

CHAPTER 183

BOILERS

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183.41 BOATS; RULES.

[For text of subds 1 to 3, see M.S.2004]

Subd. 4. **Annual permit.** The commissioner shall issue an annual permit to a boat for the purpose of carrying passengers for hire on the inland waters of the state provided the boat satisfies the inspection requirements of this section. A boat subject to inspection under this chapter shall be registered with the Division of Boiler Inspection and shall be inspected before a permit may be issued.

History: *1Sp2005 c 1 art 4 s 42*

183.411 STEAM FARM TRACTION ENGINES; SHOW BOILERS AND ENGINES.

[For text of subds 1 and 2, see M.S.2004]

Subd. 2a. **Inspection fees.** The fee for inspecting traction engines, show boilers, and show engines shall be the hourly rate pursuant to section 183.545, subdivision 3a.

Subd. 3. **Licenses.** A license to operate steam farm traction engines, portable and stationary show engines and portable and stationary show boilers shall be issued to an applicant who:

- (1) is 18 years of age or older;
- (2) has a licensed second class or higher class engineer or steam traction (hobby) engineer sign the affidavit attesting to the applicant's competence in operating said devices;
- (3) passes a written test for competence in operating said devices;
- (4) has at least 25 hours of actual operating experience on said devices; and
- (5) pays the required fee.

A license shall be valid for the lifetime of the licensee. A onetime fee pursuant to section 183.545, subdivision 4, shall be charged for the license.

[For text of subds 4 and 5, see M.S.2004]

History: *1Sp2005 c 1 art 4 s 43,44*

183.42 INSPECTION AND REGISTRATION.

Subdivision 1. **Inspection.** Every owner, lessee, or other person having charge of boilers or pressure vessels subject to inspection under this chapter shall cause them to be inspected by the Division of Boiler Inspection. Boilers subject to inspection under this chapter must be inspected at least annually and pressure vessels inspected at least every two years except as provided under section 183.45. The commissioner shall assess a \$250 penalty per applicable boiler or pressure vessel for failure to have the inspection required by this section and may seal the boiler or pressure vessel for refusal to allow an inspection as required by this section.

Subd. 2. **Registration.** Every owner, lessee, or other person having charge of boilers or pressure vessels subject to inspection under this chapter shall register said objects with the Division of Boiler Inspection. The registration shall be renewed annually and is applicable to each object separately. The fee for registration of a boiler or pressure vessel shall be pursuant to section 183.545, subdivision 10. The Division of

Boiler Inspection may issue a billing statement for each boiler and pressure vessel on record with the division, and may determine a monthly schedule of billings to be followed for owners, lessees, or other persons having charge of a boiler or pressure vessel subject to inspection under this chapter.

Subd. 3. Certificate of registration. The Division of Boiler Inspection shall issue a certificate of registration that lists the boilers and pressure vessels at the location, expiration date of the certificate of registration, last inspection date of each boiler and pressure vessel, and maximum allowable working pressure for each boiler and pressure vessel. The commissioner may make an electronic certificate of registration available to be printed by the owner, lessee, or other person having charge of the boiler or pressure vessel.

History: *1Sp2005 c 1 art 4 s 45*

183.44 EXAMINATIONS; RULES; LICENSING, REVOCATIONS.

Subdivision 1. Masters. The commissioner or the commissioner's designee shall examine all masters of boats and vessels carrying passengers for hire on the inland waters of the state as to their qualifications and fitness. If found qualified and competent to perform their duties as a master of a boat carrying passengers for hire, they shall be issued a license authorizing them to act as such on the inland waters of the state. The license shall be renewed annually. Fees for the original issue and renewal of the license authorized under this section shall be pursuant to section 183.545, subdivision 2.

[For text of subds 2 and 3, see M.S.2004]

History: *1Sp2005 c 1 art 4 s 46*

183.51 EXAMINATIONS; CLASSIFICATIONS; QUALIFICATIONS.

[For text of subd 1, see M.S.2004]

Subd. 2. Applications. Any person who desires an engineer's license shall submit a written application, on blanks furnished by the commissioner or designee, at least 15 days before the requested exam date. The application is valid for one year from the date the commissioner or designee received the application.

Subd. 2a. Examinations. Each applicant for a license must pass an examination approved by the commissioner. The examinations shall be of sufficient scope to establish the competency of the applicant to operate a boiler of the applicable license class and grade.

[For text of subds 3 to 15, see M.S.2004]

History: *1Sp2005 c 1 art 4 s 47,48*

183.545 FEES FOR INSPECTION.

Subdivision 1. Fee amount; vessels operated on inland waters. The fees for the inspection of the hull, boiler, machinery, and equipments of vessels operated on inland waters and that carry passengers for hire are as follows:

(1) annual operating permit and safety inspections shall be \$200; and

(2) other inspections, including dry-dock inspections, boat stability tests, and plan reviews, are billed at the hourly rate set in subdivision 3a.

Subd. 2. Fee amounts; masters. The license and application fee for a master's license is \$50, or \$20 if the applicant possesses a valid, unlimited, current United States Coast Guard master's license. The annual renewal of a master's license is \$20. The annual renewal if paid later than 30 days after expiration is \$35. The fee for replacement of a current, valid license is \$20.

