

**STEAM BOILER ENGINEERS, LICENSED**  
**Act of Apr. 4, 1905, P.L. 102, No. 75**  
AN ACT

Cl. 11

To provide for the better protection of life and property, by the examination and licensing of engineers having charge of steam-boilers, steam-engines, and appliances connected therewith, in cities of the second and third class of this Commonwealth, and providing penalties for violation.

**Compiler's Note:** Section 4701 of Act 317 of 1931 provided that Act 75 is repealed insofar as it relates to third class cities.

Section 1. Be it enacted, &c., That it shall be unlawful for any person or persons to have charge of or to operate a steam-boiler or steam-engine over ten-horsepower, in cities of the second and third class of this Commonwealth, except locomotive boilers, used in transportation, and steam-engines and steam-boilers, carrying less than fifteen pounds pressure per square inch, unless said person or persons are upwards of eighteen years of age, and holds a license, as hereinafter provided for; and it shall be unlawful for any owner or owners, user or users, of any steam-boiler or steam-engine over ten-horsepower, other than those excepted above, to operate or cause to be operated a steam-boiler or steam-engine without a duly licensed engineer.

(1 amended Jun. 16, 1972, P.L.465, No.147)

Section 2. All persons desiring authority to perform the duties of an engineer shall apply to the boiler inspector of such cities, who shall examine the applicant as to his knowledge of steam machinery and his experience in operating the same, also the proofs he produces in support of his claim, and if, upon full consideration, the inspector is satisfied that the applicant's character, habits of life, knowledge and experience in the duties of an engineer, are all such as to authorize the belief that he is a suitable and safe person to be entrusted with the powers and duties of such a station, he shall grant him a license, upon the payment of three (3) dollars, authorizing him to be employed in such duties for the term of one year, and such license shall be annually renewed, without examination, upon the payment of one (1) dollar, provided it is presented for renewal within ten days after its expiration. Licenses so granted shall be graded into two classes: One of which shall entitle the licensee to have charge of or to operate stationary steam-boilers and steam-engines only; the other of which shall entitle the licensee to have charge of or to operate portable steam-boilers and steam-engines only; such licenses shall not be transferred from one grade to the other without a re-examination, said re-examination to be conducted without cost to the licensee.

No person shall be eligible to examination for a license unless he furnishes proof that he has been employed about a steam-boiler or steam-engine for a period of not less than two years, prior to the date of application, which must be certified

to by at least one employer and two licensed engineers.

Section 3. The inspector shall investigate all acts of incompetency or misconduct committed by any licensed engineer while acting under the authority of his license, and shall have power to summon before him any witnesses within his respective city, and compel their attendance by a similar process as used in the State courts to compel the attendance of witnesses; and he may administer all necessary oaths to any witnesses thus summoned before him, and, after reasonable notice in writing, given to the alleged delinquent, of the time and place of such investigation, such witnesses shall be examined, under oath, touching the performance of his duties by any such licensed engineer, and if the inspector shall be satisfied that such licensed engineer is incompetent, or has been guilty of misdemeanor, negligence, unskillfulness, or has endangered life, or wilfully violated any provision of this law, he shall immediately suspend or revoke his license, as the facts of the case may require.

Section 4. Every engineer who receives a license shall, before entering upon his duties, make oath before the inspector, to be recorded with the application, that he will faithfully and honestly, according to his best skill and judgment, without concealment or reservation, perform all the duties required of him by law.

Section 5. Every engineer who shall receive a license shall, when employed about any steam-plant, place his certificate of license, which shall be framed under glass, in some conspicuous place about the engine or boiler, where it can be seen at all times; and any neglect to comply with this provision by any engineer shall be deemed a misdemeanor, and, upon conviction thereof, he shall be subject to a fine of not exceeding one hundred dollars, or the revocation of his license, or both, in the discretion of the court.

Section 6. All engineers licensed under the provisions of this law shall assist the inspector in his examination of any boiler under his charge, and shall point out all defects and imperfections known to them in the boilers or machinery, and, in default thereof, the license of any such engineer or engineers, so neglecting or refraining, shall be revoked by the inspector.

Section 7. Every person who has been employed as a steam engineer, in the city in which he applies for a license, for a period of four years next prior to the passage of this act, and who files with his application a certificate of said fact, under oath, accompanied by a statement from his employer or employers verifying the same, shall be entitled to a license without further examination.

Section 8. It shall be the duty of an engineer, when he assumes charge of boilers and machinery, to forthwith thoroughly examine the same, and if he finds any part thereof in bad condition, caused by neglect or inattention on the part of his predecessor, he shall immediately report the facts to the inspector, who shall thereupon investigate the matter, and if the former engineer has been culpably derelict of duty he shall suspend or revoke his license.

Section 9. It shall be the duty of every licensed engineer,

when he vacates a position as engineer, to notify the boiler inspector of such fact, and any failure to comply with this provision shall be punishable by a suspension of the license for such period or periods as the boiler inspector may determine.

Section 10. Every owner or lessee, or agent of the owner or lessee, of any steam-boiler or steam-engine over ten-horsepower, embraced within the provisions of this act, or any appliances connected therewith and every person acting for such owner, lessee or agent, is hereby forbidden to delegate or transfer, in any manner whatever, the responsibility or liability for the management or operation or the maintenance in good condition and repair, of any such steam-boiler or steam-engine, or appliances connected therewith, to any person or persons other than a licensed engineer in charge thereof, as shown by compliance with section two of this act; and any violation of the provisions of this section shall be deemed to be a misdemeanor, to be punished by a fine not exceeding five hundred dollars (\$500), or by imprisonment not exceeding three months, or both, at the discretion of the Court: Provided, however, That on the purchase, or agreement to purchase, a new steam-boiler or steam-engine over ten-horsepower, or appliances connected therewith, the builder, or builders thereof may contract or agree with the purchaser or purchasers to accept such responsibility for a period not to exceed sixty days; provided that there is to be a licensed engineer in attendance thereon.

Section 11. All fees received under this act shall be paid into the treasury of the city wherein the license is granted.

Section 12. Any violation of the provisions of section one of this act shall be deemed a misdemeanor, to be punished by a fine not exceeding five hundred dollars, or by imprisonment not exceeding three months, or both, at the discretion of the court.

Section 13. Any officer charged with a duty under the provisions of this act, who shall fail to discharge the same or comply with the requirements thereof, shall, upon conviction, be punishable by a fine not exceeding five hundred dollars, or by imprisonment not exceeding three months, or both, at the discretion of the court.

Section 14. Each city of the second and third classes shall, by ordinance, provide for carrying into effect the provisions of this act.

(14 amended May 16, 1913, P.L.216, No.152)