

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1945



ENROLLED

HOUSE BILL No. 132

(By Mr. Hudson and Mr. Adkins, By Request)



PASSED March 10 1945

In Effect 90-days from Passage

132

**ENROLLED**

**House Bill No. 132**

(By MR. HUDSON and MR. ADKINS, by request)

[Passed March 10, 1945; in effect ninety days from passage.]

AN ACT to amend and reenact section seven, article three, chapter twenty-one of the code of West Virginia, one thousand nine hundred thirty-one, as last amended, relating to operation of steam boilers.

*Be it enacted by the Legislature of West Virginia:*

That article three, section seven, chapter twenty-one, of the code of West Virginia, one thousand nine hundred thirty-one, as last amended, be amended to read as follows:

Section 7. *Regulation for Operation of Steam Boilers;*

2 *Penalty.*—Any person owning or operating a steam boiler  
3 carrying more than fifteen pounds pressure per square  
4 inch (except boilers on railroad locomotives subject to  
5 inspection under federal laws, portable boilers used for  
6 agriculture purposes, boilers on automobiles, boilers of  
7 steam fire engines brought into the state for temporary use

8 in times of emergency for the purpose of checking con-  
9 flagrations, boilers used in private residences which are  
10 used solely for residential purposes, any sectional boilers,  
11 small portable boilers commonly used in the oil and gas  
12 industry about their wells and tool houses, and boilers  
13 under the jurisdiction of the United States) in this state  
14 shall first obtain permit to operate a steam boiler from  
15 the commissioner of labor, or from an inspector working  
16 under his jurisdiction.

17 Applications for permits to operate a steam boiler must  
18 be accompanied by a sworn statement made by the owner  
19 or operator of such boiler, setting forth the condition of  
20 the boiler and its appurtenances at which time, if the facts  
21 disclosed by such statement meet the safety requirements  
22 established under this article, the commissioner of labor  
23 shall issue a temporary permit, which shall be valid until  
24 such boiler has been inspected by a boiler inspector author-  
25 ized by the state commissioner of labor; thereupon, if the  
26 boiler meets the safety requirements established under  
27 this article, the commissioner of labor shall issue an annual  
28 permit to operate such steam boiler: *Provided, however,*

29 That boilers which are insured by an insurance company  
30 operating in this state and which are inspected by such  
31 insurance company's boiler inspector shall not be subject  
32 to inspection by the state department of labor, during any  
33 twelve months period during which an inspection is made  
34 by the insurance company's boiler inspector.

35 The commissioner of labor or state boiler inspector  
36 shall have the authority to inspect steam boilers in this  
37 state. To carry out the provisions of this section, the  
38 commissioner of labor shall prescribe rules and regula-  
39 tions under which boilers may be constructed and oper-  
40 ated, according to their class. The commissioner of labor  
41 shall be authorized to revoke any permit to operate a  
42 steam boiler if the rules prescribed by the commissioner  
43 of labor, or his authorized representative, are violated  
44 or if a condition shall prevail which is hazardous to the  
45 life and health of persons operating or employed at or  
46 around the boiler. Any persons or corporation who shall  
47 operate a steam boiler for which a permit is necessary  
48 under the provisions of this section, without first obtaining  
49 such permit to operate a steam boiler, shall be guilty of a

50 misdemeanor, and upon conviction thereof shall be fined  
51 not less than one hundred dollars (\$100.00) nor more than  
52 five hundred dollars (\$500.00). Every day a steam boiler  
53 requiring a permit to operate is operated without such  
54 permit shall be considered a separate offense.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

*Charles C Morris*

Chairman Senate Committee

*J. A. deGruyter Jr.*

Chairman House Committee

Originated in the

*House*

Takes effect

*90-days from*

passage.

*Harriet Rogers*

Clerk of the Senate

*J. Ruff*

Clerk of the House of Delegates

*Donald M. Tickers*

President of the Senate

*John E. Amos*

Speaker House of Delegates

The within

*Approved*

this the

*16*

day of

*March*

, 1945.

*Clarence Meadows*

Governor.



Filed in the office of the Secretary of State  
of West Virginia **MAR 16 1945**

Wm. S. O'BRIEN,

Secretary of State