

For recording financing statements under the Commercial Code, three dollars (\$3.00) and satisfaction, one dollar (\$1.00).

For recorder's certificate and seal of office, [fifty cents (50¢)] *one dollar (\$1.00).*

Section 2. This act shall take effect immediately.

Act effective immediately.

APPROVED—The 22nd day of December, A. D. 1959.

DAVID L. LAWRENCE

No. 733

AN ACT

Amending the act of May 2, 1929 (P. L. 1513), entitled, as amended, "An act regulating the construction, equipment, maintenance, operation and inspection of boilers and unfired pressure vessels; granting certain authority to and imposing certain duties upon the Department of Labor and Industry; providing penalties for violations of this act; and repealing all acts or parts of acts inconsistent with this act," clarifying certain provisions and eliminating certain exemptions from the act, and increasing the fee for certificates for boilers and unfired pressure vessels.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Boilers.

Section 1. Clause (3) of section 1 of the act of May 2, 1929 (P. L. 1513), entitled, as amended, "An act regulating the construction, equipment, maintenance, operation and inspection of boilers and unfired pressure vessels; granting certain authority to and imposing certain duties upon the Department of Labor and Industry; providing penalties for violations of this act; and repealing all acts or parts of acts inconsistent with this act," added July 12, 1957 (P. L. 822), is repealed.

Clause (3), section 1, act of May 2, 1929, P. L. 1513, added July 12, 1957, P. L. 822, repealed.

Section 2. Clause (5) of section 2 of the act, added July 12, 1957 (P. L. 822), is repealed.

Clause (5), section 2 of the act, added July 12, 1957, P. L. 822, repealed.

Section 3. Clauses (7) and (8) of section 2 of the act, added July 12, 1957 (P. L. 822), are amended to read:

Clauses (7) and (8), section 2 of the act, added July 12, 1957, P. L. 822, further amended.

Section 2. General Requirement.—Every boiler and unfired pressure vessel used or destined for use by any establishment, or place of public assembly in this Commonwealth, shall be so designed and constructed with respect to the thickness and strength of the materials used in construction, stay bolts and braces, drums, headers, tubes, doors, riveting, welding, steam, air and water gauges, safety devices, blow offs, all necessary piping, and all other parts and appurtenances, and shall

be installed, operated and maintained as to safely sustain the pressure at which the said boiler or unfired pressure vessel is designed and intended to operate: Provided, That nothing in this act shall be construed to apply to—

* * * * *

(7) Storage water heaters, hot water heating and hot water supply boilers of sizes, pressures or temperatures below limitations and conditions set forth in regulations of the department [, except that this exemption shall not apply to places of public assembly or apartment houses of five or more families],

(8) Unfired pressure vessels of sizes, pressures, capacities or temperatures below limitations and conditions set forth in regulations of the department [, except that this exemption shall not apply to places of public assembly or apartment houses of five or more families, unless the requirements for construction or inspection would, in the judgment of the department, impose an unreasonable hardship].

Subsection (a), section 4 of the act, amended July 12, 1957, P. L. 822, further amended.

Section 4. Subsection (a) of section 4 of the act, amended July 12, 1957 (P. L. 822), is amended to read:

Section 4. Inspection.—

[(a)] Every boiler or unfired pressure vessel, within the scope of this act, destined for use in this Commonwealth, shall be inspected during its construction, by an inspector who shall have been commissioned by this Commonwealth to perform such service. Every such boiler or unfired pressure vessel which has been so inspected shall, upon completion, have placed upon it, in the presence of the said inspector, a stamp bearing a symbol and number authorized by the department for this purpose: *Provided, That any boiler built prior to December 31, 1929, and any unfired pressure vessel built prior to June 1, 1938, and which have not been removed from the Commonwealth subsequent to such applicable date, shall not be required to be shop inspected.*

Subsections (b), (c) and (d), section 4 of the act, added July 12, 1957, P. L. 822, repealed. Act of May 2, 1929, P. L. 1513, amended by adding a new section 4.1.

Section 5. *Subsections (b), (c) and (d) of section 4 of the act, added July 12, 1957 (P. L. 822), are repealed.

Section 6. The act of May 2, 1929 (P. L. 1513), is amended by adding, after section 4, a new section to read:

Section 4.1. Field Inspection.—

(a) If a boiler or unfired pressure vessel is insured by a company, authorized to insure boilers in this Commonwealth, against loss from explosion, field inspection may be made by an inspector in the employ of such company

* "Subsection" in original.

in accordance with regulations and standards of the department, and the only fee collectible by the Commonwealth shall be the certificate fee of three dollars (\$3) hereinafter provided for in this act.

(b) If such boiler or unfired pressure vessel is not so insured, then such field inspection shall be made by an inspector in the employ of the department, and there shall be a fee charged for each inspection as hereinafter provided for in this act, except that in the case of a company operating unfired pressure vessels in this Commonwealth such vessels may be field-inspected by an inspector in the employ of such company provided:

(1) Such an inspector is a full-time employe of the company for the purpose of making inspections of unfired pressure vessels used or to be used by such company.

(2) The inspector has obtained a commission from the department as required by section 5 of this act.

(3) Such a company continuously maintains an engineering division.

(4) Such pressure vessels are involved in process operations of which a knowledge of the process is required by the inspector in addition to that of the construction of the vessels.

