

By Representative Fuller

1 A bill to be entitled
2 An act relating to fire safety; amending s.
3 633.021, F.S.; clarifying a definition;
4 amending s. 633.061, F.S.; limiting the number
5 of licenses a person may hold; revising certain
6 trainee criteria; revising State Fire Marshal
7 rulemaking authority; amending s. 633.071,
8 F.S.; providing fire extinguisher and
9 preengineered systems tagging requirements;
10 amending s. 633.511, F.S.; revising
11 requirements for eligibility for membership on
12 the Florida Fire Safety Board; amending s.
13 633.514, F.S.; clarifying board review
14 authority; providing an effective date.

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16 Be It Enacted by the Legislature of the State of Florida:

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18 Section 1. Paragraph (d) of subsection (17) of section
19 633.021, Florida Statutes, is amended to read:

20 633.021 Definitions.--As used in this chapter:

21 (17) A "preengineered system" is a fire suppression
22 system which:

23 (d) Must be installed using components specified by
24 the manufacturer or components that are classified ~~listed~~ as
25 equal parts by a nationally recognized testing laboratory such
26 as Underwriters Laboratories, Inc., or Factory Mutual
27 Laboratories, Inc.

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29 Preengineered systems may incorporate special nozzles, flow
30 rates, methods of application, pressurization levels, and
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1 quantities of agents designed by the manufacturer for specific
2 hazards.

3 Section 2. Subsection (1), paragraph (b) of subsection
4 (4), and subsections (5) and (6) of section 633.061, Florida
5 Statutes, are amended to read:

6 633.061 License or permit required of organizations
7 and individuals servicing, recharging, repairing, testing,
8 marking, inspecting, or installing fire extinguishers and
9 preengineered systems.--

10 (1) It is unlawful for any organization or individual
11 to engage in the business of servicing, repairing, recharging,
12 testing, marking, inspecting, or installing any fire
13 extinguisher or preengineered system in this state except in
14 conformity with the provisions of this chapter. Each
15 organization or individual which engages in such activity must
16 possess a valid and subsisting license issued by the State
17 Fire Marshal. All fire extinguishers and preengineered
18 systems required by statute or by rule must be serviced by an
19 organization or individual licensed under the provisions of
20 this chapter. The licensee is legally qualified to act for
21 the business organization in all matters connected with its
22 business, and the licensee must supervise all activities
23 undertaken by such business organization. Each licensee shall
24 maintain a specific business location. A further requirement,
25 in the case of multiple locations where such servicing or
26 recharging is taking place, is that each licensee who
27 maintains more than one place of business where actual work is
28 carried on must possess an additional license, as set forth in
29 this section, for each location. No licensee shall possess a
30 license for more than five locations at any time. A licensee
31 is limited to a specific type of work performed depending upon

1 the class of license held. Licenses and license fees are
2 required for the following:

3 (a) Class A.....\$150
4 To service, recharge, repair, install, or inspect all types of
5 fire extinguishers, including recharging carbon dioxide units,
6 and to conduct hydrostatic tests on all types of fire
7 extinguishers, including carbon dioxide units.

8 (b) Class B.....\$100
9 To service, recharge, repair, install, or inspect all types of
10 fire extinguishers, including recharging carbon dioxide units
11 and conducting hydrostatic tests on water, water chemical, and
12 dry chemical types of extinguishers only.

13 (c) Class C.....\$100
14 To service, recharge, repair, install, or inspect all types of
15 fire extinguishers, except recharging carbon dioxide units,
16 and to conduct hydrostatic tests on water, water chemical, and
17 dry chemical types of fire extinguishers only.

18 (d) Class D.....\$125
19 To service, repair, install, or inspect all types of
20 preengineered fire extinguishing systems.

21 (e) Licenses issued as duplicates or to reflect a
22 change of address.....\$10

23 (4)

24 (b) No trainee shall perform work requiring a permit
25 unless an individual possessing a valid and current fire
26 equipment permit for the type work performed is physically
27 present. The trainee's registration shall be valid for a
28 180-day ~~90-day~~ period from the date of issuance and is
29 nontransferable and nonrenewable. The trainee must:

30 1. Be at least 16 ~~18~~ years of age.

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1 2. Possess on his person at all times a valid Florida
2 driver's license or a valid state identification card, issued
3 by the Department of Highway Safety and Motor Vehicles. A
4 trainee must produce identification to the State Fire Marshal
5 or his designated representative upon demand.

