**02 DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION**

**41 OFFICE OF PROFESSIONAL AND OCCUPATIONAL REGULATION**

 **BOILER AND PRESSURE VESSEL SAFETY PROGRAM**

**Chapter 79: INSPECTORS**

**Summary**: This Chapter establishes requirements for initial and renewal licensure of inspectors in addition to those established by 32 M.R.S. § 15120.

**SECTION 1. Qualifications for Licensure**

 To qualify for an inspector’s license, an applicant must:

1. **Application**. Submit an application to the director on a form approved by the director;

2. **National Board Examination**. Submit a copy of a valid National Board Commission;

3. **Employment**. Submit written proof that the applicant is employed by the state regulatory body having jurisdiction over boilers and pressure vessels or an insurance company licensed to insure boilers or pressure vessels in this State;

4. **Maine-Specific Examination**. Obtain a grade of at least 80% on a Maine-specific examination administered by the director; and

5. **Fee**. Submit the application fee as required by Chapter 10 of the rules of the Office of Professional and Occupational Regulation.

**SECTION 2. Eligibility for Examinations**

1. **National Board Examination**. To be eligible to take the National Board examination in Maine, a person must:

A. Satisfy the qualifications specified by the NB-263, RCI-1, *Rules for Commissioned Inspectors* (RCI-1) (2023), published by The National Board of Boiler and Pressure Vessel Inspectors (effective January 1, 2023); and

B. Submit an application to take the examination on a form approved by the director.

A copy of the NB-263, RCI-1, *Rules for Commissioned Inspectors* (RCI-1) (2023) is available by visiting [www.nationalboard.org](http://www.nationalboard.org).

2. **Maine-Specific Examination**. To be eligible to take the Maine-specific examination, a person must:

A. Submit an application on a form provided by the director together with the fee as set forth in Chapter 10 of the rules of the Office of Professional and Occupational Regulation;

B. Submit a copy of the applicant’s current, valid National Board Commission; and

C. Submit written proof that the applicant is employed by the state regulatory body having jurisdiction over boilers and pressure vessels or an insurance company licensed to insure boilers or pressure vessels in this State.

An applicant who fails to appear for a scheduled examination without notifying the director before the examination forfeits the examination fee.

**SECTION 3. Renewal of License**

1. **Expiration**. All inspector licenses expire one (1) year from the date of issuance.

2. **Eligibility for Renewal**. Applications for renewal of an inspector’s license must be on forms provided by the director and must be accompanied by:

A. Satisfactory written evidence of employment by the state regulatory body having jurisdiction over boilers and pressure vessels or an insurance company licensed to insure boilers or pressure vessels in this State;

B. Satisfactory written evidence of a current, valid National Board Commission; and

C. Any fee set forth in Chapter 10 of the rules of the Office of Professional and Occupational Regulation.

A license may be renewed up to ninety (90) days after expiration upon payment of a late fee in addition to the renewal fee.

**SECTION 4.** **Renewal of License Beyond 90 Days**

1. **More than 90 Days but Not More than Two Years**. An individual who fails to renew an inspector’s license for more than ninety (90) days but not more than two (2) years from the date of expiration may reinstate the license without taking the examination required by Section 2, Subsection 1 of this Chapter. To reinstate, an individual must file a new application for renewal and pay the application fee, license fee, and late fee as set forth in Chapters 10 and 11 of the rules of the Office of Professional and Occupational Regulation.

 2. **More than Two Years**. An individual who fails to renew an inspector’s license for more than two (2) years from the date of expiration may obtain a new license by satisfying all applicable requirements of Title 32, Chapter 131 and Program rules.

**SECTION 5. Licensure Conditioned**

An inspector’s license is valid only during the time that the licensee:

1. Is employed as an inspector with the state regulatory body having jurisdiction over boilers and pressure vessels or as an inspector with an insurance company licensed to insure boilers or pressure vessels in this State; and

 2. Holds a current, valid National Board Commission.

An inspector’s license is no longer valid if the licensee: (A) is no longer employed by the state regulatory body having jurisdiction over boilers and pressure vessels; (B) is no longer employed by an insurance company licensed to insure boilers or pressure vessels in this State; or (C) no longer holds a current, valid National Board Commission.

**SECTION 6. Duties of Inspectors**

1. An inspector has the right to refuse an inspection on any object which is not properly prepared for inspection or is deemed unsafe to inspect.

2. In addition to the other duties imposed by Title 32, Chapter 131 of the Maine Revised Statutes, inspectors must perform all required inspections in accordance with the requirements of this chapter and the applicable standards and codes adopted by reference in Chapter 73 of Program rules.

3. Inspectors other than the chief inspector or deputy inspector must comply with the following:

A. Inspect only boilers or pressure vessels that are insured by their employer.

B. Immediately, and in any event not later than twenty-four (24) hours after becoming aware of the condition, report to the chief inspector any unsafe condition involving a boiler or pressure vessel. Notification to the chief inspector must include: (1) the boiler inspector’s name and telephone number; (2) the location and registration number of the boiler or pressure vessel; (3) the name of the owner; and (4) the nature of the unsafe condition. The boiler inspector must provide the chief inspector any additional information requested by the chief inspector regarding the unsafe condition of the boiler or pressure vessel.

C. If an inspection of a newly insured location reveals conditions that result in the insurance company’s refusal to insure a boiler or pressure vessel, the inspector must submit to the director a written report describing in detail each such condition within ten (10) days after becoming aware of the condition or condition(s).

D. Report to the chief inspector any boiler or plant at which:

(1) The boiler operator or stationary steam engineer holds no license or holds a license of a lower class than required by 32 M.R.S. § 15109; or

(2) The attendance requirements of Chapter 80, Section 5 of these rules are not being met.

AUTHORITY: 32 M.R.S. §§ 15103-A, 15120

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