OF AGE, SHALL POSSESS THE PHYSICAL AND  
24 MENTAL CAPACITIES TO PERFORM HIS OR HER DUTIES IN A COMPETENT AND  
25 SAFE MANNER, AND SHALL MEET THE APPLICABLE REQUIREMENTS OF SECTION  
26 13D. AN APPLICANT SHALL USE A FORM PROVIDED BY THE DIRECTOR.

27           (6) THE DIRECTOR SHALL ISSUE A REGISTRATION UPON

1 RECOMMENDATION OF THE BOARD AND UPON THE APPLICANT'S PAYMENT OF AN  
2 EXAMINATION AND REGISTRATION FEE AS PROVIDED FOR IN RULES OF THE  
3 DEPARTMENT AS PRESCRIBED IN SECTION 4A FOR EACH APPLICATION. A  
4 REGISTRATION SHALL BE RENEWED ANNUALLY UPON PAYMENT OF A FEE  
5 PRESCRIBED PURSUANT TO SECTION 4A.

6 (7) NOT LATER THAN 1 YEAR AFTER THE EFFECTIVE DATE OF THE  
7 AMENDATORY ACT THAT ADDED THIS SECTION, THE BOARD SHALL RECOMMEND  
8 FOR REGISTRATION WITHOUT EXAMINATION AN APPLICANT WHO SUBMITS  
9 EVIDENCE SATISFACTORY TO THE BOARD OF 1 OR MORE OF THE FOLLOWING:

10 (A) THE APPLICANT HAS HAD NOT LESS THAN 5 YEARS OF EXPERIENCE  
11 IN THE CLASS OR CATEGORY OF BOILER OPERATOR OR STATIONARY ENGINEER  
12 FOR WHICH THE APPLICANT IS APPLYING.

13 (B) THE APPLICANT POSSESSES A LICENSE AS A BOILER OPERATOR OR  
14 STATIONARY ENGINEER FROM THE CITIES OF DETROIT OR DEARBORN IN A  
15 CLASS FOR WHICH THE APPLICANT IS APPLYING.

16 (C) THE APPLICANT HAS SUCCESSFULLY COMPLETED A 4-YEAR APPROVED  
17 APPRENTICESHIP PROGRAM, A QUALIFIED TECHNICAL EDUCATION PROGRAM, OR  
18 A QUALIFIED TRAINING PROGRAM IN THE CLASS OR CATEGORY FOR WHICH THE  
19 APPLICANT IS APPLYING.

20 SEC. 13B. BOILER OPERATOR AND STATIONARY ENGINEER  
21 REGISTRATIONS ARE CLASSIFIED AS FOLLOWS:

22 (A) LOW PRESSURE BOILER OPERATOR, WHO OPERATES LOW PRESSURE  
23 BOILER PLANTS HAVING AN AGGREGATE OF NOT MORE THAN 4,000 SQUARE  
24 FEET OF BOILER HEATING SURFACE.

25 (B) HIGH PRESSURE BOILER OPERATOR, WHO OPERATES BOILER PLANTS  
26 HAVING AN AGGREGATE OF NOT MORE THAN 4,000 SQUARE FEET OF BOILER  
27 HEATING SURFACE OR NOT MORE THAN 10 STEAM ENGINE-TURBINE

1 HORSEPOWER.

2 (C) THIRD-CLASS STATIONARY ENGINEER, WHO OPERATES BOILER  
3 PLANTS HAVING AN AGGREGATE OF NOT MORE THAN 7,500 SQUARE FEET OF  
4 BOILER HEATING SURFACE OR NOT MORE THAN 100 STEAM ENGINE-TURBINE  
5 HORSEPOWER.

6 (D) SECOND-CLASS STATIONARY ENGINEER, WHO OPERATES BOILER  
7 PLANTS HAVING AN AGGREGATE OF NOT MORE THAN 20,000 SQUARE FEET OF  
8 BOILER HEATING SURFACE OR NOT MORE THAN 200 STEAM ENGINE-TURBINE  
9 HORSEPOWER.

10 (E) FIRST-CLASS STATIONARY ENGINEER, WHO OPERATES BOILER  
11 PLANTS HAVING AN AGGREGATE OF 20,000 SQUARE FEET OR MORE OF BOILER  
12 HEATING SURFACE OR 200 STEAM ENGINE-TURBINE HORSEPOWER OR MORE.

