

SENATE No. 1316

The Commonwealth of Massachusetts

PRESENTED BY:

James E. Timilty

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to the oversight of inspections.

PETITION OF:

NAME:

James E. Timilty

DISTRICT/ADDRESS:

Bristol and Norfolk

SENATE No. 1316

By Mr. Timilty, a petition (accompanied by bill, Senate, No. 1316) of James E. Timilty for legislation relative to the oversight of inspections. Public Safety and Homeland Security.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 1181 OF 2013-2014.]

The Commonwealth of Massachusetts

**In the One Hundred and Eighty-Ninth General Court
(2015-2016)**

An Act relative to the oversight of inspections.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 18½ of chapter 6A of the General Laws, as appearing in the 2012
2 Official Edition is hereby amended by striking out, in lines 8 and 9, the words “the department of
3 inspection and regulation,”.

4 SECTION 2. Said section 18½ of said chapter 6A, as so appearing, is hereby further
5 amended by striking out, in lines 13 and 14, the words “, the division of inspection and the
6 architectural access board” and interesting in place thereof the following words:- and the
7 department of public safety.

8 SECTION 3. Section 3 of chapter 22 of the General Laws, as so appearing, is hereby
9 amended by striking out the second sentence and inserting in place thereof the following 2
10 sentences:- There shall be in the department 3 divisions, as established by section 4A: (i) a

11 division of building inspection; (ii) a division of elevator inspection; and (iii) a division of
12 engineering inspection. Each division shall be under the charge of a chief, who shall be
13 appointed by the commissioner and who shall be a person of skill and experience in the fields of
14 buildings, elevators and engineering respectively.

15 SECTION 4. Section 4A of said chapter 22, as so appearing, is hereby amended by
16 striking out the first sentence and inserting in place thereof the following sentence:- There shall
17 be within the department 3 divisions to be known as the division of building inspection, the
18 division of elevator inspection and the division of engineering inspection.

19 SECTION 5. Said section 4A of said chapter 22, as so appearing, is hereby further
20 amended by inserting after the word “inspections”, in line 3, the following words:- for each
21 division.

22 SECTION 6. Said section 4A of said chapter 22, as so appearing, is hereby further
23 amended by striking out, in line 4, the word “position” and inserting in place thereof the
24 following word:- positions.

25 SECTION 7. Said section 4A of said chapter 22, as so appearing, is hereby further
26 amended by striking out, in lines 8 and 9, the words “who are employed by the division” and
27 inserting in place thereof the following words:- in each of the divisions.

28 SECTION 8. Said section 4A of said chapter 22, as so appearing, is hereby further
29 amended by inserting after the word “inspector”, in line 12, the following words:- assigned to the
30 division of building inspections and.

31 SECTION 9. Said section 4A of said chapter 22, as so appearing, is hereby further
32 amended by inserting after the word “any”, in line 18, the first time it appears, the following
33 word:- building.

34 SECTION 10. Section 5 of said chapter 22 is hereby repealed.

35 SECTION 11. Section 6 of said chapter 22, as appearing in the 2012 Official Edition, is
36 hereby amended by striking out, in line 5, the words “and council”.

37 SECTION 12. Said section 6 of said chapter 22, as so appearing, is hereby further
38 amended by striking out the fourth sentence and inserting in place thereof the following 3
39 sentences:- Inspectors assigned to the division of building inspection shall be designated as
40 building inspectors. Inspectors assigned to the division of elevator inspection shall be designated
41 as elevator inspectors. Inspectors assigned to the division of engineering inspection shall be
42 designated as district engineering inspectors.

43 SECTION 13. Section 10 of said chapter 22, as so appearing, is hereby amended by
44 inserting after the word “of”, in line 2, the second time it appears, the following word:-
45 engineering.

46 SECTION 14. Said section 10 of said chapter 22, as so appearing, is hereby further
47 amended by striking out, in line 2, the words “a boiler” and inserting in place thereof the
48 following word:- an.

49 SECTION 15. Said section 10 of said chapter 22, as so appearing, is hereby further
50 amended by inserting after the word “of”, in line 3, the following word:- engineering.

51 SECTION 16. Section 11 of said chapter 22, as so appearing, is hereby amended by
52 inserting after the word “of”, in line 5, the following word:- elevator.

53 SECTION 17. Section 50 of chapter 30 of the General Laws, as so appearing, is hereby
54 amended by striking out, in line 7, the word “inspections” and inserting in place thereof the
55 following words:- engineering inspection.

