

STEAM BOILERS, INSURANCE POLICIES COVERING
Act of Mar. 11, 1891, P.L. 5, No. 3
AN ACT

Cl. 40

To regulate the issue of policies of insurance and certificates of inspection, made by steam boiler insurance companies, in all cities of the first class.

Section 1. Authority to inspect and insure boilers

Whenever any steam boiler insurance company shall have complied with the laws of this State relative to insurance companies, it shall be authorized to inspect and insure boilers in all cities of the first class upon the following terms and conditions, and no others, namely. 1891, March 11, P.L. 5, Sec. 1.

Section 2. Interest in manufacture of steam boilers; inspectors to be sworn

Neither such insurance company nor its executive officers shall, directly or indirectly, be interested in the manufacture or sale of steam boilers or of any of the appliances connected with steam engines and boilers; they shall employ skillful and competent persons for the inspection of steam boilers, who, before entering upon their duties, shall be duly sworn or affirmed that they will not accept, for the performance of their duties, any money, gift, gratuity or consideration whatsoever, from any person or persons, other than the insurance company which employs them, and that they will not, directly or indirectly, be interested in the manufacture or sale of steam boilers, or of any of the appliances connected with steam engines and boilers.

No policy of insurance shall be for a longer period than three years, and no insurance shall be effected until the boiler shall have been inspected and tested, and its inspection, test, condition, attachments and indicators shall have been found to conform in all respects to the provisions of the existing city ordinance for the inspection of steam engines and boilers, and such ordinance or ordinances as may hereafter be enacted, and the details of such inspection, test, attachments and indicators shall have been furnished the city inspector in the form hereinafter provided for.

No policy of insurance issued by such insurance company shall be valid unless the premium upon such policy, including fee paid to city inspector as hereinafter provided for, shall be equal to or exceed in amount one and one-half times the charges prescribed by the city ordinance for the inspection of steam boilers; nor shall such policy be cancelled or modified, so that the premium shall be less than the amount herein provided for, without notifying the city inspector thereof immediately, in writing, with the reasons therefor.

Whenever such insurance company shall have inspected a boiler or boilers as hereinbefore provided for and shall have issued a policy of insurance thereupon, it shall be the duty of such company at the same time to issue a certificate of inspection,

which shall set forth that the inspection, tests, attachments and indicators have been found to be in accordance with the requirements of the city ordinances. Such certificate shall also state the number of pounds pressure to which the boilers have been subjected in testing, together with the amount of pressure the user is authorized to carry within the same, in accordance with the provisions of the city ordinance in that case provided. It shall further state that said boiler or boilers so inspected have been insured in said company, and that the holder of the certificate is required to maintain it in a conspicuous place near the boiler or boilers to which it refers.

If, for any cause, such insurance company shall cancel a policy of insurance, issued in accordance with the provisions of this act, or shall so modify the same that the premium shall be less than the amount hereinbefore provided for, such cancellation or modifications shall render the certificate of inspection previously given invalid, and notice of such cancellation shall be communicated to the city inspector immediately.

It shall be the duty of the inspector of steam engines and boilers, in and for all cities of the first class, to furnish all steam boiler insurance companies, such as aforesaid, or their authorized agents with printed forms properly prepared, with appropriate headings, for the reception of the details of inspection, such as are furnished to his own assistants, and in addition thereto, a form of certificate setting forth that the premium upon the policy of insurance to be issued in connection with the certificate of inspection equals or exceeds the amount provided for in article third of section two of this act, and when these forms are returned to him properly filled up with the certificate duly signed, he shall record the same as provided for in the city ordinance; and the inspector of steam engines and boilers aforesaid is hereby authorized and required to affix his signature and official seal to the certificate of inspection of such insurance companies: Provided, The details of inspection as aforesaid shall show that the requirements of the city ordinances relative to boiler inspections have been fully complied with, and that all the provisions of this act relating to the duties of such insurance companies have been fulfilled. The inspector of steam engines and boilers in and for all cities of the first class shall receive for such approval one dollar for each boiler, which shall be paid into the city treasury, but said approval shall not be in effect for a longer period than one year from the date thereof. Any person or persons possessing such certificate of inspection duly approved as hereinbefore provided for, the same not having been rendered invalid as provided for in this act, shall be deemed to possess the certificate of the inspector of steam engines and boilers for the purpose of the act of the assembly and the ordinance of the city to carry same into effect: Provided, That nothing in this act shall affect the duty of the inspector to withhold or withdraw such certificate, whenever he may deem the engineer incompetent or unreliable, as provided for in the city ordinance, or whenever he may consider the boiler or boilers unsafe.

When the inspector aforesaid shall withhold or withdraw a certificate of inspection, by reason of the incompetence or unreliability of the engineer, as provided for in this act and in the city ordinance for the inspection of steam boilers, or whenever he may consider the boiler or boilers unsafe, he shall give to the user of the boiler or boilers, and the insurance company issuing the policy thereon, written notice of the same, which notice shall contain a statement of the reasons for such action; this statement to be made, as aforesaid, shall be equivalent to the removal of the certificate, and in case the said boiler or boilers are insured, the withdrawal of the certificate, as provided for, shall render the policy of insurance upon all boilers to which said certificate had reference, void and of no effect: Provided, That nothing herein contained shall affect any policy of insurance now in force until its expiration, which shall not exceed three years from the date thereof, except for violation of article seventh, section two. 1891, March 11, P.L. 5, Sec. 2.

Section 3. Violation of act a misdemeanor

If any inspector of an insurance company, herein provided for, shall aid in procuring an insurance of any stationary steam engine or boiler which does not comply with the conditions, or stand the test provided for in the ordinance of all cities of the first class, relative to boiler inspection, or which is not provided with the attachments and indicators required by said ordinance, or by such ordinance or ordinances as may hereafter be enacted, or shall knowingly permit an insurance to continue upon any stationary steam engine or boiler in said city, not furnished as aforesaid, he shall be deemed guilty of a misdemeanor, and, upon conviction in the court of quarter sessions for the said county, shall, for each offense, be sentenced to pay a fine not exceeding five thousand dollars, and to undergo imprisonment in the jail of said county, either with or without labor, as the court may direct, for a term not exceeding two years: Provided, That nothing in this act shall be construed as relieving any boiler insurance and inspection company from the payment of any fees due to the city treasurer for the boilers insured prior to the passage of this act; should insurance be effected on any boiler or boilers, the owner or user of which possesses a certificate of the city inspector to the amount of fee paid to the city treasurer by such insurance company shall bear such portion to the stipulated fee as the unexpired portion of the certificates bears to one year. 1891, march 11, p.l. 5, sec. 3.