13 SEC. 13C. (1) NOT LATER THAN 180 DAYS AFTER THE EFFECTIVE DATE  
14 OF THE AMENDATORY ACT THAT ADDED THIS SECTION, THE BOARD SHALL  
15 PROMULGATE RULES DESIGNATING THE COURSE CONTENT FOR QUALIFIED  
16 TECHNICAL EDUCATION PROGRAMS FOR THE VARIOUS CATEGORIES AND CLASSES  
17 OF REGISTRATION OF BOILER OPERATORS AND STATIONARY ENGINEERS.

18 (2) THE RULES DESCRIBED IN SUBSECTION (1) SHALL PROVIDE THAT  
19 THE COURSE CONTENT OF QUALIFIED TECHNICAL EDUCATION PROGRAMS FOR  
20 ENTRY LEVEL REGISTRANTS INCLUDE AT LEAST ALL OF THE FOLLOWING  
21 SUBJECT MATTER AREAS:

22 (A) BASIC FUNCTIONS, CONSTRUCTION, AND OPERATION OF ALL TYPES  
23 OF BOILERS.

24 (B) THE FUNCTION OF BOILER APPLIANCES, ACCESSORIES, AND  
25 ASSOCIATED AUXILIARIES.

26 (C) MATERIALS USED IN BOILERS AND THE EFFECT OF TEMPERATURE  
27 EXTREMES ON THOSE MATERIALS.

1 (D) THE FUELS USED IN BOILERS AND FUNDAMENTALS OF COMBUSTION.

2 (E) BASIC ELECTRICITY.

3 (F) PLANT OPERATION AND BOILER MAINTENANCE.

4 (G) INSTRUMENTATION AND CONTROLS.

5 (H) FUNDAMENTAL MATHEMATICS AND PRINCIPLES OF THE METRIC  
6 SYSTEM.

7 (I) GENERAL SAFETY PROCEDURES.

8 (J) RECOGNITION OF DANGEROUS OPERATION CONDITIONS.

9 (3) THE BOARD SHALL PROVIDE THAT THE COURSE CONTENT FOR  
10 CATEGORIES AND CLASSES OTHER THAN ENTRY LEVEL REGISTRANTS INCLUDES  
11 SUBJECT MATTER SIMILAR TO THOSE DESCRIBED IN SUBSECTION (2) IN THE  
12 DEGREE OF DEPTH AND DIFFICULTY APPROPRIATE FOR THE CATEGORY AND  
13 CLASS.

14 SEC. 13D. (1) THE DIRECTOR SHALL NOT ISSUE A REGISTRATION FOR  
15 A TITLE DESCRIBED IN SECTION 13A(2) UNLESS THE APPLICANT MEETS THE  
16 REQUIREMENTS FOR THE CLASSIFICATION AS PRESCRIBED IN SUBSECTIONS  
17 (2) TO (6).

18 (2) AN APPLICANT FOR A LOW PRESSURE BOILER OPERATOR  
19 REGISTRATION SHALL HAVE NOT LESS THAN 1 YEAR OF EXPERIENCE  
20 OPERATING OR MAINTAINING LOW OR HIGH PRESSURE BOILERS, STEAM PRIME  
21 MOVERS, OR ASSOCIATED AUXILIARIES.

22 (3) AN APPLICANT FOR A HIGH PRESSURE BOILER OPERATOR  
23 REGISTRATION SHALL HAVE 1 OR MORE OF THE FOLLOWING:

24 (A) NOT LESS THAN 2 YEARS OF EXPERIENCE IN THE OPERATION OF A  
25 HIGH PRESSURE BOILER.

26 (B) A LOW PRESSURE BOILER OPERATOR'S REGISTRATION AND NOT LESS  
27 THAN 1 YEAR OF EXPERIENCE IN THE OPERATION OF A LOW PRESSURE

1 BOILER.

2 (C) NOT LESS THAN 1 YEAR OF EITHER A QUALIFIED TRAINING  
3 PROGRAM, A QUALIFIED TECHNICAL EDUCATION PROGRAM, OR AN APPROVED  
4 APPRENTICESHIP PROGRAM.

5 (4) AN APPLICANT FOR A THIRD-CLASS STATIONARY ENGINEER  
6 REGISTRATION SHALL MEET 1 OR MORE OF THE FOLLOWING REQUIREMENTS:

7 (A) BE REGISTERED AS A HIGH PRESSURE BOILER OPERATOR AND HAVE  
8 NOT LESS THAN 1 YEAR OF EXPERIENCE IN THE OPERATION OF A HIGH  
9 PRESSURE BOILER.