(5) Regular inspection reports are filed with the department on forms to be supplied by the department, and the only collectible fee shall be the certificate fee of three dollars (\$3) per vessel hereinafter provided for.

(c) (1) Every boiler shall be inspected, both internally and externally, while not under pressure, at least once in every twelve months, and while under operating conditions, at least once in every twelve months: Provided, That under extenuating circumstances a grace period not to exceed sixty days may be permitted by the department.

(2) Miniature boilers shall be inspected at least once in every twelve months.

(3) Unfired pressure vessels shall be inspected as required by the rules and regulations of the department, except that in no case shall regular inspections be required more than once in every twelve months. Where unfired pressure vessels containing noncorrosive substances are buried underground, they shall be inspected in accordance with special requirements set forth in regulations of the department for such vessels.

Section 7. Section 9 of the act, amended July 12, 1957 (P. L. 822), is amended to read:

Section 9. Issuance of Certificates of Operation.—
Every inspector shall forward to the department a full report of each and every inspection made of any boiler or unfired pressure vessel, showing the exact condition

Section 9 of the act, amended July 12, 1957, P. L. 822, further amended.

of the said boiler or unfired pressure vessel. If this report indicates that the said boiler or unfired pressure vessel is in a safe condition to be operated, the department shall, upon payment of the fee required in section 11 of this act, issue a certificate of operation for a pressure not to exceed that named in the said report of inspection, which certificate *in the case of boilers* shall be valid for thirteen months after the date of inspection. In the case of unfired pressure vessels [containing non-corrosive substances and which are buried underground], an annual certificate may be issued on the basis of [a special] *such* type of inspection as required by the rules and regulations of the department. No boiler or unfired pressure vessel may be lawfully operated without having such certificate conspicuously posted in the boiler room or adjacent to such boiler or unfired pressure vessel.

First paragraph, section 11 of the act, amended June 20, 1947, P. L. 716, further amended.

Section 8. The first paragraph of section 11 of the act, amended June 20, 1947 (P. L. 716), is amended to read:

Section 11. Fees for Inspection and Certificate.—The fee for the certificate of operation for all insured and uninsured boilers *and unfired pressure vessels* shall be [two dollars] *three dollars*. When boilers are inspected by inspectors of the department, the following fee shall be charged in addition to the certificate fee:

* * * * *

Section 13 of the act, amended July 12, 1957, P. L. 822, further amended.

Section 9. Section 13 of the act, amended July 12, 1957 (P. L. 822), is amended to read:

Section 13. Registration of Boilers and Unfired Pressure Vessels.—The owner or user of every boiler or unfired pressure vessel in this Commonwealth, except as exempted from the provisions of this act in section two, shall, prior to December thirty-first, one thousand nine hundred and twenty-nine, register with the Department of Labor and Industry every boiler or unfired pressure vessel operated by him, giving the type, size, description, name of manufacturer and purpose for which each is used, except that unfired pressure vessels shall be registered before June first, one thousand nine hundred thirty-eight. Such registration shall be on forms to be furnished by the department. If the location of any boiler or unfired pressure vessel is subsequently changed, such change of address shall be registered with the department within ten days, and, if the purpose for which any boiler or unfired pressure vessel is used is changed from that shown on the original registration, the department shall be notified within ten days of such change: *Provided, That if such boiler or unfired pressure vessel is removed from the Commonwealth of Pennsylvania, it*

may not be brought back into the Commonwealth, unless it meets the same requirements which are applicable to any boiler or unfired pressure vessel being constructed after the effective date of these amendments.

Section 10. This act shall take effect immediately.

Act effective immediately.

APPROVED—The 22nd day of December, A. D. 1959.

DAVID L. LAWRENCE

No. 734

AN ACT

Amending the act of April 14, 1925 (P. L. 234), entitled "An act relating to Boarding Houses for Infants; providing for the licensing thereof and the adoption of rules and regulations for the maintenance, operation, and conduct thereof, by the Department of Welfare; and fixing penalties," redefining "boarding houses for infants."

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Department of Public Welfare.

Section 1. Section 1, act of April 14, 1925 (P. L. 234), entitled "An act relating to Boarding Houses for Infants; providing for the licensing thereof and the adoption of rules and regulations for the maintenance, operation, and conduct thereof, by the Department of Welfare; and fixing penalties," is amended to read:

Section 1, act of April 14, 1925, P. L. 234, amended.

Section 1. Be it enacted, &c., That the term "boarding house for infants," as used in this act, shall mean any place, other than institutions duly incorporated for the purpose, maintained, operated, and conducted for hire, gain, or reward, for the reception of [more than one infant child] *any child or children* under three years of age unaccompanied by parent or guardian, for the purpose of providing such children with care, food, and lodging for a continuous period longer than twenty-four hours unless such children are related to the person or persons maintaining and conducting such place by blood or marriage within the second degree; but the term "boarding house for infants" shall not be construed to include such places as are commonly known as day nurseries, where children are not lodged over night, *or any place selected by a parent, person standing in loco parentis, or legal guardian, for the temporary care of his children gratuitously or for pay during his absence, neither shall it be construed to include boarding houses conducted by or in which infants may be placed by institutions and social agencies, duly incorporated as non-profit corporations, whose corporate purposes include*

Boarding house for infants: definition.