56 SECTION 18. Section 51 of chapter 111 of the General Laws, as so appearing, is hereby
57 amended by inserting after the word “of”, in line 89, the first time it appears, the following
58 word:- building.

59 SECTION 19. Said section 51 of said chapter 111 of the General Laws, as so appearing,
60 is hereby further amended by inserting after the word “of”, in line 94, the first time it appears,
61 the following word:- building.

62 SECTION 20. Section 71 of said chapter 111, as so appearing, is hereby amended by
63 inserting after the word “of”, in line 90, the second time it appears, the following word:-
64 building.

65 SECTION 21. Said section 71 of said chapter 111, as so appearing, is hereby further
66 amended by inserting after the word “of”, in line 98, the second time it appears, the following
67 word:- building.

68 SECTION 22. Section 205A of chapter 140 of the General Laws, as so appearing, is
69 hereby amended by striking out, in lines 36 and 37, the words “division of inspection” and
70 inserting in place thereof the following words:- department of public safety.

71 SECTION 23. Said section 205A of said chapter 140, as so appearing, is hereby further
72 amended by striking out, in line 55, the words “division of inspection” and inserting in place
73 thereof the following words:- department of public safety.

74 SECTION 24. Section 1 of chapter 143 of the General Laws, as so appearing, is hereby
75 amended by inserting after the word “of”, in line 17, the first time it appears, the following
76 word:- building.

77 SECTION 25. Section 13 of said chapter 143, as so appearing, is hereby amended by
78 inserting after the word “of”, in line 1, the second time it appears, the following word:- building.

79 SECTION 26. Section 50 of said chapter 143, as so appearing, is hereby amended by
80 striking out, in line 2, the words “ inspections of the department”and inserting in place thereof
81 the following words:- building inspections.

82 SECTION 27. Section 68 of said chapter 143, as so appearing, is hereby amended by
83 inserting after the word “of”, in line 8, the first time it appears, the following word:- elevator.

84 SECTION 28. Section 93 of said chapter 143, as so appearing, is hereby amended by
85 inserting after the word “of”, in line 7, the first time it appears, the following word:- building.

86 SECTION 29. Said section 93 of said chapter 143, as so appearing, is hereby further
87 amended by inserting after the word “of”, in line 7, the third time it appears, the following word:-
88 building.

89 SECTION 30. Said section 93 of said chapter 143, as so appearing, is hereby further
90 amended by inserting after the word “of”, in line 44, the following word:- building.

91 SECTION 31. Section 94 of said chapter 143, as so appearing, is hereby amended by
92 inserting after the word “of”, in line 53, the following word:- building.

93 SECTION 32. Section 1 of chapter 146 of the General Laws, as so appearing, is hereby
94 amended by inserting after the word “of”, in line 13, the first time it appears, the following
95 words:- the division of engineering.

96 SECTION 33. Said section 1 of said chapter 146, as so appearing, is hereby further
97 amended by inserting after the word “of”, in line 17, the first time it appears, the following
98 word:- engineering.

99 SECTION 34. Said section 1 of said chapter 146, as so appearing, is hereby further
100 amended by inserting after the word “of”, in line 18, the second time it appears, the following
101 word:- engineering.

102 SECTION 35. Section 13 of said chapter 146, as so appearing, is hereby amended by
103 striking out, in line 7, the words “of inspections”.

104 SECTION 36. Section 49 of said chapter 146, as so appearing, is hereby amended by
105 striking out, in line 43, the word “inspector”.

106 SECTION 37. Section 63 of said chapter 146, as so appearing, is hereby amended by
107 striking out, in line 3, the word “five” and inserting in place thereof the following figure:- 3.

108 SECTION 38. Section 66 of said chapter 146, as so appearing, is hereby amended by
109 striking out the first sentence and inserting in place thereof the following sentence:- A person
110 aggrieved by the action of a single examiner in refusing, suspending or revoking a license to act
111 as engineer, fireman or operator of hoisting machinery may, within 1 week, appeal that action to

112 the commissioner, who shall appoint 3 inspectors of the engineering division, or the
113 commissioner and 2 inspectors, to act together as a board of appeal.

114 SECTION 39. Section 10G of chapter 148 of the General Laws, as so appearing, is
115 hereby amended by striking out, in line 8, the words “ inspections of the department” and
116 inserting in place thereof the following words:- engineering inspections.