10 (B) BE REGISTERED AS A LOW PRESSURE BOILER OPERATOR, HAVE NOT  
11 LESS THAN 1 YEAR OF EXPERIENCE IN THE OPERATION OF A LOW PRESSURE  
12 BOILER, AND HAVE NOT LESS THAN 1 YEAR OF MAINTENANCE EXPERIENCE ON  
13 HIGH PRESSURE BOILERS AND ASSOCIATED AUXILIARIES.

14 (C) BE REGISTERED AS A HIGH PRESSURE BOILER OPERATOR AND HAVE  
15 NOT LESS THAN 1 YEAR OF BOILER MAINTENANCE EXPERIENCE OR NOT LESS  
16 THAN 1 YEAR AS AN APPRENTICE IN AN APPROVED TRAINING PROGRAM IN A  
17 HIGH PRESSURE BOILER PLANT HAVING AN AGGREGATE HEATING SURFACE OF  
18 MORE THAN 4,000 SQUARE FEET.

19 (D) HAVE NOT LESS THAN 3 YEARS OF EXPERIENCE IN THE OPERATION  
20 OF BOILERS IN A HIGH PRESSURE BOILER PLANT HAVING AN AGGREGATE  
21 HEATING SURFACE OF MORE THAN 4,000 SQUARE FEET.

22 (E) HAVE NOT LESS THAN 1 YEAR OF EXPERIENCE IN THE OPERATION  
23 OF BOILERS IN A HIGH PRESSURE BOILER PLANT HAVING AN AGGREGATE  
24 HEATING SURFACE OF MORE THAN 4,000 SQUARE FEET ALONG WITH  
25 SUFFICIENT EXPERIENCE OPERATING STEAM PRIME MOVERS IN EXCESS OF 10  
26 HORSEPOWER FOR A COMBINED TOTAL OF NOT LESS THAN 3 YEARS OF  
27 EXPERIENCE.

1 (F) HAVE AN ASSOCIATE DEGREE IN ENERGY TECHNOLOGY OR A RELATED  
2 FIELD AS DETERMINED BY THE BOARD WITH A POWER ENGINEERING OPTION  
3 FROM A 2-YEAR COLLEGE WHOSE PROGRAM IS APPROVED BY THE BOARD AND  
4 EMPLOYMENT OR COOPERATIVE EDUCATION EXPERIENCE OF NOT LESS THAN 360  
5 HOURS AS A POWER ENGINEER, BOILER OPERATOR, OR STATIONARY ENGINEER  
6 IN A STEAM ELECTRIC GENERATION PLANT OR A HIGH PRESSURE STEAM  
7 HEATING OR PROCESS PLANT.

8 (5) AN APPLICANT FOR A SECOND-CLASS STATIONARY ENGINEER  
9 REGISTRATION SHALL MEET 1 OR MORE OF THE FOLLOWING REQUIREMENTS:

10 (A) BE REGISTERED AS A THIRD-CLASS STATIONARY ENGINEER AND  
11 HAVE NOT LESS THAN 1 YEAR OF EXPERIENCE AS A THIRD-CLASS STATIONARY  
12 ENGINEER.

13 (B) HAVE A BACHELOR'S DEGREE IN ENGINEERING, ENGINEERING  
14 TECHNOLOGY, HEATING/POWER TECHNOLOGY, OR ENERGY TECHNOLOGY FROM A  
15 COLLEGE OR UNIVERSITY WHOSE PROGRAM IS APPROVED BY THE BOARD AND  
16 EMPLOYMENT EXPERIENCE AS AN ENGINEER IN THE ENGINEERING OR RESEARCH  
17 DIVISION OF A STEAM ELECTRIC POWER GENERATING PLANT FOR NOT LESS  
18 THAN 1 YEAR.

19 (C) HAVE NOT LESS THAN 4 YEARS OF EXPERIENCE IN THE OPERATION  
20 OF BOILERS IN A HIGH PRESSURE BOILER PLANT HAVING AN AGGREGATE  
21 HEATING SURFACE OF MORE THAN 7,500 SQUARE FEET.

