

BOILER ACT OF 1965 (EXCERPT)
Act 290 of 1965

***** 408.752.amended THIS AMENDED SECTION IS EFFECTIVE FEBRUARY 14, 2016 *****

408.752.amended Definitions; "experience" defined.

Sec. 2. (1) As used in this act:

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

(b) "Approved apprenticeship program" means a training program for boiler operators or stationary engineers that is certified by or meets the standards of the United States Department of Labor, Bureau of Apprenticeship Training and is approved by the board.

(c) "Armed forces" means that term as defined in section 2 of the veteran right to employment services act, 1994 PA 39, MCL 35.1092.

(d) "Associated auxiliaries" means equipment that is required in the operation of a boiler that includes, but is not limited to, pumps, regulators, feedwater heaters, superheaters, de-superheaters, economizers, air preheaters, draft fans, combustion and pollution control equipment, and prime movers.

(e) "Board" means the board of boiler rules created in section 3.

(f) "Boiler" means a closed vessel in which water is heated, steam is generated, or steam is superheated, or a combination of those actions occur, under pressure or vacuum by the application of heat from combustible fuels, electricity, or nuclear energy. Boiler does not include facilities of an integral part of a continuous processing unit but does include a fired unit for heating or vaporizing liquids other than water, if the unit is separate from a processing system and is complete within itself.

(g) "Boiler for agricultural purposes" means a portable boiler used in a field or similar open area for the sole purpose of operating farm equipment or farm machinery.

(h) "Boiler operator" or "stationary engineer" means an individual who is engaged in the operation of boilers and associated auxiliaries.

(i) "Certificate inspection" means an inspection that is conducted for purposes of preparing a report described in section 20. The certificate inspection shall be an internal inspection if construction allows; otherwise the certificate inspection shall be as complete an inspection as possible.

(j) "Department" means the department of licensing and regulatory affairs.

(k) "Director" means the director of the department or a representative designated by the director.

(l) "External inspection" means an inspection that does not involve examination of the internal surfaces of the pressure parts of the boiler.

(m) "Heating surface" means the heating surface determined by the boiler manufacturer and recorded in the manufacturer's data report or by rules established by the board for a boiler if the manufacturer's data report is not available or the boiler is not stamped with its heating surface.

(n) "High pressure, high temperature water boiler" means a water heating boiler operating at pressure that exceeds 160 p.s.i.g. or temperatures that exceed 250 degrees Fahrenheit.

(o) "Low pressure boiler" means a steam boiler operated at pressures that do not exceed 15 p.s.i.g., or a hot water heating boiler operated at pressures that do not exceed 160 p.s.i.g. or temperatures that do not exceed 250 degrees Fahrenheit.

(p) "P.S.I.G." means pounds per square inch gauge.

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

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

(s) "Qualified technical education program" means an educational program that is approved by the board and that has a minimum of 350 contact hours in classroom hands-on training, field training, or supervised plant visits for high pressure boiler operators. The board may establish lesser standards for an educational program for low pressure operator training or other entry level training positions only.

(t) "Qualified training program" means any of the following:

(i) An in-house training program approved by the board and offered to boiler operators and stationary engineers by an employer.

(ii) An in-house training program implemented or developed by a utility and offered to boiler operators and stationary engineers by an employer as a result of negotiations between an employer and its employees.

(iii) A training program offered to active duty boiler operators and stationary engineers by a branch of the armed forces.

(u) "Rule" means a rule promulgated under the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328.

(v) "Secondhand boiler" means a boiler that has changed ownership and location after initial use.

(2) As used in this act and for purposes of any rules promulgated under this act, in connection with any requirements for a license to inspect, install, or repair boilers or for registration as a boiler operator or stationary engineer in 1 or more of the classifications described in section 13b, "experience" includes any relevant experience acquired while serving in the armed forces by an individual who was separated from that service if all of the following are met:

(a) The applicant provides to the department a form DD214, a form DD215, or any other form that is satisfactory to the department that demonstrates that he or she was separated from that service, with an honorable character of service or under honorable conditions (general) character of service.

(b) The applicant submits with his or her application for licensure or registration an affidavit or letter signed by a commanding officer, supervisor, or military superior with direct knowledge of the applicant's service that describes his or her experience designing, constructing, manufacturing, installing, inspecting, operating, repairing, or maintaining boilers and associated auxiliaries while serving in the armed forces.

History: 1965, Act 290, Eff. July 1, 1966;—Am. 1970, Act 103, Imd. Eff. July 23, 1970;—Am. 1980, Act 274, Imd. Eff. Oct. 8, 1980;—Am. 1986, Act 277, Imd. Eff. Dec. 19, 1986;—Am. 2004, Act 103, Imd. Eff. May 20, 2004;—Am. 2008, Act 159, Imd. Eff. June 11, 2008;—Am. 2013, Act 167, Eff. Feb. 12, 2014;—Am. 2015, Act 191, Eff. Feb. 14, 2016.