Subd. 3. Boiler and pressure vessel inspection fees. The fees for the annual inspection of boilers and biennial inspection of pressure vessels are as follows:

(1) boiler inaccessible for internal inspection, \$55;

- (2) boiler accessible for internal inspection, \$55;
- (3) boiler internal inspection over 2,000 square feet heating surface shall be billed at the hourly rate set in subdivision 3a;
- (4) boiler accessible for internal inspection requiring one-half day or more of inspection time shall be billed at the hourly rate set in subdivision 3a;
- (5) pressure vessel for internal inspection via manhole, \$35; and
- (6) pressure vessel inaccessible for internal inspection, \$35.

Subd. 3a. **Hourly rate.** The hourly rate for an inspection not set elsewhere in this chapter is \$80 per hour. Inspection time includes all time related to the inspection. Travel time, billed at the hourly rate, and travel expenses shall be billed for shop inspections, triennial audits, boat stability tests, hydrostatic tests of a boiler or pressure vessel, or any other inspection or consultation requiring a special trip.

Subd. 4. **Boiler engineer license fees.** For the following licenses, the nonrefundable license and application fee is:

- (1) chief engineer's license, \$50;
- (2) first class engineer's license, \$50;
- (3) second class engineer's license, \$50;
- (4) special engineer's license, \$20; and
- (5) traction or hobby boiler engineer's license, \$50.

An engineer's license may be renewed upon application and payment of an annual renewal fee of \$20. The annual renewal, if paid later than 30 days after expiration, is \$35. The fee for replacement of a current, valid license is \$20.

Subd. 6. **National board inspectors.** The fee for an examination of an applicant for a National Board of Boiler and Pressure Vessels Inspectors commission is \$100.

Subd. 7. **Nuclear endorsement.** The fee for each examination of an applicant for a National Board of Boiler and Pressure Vessels commissioned inspectors nuclear endorsement is \$100.

Subd. 8. **Certificate of competency.** The fee for issuance of the original state of Minnesota certificate of competency for inspectors is \$50. This fee is waived for inspectors who paid the examination fee. The fee for an annual renewal of the state of Minnesota certificate of competency is \$35, and is due January 1 of each year. The fee for replacement of a current, valid license is \$35.

Subd. 9. **Deposit of fees.** Fees received under this section must be deposited in the state treasury and credited to the general fund.

Subd. 10. **Boiler and pressure vessel registration fee.** The annual registration fee for boilers and pressure vessels in use and required to be inspected per section 183.42 shall be \$10 per boiler and pressure vessel.

History: 1Sp2005 c 1 art 4 s 49

183.57 REPORT OF INSURER; EXEMPTION FROM INSPECTION.

Subdivision 1. **Report required.** Any insurance company insuring boilers and pressure vessels in this state shall file a report showing the date of inspection, the name of the person making the inspection, the condition of the boiler or pressure vessel as disclosed by the inspection, whether the boiler was operated by a properly licensed engineer, whether a policy of insurance has been issued by the company with reference to the boiler or pressure vessel, and other information as directed by the chief boiler inspector. Within 21 days after the inspection, the insurance company shall file the report with the chief boiler inspector or designee. The insurer shall provide a copy of the report to the person, firm, or corporation owning or operating the inspected boiler or pressure vessel. Such report shall be made annually for boilers and biennially for pressure vessels.

Subd. 2. **Exemption.** Every boiler or pressure vessel as to which any insurance company authorized to do business in this state has issued a policy of insurance, after the inspection thereof, is exempt from inspection by the department made under

sections 183.375 to 183.62, while the same continues to be insured and provided it continues to be inspected in accordance with the inspection schedule set forth in sections 183.42 and 183.45, and the person, firm, or corporation owning or operating the same has an unexpired certificate of registration.

Subd. 4. [Repealed by amendment, 1Sp2005 c 1 art 4 s 50]

Subd. 5. **Notice of insurance coverage.** The insurer shall notify the commissioner or designee in writing of its policy to insure and inspect boilers and pressure vessels at a location within 30 days of receipt of notification from the insured that a boiler or pressure vessel is present at an insured location. The insurer must also provide a duplicate of the notification to the insured.

Subd. 6. **Notice of discontinued coverage.** The insurer shall notify the commissioner or designee in writing, within 30 days of the effective date, of the discontinuation of insurance coverage of the boilers and pressure vessels at a location and the cause or reason for the discontinuation if the insurer has received notice from the insured that a boiler or pressure vessel is present at an insured location, as provided under subdivision 5. This notice shall show the effective date when the discontinued policy takes effect.

Subd. 7. **Penalties.** The commissioner shall assess upon the insurer a \$50 penalty, per applicable boiler and pressure vessel, for failing to submit an inspection report or notify the commissioner of insurance coverage or discontinuation of insurance coverage as set forth in this section. The commissioner shall assess upon the insurer a penalty of \$100, per applicable boiler and pressure vessel, for failing to conduct the required in-service inspection within 120 days after the inspection was due in accordance with section 183.42. The penalties in this subdivision may only be assessed for notice, reports, and inspections required during the period that the insurance coverage was in effect and for which the insurer has received notice from the insured that a boiler or pressure vessel is present at an insured location, as provided under subdivision 5.

History: 1Sp2005 c 1 art 4 s 50