6 3. Pay a fee for registration of \$10 per trainee for a
7 <U>180-day ~~90-day~~ period.

8 (5) The State Fire Marshal shall adopt rules providing
9 for the ~~time, place, and~~ curriculum of each training course
10 required by this section.

11 (6) Every permittee must have a valid and subsisting
12 permit upon his person at all times while engaging in the
13 servicing, recharging, repairing, testing, inspecting, or
14 installing of fire extinguishers and preengineered systems,
15 and every licensee or permittee must be able to produce such
16 license or permit upon demand. In addition, every permittee
17 shall at all times carry an identification card containing his
18 photograph and other identifying information as prescribed by
19 the State Fire Marshal, which shall be produced on demand.
20 The State Fire Marshal or his or her designee shall supply
21 this card at a fee which shall be related to the cost of
22 producing the card.

23 Section 3. Subsection (1) of section 633.071, Florida
24 Statutes, is amended to read:

25 633.071 Standard service tag required on all fire
26 extinguishers and preengineered systems; serial number
27 required on all portable fire extinguishers.--

28 (1) The State Fire Marshal shall adopt by rule
29 specifications as to the size, shape, color, and information
30 and data contained thereon of service tags to be attached to
31 all fire extinguishers and preengineered systems required by

1 statute or by rule, whether they be portable, stationary, or
2 on wheels when they are placed in service, installed,
3 serviced, repaired, tested, recharged, or inspected. Fire
4 extinguishers shall be tagged only after meeting all standards
5 as established by the National Fire Protection Association and
6 all manufacturers' requirements. Preengineered systems shall
7 be tagged only after a system's report, as specified by rule,
8 has been completed in detail indicating any deficiencies and
9 deviations from the requirements and standards of the
10 manufacturer and the National Fire Protection Association, a
11 copy of which shall be forwarded to the Division of Hotels and
12 Restaurants within 30 days after the date of service.It shall
13 be unlawful to place in service, service, test, repair,
14 inspect, install, or recharge any fire extinguisher or
15 preengineered system without attaching one of these tags
16 completed in detail, including the actual month work was
17 performed, or to use a tag not meeting the specifications set
18 forth by the State Fire Marshal.

19 Section 4. Paragraph (b) of subsection (2) of section
20 633.511, Florida Statutes, is amended to read:

21 633.511 Florida Fire Safety Board; membership.--

22 (2)

23 (b) To be eligible for appointment, each fire
24 equipment dealer shall personally hold a current Class 1,
25 Class 2, or Class 3,and Class 4 fire equipment dealer license
26 issued by the State Fire Marshal, together with an unexpired
27 occupational license to operate as a fire equipment dealer
28 issued by an incorporated municipality or a county; shall be
29 actively engaged in such business and have been so engaged for
30 a period of not less than 5 consecutive years before the date
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1 of appointment; and shall be a citizen and resident of this
2 state.

3 Section 5. Subsection (1) of section 633.514, Florida
4 Statutes, is amended to read:

5 633.514 Board duties; meetings; officers; quorum;
6 compensation; seal.--

7 (1) The board shall act in an advisory capacity to the
8 State Fire Marshal and shall meet regularly as the need
9 presents itself. The board shall have the authority to review
10 complaints and disputed administrative action and make
11 recommendations for disciplinary action to the division at the
12 request of the licenseholder, permitholder, or
13 certificateholder. The board will serve in an advisory
14 capacity to the division regarding rules, codes, standards,
15 interpretations, and training. As soon as practicable after
16 the effective date of this act, the board shall meet to elect
17 officers from its membership, whose terms shall expire on June
18 30 and annually thereafter. A majority of the board shall
19 constitute a quorum. No member of the advisory board shall be
20 paid a salary as such member, but each shall receive necessary
21 expenses while attending advisory board meetings and
22 reimbursement, including travel in performance of his duties,
23 as provided in s. 112.061.

24 Section 6. This act shall take effect July 1, 1997.

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27 HOUSE SUMMARY

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29 Revises fire safety provision relating to allowable
30 number of licenses, trainee criteria, fire extinguisher
31 and preengineered systems tagging, Florida Fire Safety
Board membership eligibility requirements, and board
review authority. See bill for details.

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