WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1945

ENROLLED

HOUSE BILL No. 132

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

PASSED March 10, 1945

In Effect 90-thirty 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;

Penalty.—Any person owning or operating a steam boiler carrying more than fifteen pounds pressure per square inch (except boilers on railroad locomotives subject to inspection under federal laws, portable boilers used for agriculture purposes, boilers on automobiles, boilers of steam fire engines brought into the state for temporary use
in times of emergency for the purpose of checking con-
flagrations, boilers used in private residences which are
used solely for residential purposes, any sectional boilers,
small portable boilers commonly used in the oil and gas
industry about their wells and tool houses, and boilers
under the jurisdiction of the United States) in this state
shall first obtain permit to operate a steam boiler from
the commissioner of labor, or from an inspector working
under his jurisdiction.

Applications for permits to operate a steam boiler must
be accompanied by a sworn statement made by the owner
or operator of such boiler, setting forth the condition of
the boiler and its appurtenances at which time, if the facts
disclosed by such statement meet the safety requirements
established under this article, the commissioner of labor
shall issue a temporary permit, which shall be valid until
such boiler has been inspected by a boiler inspector author-
ized by the state commissioner of labor; thereupon, if the
boiler meets the safety requirements established under
this article, the commissioner of labor shall issue an annual
permit to operate such steam boiler: Provided, however,
That boilers which are insured by an insurance company operating in this state and which are inspected by such insurance company's boiler inspector shall not be subject to inspection by the state department of labor, during any twelve months period during which an inspection is made by the insurance company's boiler inspector.

The commissioner of labor or state boiler inspector shall have the authority to inspect steam boilers in this state. To carry out the provisions of this section, the commissioner of labor shall prescribe rules and regulations under which boilers may be constructed and operated, according to their class. The commissioner of labor shall be authorized to revoke any permit to operate a steam boiler if the rules prescribed by the commissioner of labor, or his authorized representative, are violated or if a condition shall prevail which is hazardous to the life and health of persons operating or employed at or around the boiler. Any persons or corporation who shall operate a steam boiler for which a permit is necessary under the provisions of this section, without first obtaining such permit to operate a steam boiler, shall be guilty of a
misdemeanor, and upon conviction thereof shall be fined not less than one hundred dollars ($100.00) nor more than five hundred dollars ($500.00). Every day a steam boiler requiring a permit to operate is operated without such permit shall be considered a separate offense.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Charles M. Morris  
Chairman Senate Committee

J. A. deGraff  
Chairman House Committee

Originated in the House

Takes effect 90 days from passage.

John Trigg  
Clerk of the Senate

Joseph W. Fite  
Clerk of the House of Delegates

John E. Amos  
President of the Senate

John E. Amos  
Speaker House of Delegates

The within approved this the 16 day of March, 1945.

Lawrence Meador  
Governor

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

Wm. S. O'Brien,  
Secretary of State