

CS/CS/HB 521

2012

1 A bill to be entitled
2 An act relating to state preemption of the regulation
3 of hoisting equipment; amending s. 489.113, F.S.;
4 preempting to the state the regulation of certain
5 hoisting equipment; providing that the act does not
6 apply to the regulation of elevators or to airspace
7 height restrictions; providing an effective date.
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9 Be It Enacted by the Legislature of the State of Florida:
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11 Section 1. Subsection (11) is added to section 489.113,
12 Florida Statutes, to read:

13 489.113 Qualifications for practice; restrictions.—

14 (11) Any local act, law, ordinance, or regulation,
15 including, but not limited to, a local building code or building
16 permit requirement, of a county, municipality, or other
17 political subdivision that pertains to hoisting equipment
18 including power-operated cranes, derricks, hoists, elevators,
19 and conveyors used in construction, demolition, or excavation
20 work, that is not already preempted by the Occupational Safety
21 and Health Administration under 29 C.F.R. parts 1910 and 1926,
22 including, but not limited to, local worksite regulation
23 regarding hurricane preparedness or public safety, is prohibited
24 and is preempted to the state. This subsection does not apply to
25 the regulation of elevators under chapter 399 or to airspace
26 height restrictions in chapter 333.

27 Section 2. This act shall take effect upon becoming a law.