22 (D) HAVE NOT LESS THAN 1 YEAR OF EXPERIENCE IN THE OPERATION  
23 OF BOILERS IN A HIGH PRESSURE BOILER PLANT HAVING AN AGGREGATE  
24 HEATING SURFACE OF MORE THAN 7,500 SQUARE FEET ALONG WITH  
25 SUFFICIENT EXPERIENCE OPERATING STEAM PRIME MOVERS IN EXCESS OF 100  
26 HORSEPOWER FOR A COMBINED TOTAL OF NOT LESS THAN 4 YEARS OF  
27 EXPERIENCE.



1 (E) HAVE NOT LESS THAN 1 YEAR OF EXPERIENCE IN THE OPERATION  
2 OF BOILERS IN A HIGH PRESSURE BOILER PLANT HAVING AN AGGREGATE  
3 HEATING SURFACE OF MORE THAN 7,500 SQUARE FEET ALONG WITH  
4 SUFFICIENT EXPERIENCE OPERATING BOILERS IN A HIGH PRESSURE BOILER  
5 PLANT HAVING AN AGGREGATE HEATING SURFACE OF MORE THAN 4,000 SQUARE  
6 FEET FOR A COMBINED TOTAL OF NOT LESS THAN 4 YEARS OF EXPERIENCE.

7 (6) AN APPLICANT FOR A FIRST-CLASS STATIONARY ENGINEER  
8 REGISTRATION SHALL MEET 1 OR MORE OF THE FOLLOWING REQUIREMENTS:

9 (A) BE REGISTERED AS A SECOND-CLASS STATIONARY ENGINEER AND  
10 HAVE NOT LESS THAN 2 YEARS OF EXPERIENCE AS A SECOND-CLASS  
11 STATIONARY ENGINEER.

12 (B) HAVE NOT LESS THAN 6 YEARS OF EXPERIENCE IN THE OPERATION  
13 OF BOILERS IN A HIGH PRESSURE BOILER PLANT HAVING AN AGGREGATE  
14 HEATING SURFACE OF MORE THAN 20,000 SQUARE FEET.

15 (C) HAVE NOT LESS THAN 2 YEARS OF EXPERIENCE IN THE OPERATION  
16 OF BOILERS IN A HIGH PRESSURE BOILER PLANT HAVING AN AGGREGATE  
17 HEATING SURFACE OF MORE THAN 20,000 SQUARE FEET ALONG WITH  
18 SUFFICIENT EXPERIENCE OPERATING STEAM PRIME MOVERS IN EXCESS OF 200  
19 HORSEPOWER FOR A COMBINED TOTAL OF NOT LESS THAN 6 YEARS OF  
20 EXPERIENCE.

21 (D) HAVE NOT LESS THAN 2 YEARS OF EXPERIENCE IN THE OPERATION  
22 OF BOILERS IN A HIGH PRESSURE BOILER PLANT HAVING AN AGGREGATE  
23 HEATING SURFACE OF MORE THAN 20,000 SQUARE FEET ALONG WITH  
24 SUFFICIENT EXPERIENCE IN THE OPERATION OF BOILERS IN A HIGH  
25 PRESSURE BOILER PLANT HAVING AN AGGREGATE HEATING SURFACE OF MORE  
26 THAN 7,500 SQUARE FEET OF HEATING SURFACE FOR A COMBINED TOTAL OF  
27 NOT LESS THAN 6 YEARS OF EXPERIENCE.

1           (E) COMPLETE A 4-YEAR APPROVED APPRENTICESHIP PROGRAM OR A 4-  
2 YEAR QUALIFIED TRAINING PROGRAM.

3           (F) COMPLETE A 4-YEAR PROGRAM WITH A BACHELOR'S DEGREE FROM A  
4 COLLEGE OR UNIVERSITY IN ENGINEERING, ENGINEERING TECHNOLOGY,  
5 HEATING/POWER TECHNOLOGY, OR ENERGY TECHNOLOGY WHOSE PROGRAM IS  
6 APPROVED BY THE BOARD AND WHICH INCLUDES A HANDS-ON POWER OPTION  
7 FROM A 2-YEAR COMMUNITY COLLEGE PROGRAM OR THE EQUIVALENT, AS  
8 DETERMINED BY THE BOARD, AND NOT LESS THAN 1 YEAR OF EMPLOYMENT,  
9 INTERNSHIP, OR COOPERATIVE EDUCATION EXPERIENCE IN A STEAM ELECTRIC  
10 GENERATION PLANT OR HIGH PRESSURE STEAM HEATING PROCESS PLANT.

11           Sec. 14. (1) ~~An inspector's, repairer's, or installer's~~ **THE**  
12 **CHIEF INSPECTOR MAY SUSPEND THE** license may be suspended by the  
13 ~~chief inspector for~~ **OF AN INSPECTOR, REPAIRER, OR INSTALLER OR THE**  
14 **REGISTRATION OF A BOILER OPERATOR OR STATIONARY ENGINEER DUE TO** the  
15 incompetence of the ~~holder thereof or for wilful~~ **REGISTRANT OR**  
16 **LICENSEE OR DUE TO WILLFUL** falsification of ~~any~~ **A** matter or  
17 statement contained in ~~his~~ **THAT REGISTRANT'S OR LICENSEE'S**  
18 application or in a report of ~~any~~ inspection made by ~~him~~ **THE**  
19 **REGISTRANT OR LICENSEE**. Written notice of the suspension shall be  
20 given by the chief inspector within ~~not more than~~ 10 days **AFTER THE**  
21 **SUSPENSION** to the **REGISTRANT OR** licensee, ~~his~~ **THE REGISTRANT'S OR**  
22 **LICENSEE'S** employer, and the board. A person whose **REGISTRATION OR**  
23 license has been suspended may appeal to the board as provided in  
24 section 22 and be present in person and be represented by counsel  
25 at the hearing of the appeal.

26           (2) If the board has reason to believe that a **REGISTRANT OR**  
27 licensee is no longer qualified to hold his **OR HER REGISTRATION OR**

1 license, the board, upon not less than 10 days' written notice to  
 2 the **REGISTRANT OR** licensee and ~~his~~**THE REGISTRANT'S OR LICENSEE'S**  
 3 employer, shall hold ~~a~~**AN ADMINISTRATIVE** hearing at which the  
 4 **REGISTRANT OR** licensee and his **OR HER** employer shall have an  
 5 opportunity to be heard. If, as a result of the hearing, the board  
 6 finds that the **REGISTRANT OR** licensee is no longer qualified to  
 7 hold his **OR HER REGISTRATION OR** license, the board shall recommend  
 8 to the ~~commissioner~~**DIRECTOR** that the **REGISTRATION OR** license be  
 9 revoked, and the ~~commissioner~~**DIRECTOR** shall ~~thereupon~~**IMMEDIATELY**  
 10 revoke ~~such~~**THE REGISTRATION OR** license. ~~forthwith.~~

11 (3) A person whose **REGISTRATION OR** license has been suspended  
 12 may apply, after 90 days from the date of the suspension, for  
 13 reinstatement of the **REGISTRATION OR** license.

14 Sec. 24. (1) ~~It shall be unlawful for any~~ **AN INDIVIDUAL, OR**  
 15 **OTHER** person, ~~firm, partnership, or corporation to~~ **SHALL NOT**  
 16 operate ~~in this state~~ a boiler without a valid inspection  
 17 certificate. The operation of a boiler without ~~such~~ **A VALID**  
 18 inspection certificate ~~,~~ or at a pressure exceeding that specified  
 19 in ~~such~~ **THE** inspection certificate ~~,~~ is a misdemeanor on the part  
 20 of the owner, user, or operator thereof ~~and shall be punishable by~~  
 21 ~~a fine not exceeding \$500.00, or imprisonment not to exceed~~ **FOR NOT**  
 22 **MORE THAN** 60 days, or **BY A FINE OF NOT MORE THAN \$500.00, OR** both.  
 23 Each day of the unlawful operation is a separate offense.

24 (2) **A PERSON USING A TITLE DESCRIBED IN SECTION 13A(2) WITHOUT**  
 25 **A REGISTRATION ISSUED UNDER THIS ACT IS GUILTY OF A MISDEMEANOR**  
 26 **PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 60 DAYS, A FINE OF NOT**  
 27 **MORE THAN \$2,000.00, OR BOTH.**

1           (3) A BUSINESS ENTITY USING OR ADVERTISING THE USE OF AN  
2 INDIVIDUAL HAVING A TITLE DESCRIBED IN SECTION 13A(2), IF THAT  
3 INDIVIDUAL IS NOT REGISTERED UNDER THIS ACT, IS GUILTY OF A  
4 MISDEMEANOR PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 60 DAYS, A  
5 FINE OF NOT MORE THAN \$2,000.00, OR BOTH.