

1                                   A bill to be entitled  
2           An act relating to contracting; amending ss.  
3           489.117 and 489.513, F.S.; requiring the  
4           Construction Industry Licensing Board and the  
5           Electrical Contractors' Licensing Board to  
6           establish the job scope for any licensure  
7           category registered by the respective board,  
8           for purposes of local uniformity; creating ss.  
9           489.118 and 489.514, F.S.; providing  
10          requirements for certification of registered  
11          contractors for grandfathering purposes;  
12          requiring a study to determine the fiscal  
13          impact on local governments of a single-tier  
14          regulatory system for construction and  
15          electrical and alarm system contractors;  
16          requiring a report; amending s. 205.065, F.S.;  
17          providing for recovery of attorney's fees for a  
18          prevailing party in any action brought by a  
19          contractor challenging an unlawful occupational  
20          license levy; amending s. 468.609, F.S.;  
21          revising eligibility requirements for  
22          certification as a building inspector or plans  
23          examiner; amending s. 468.621, F.S.; providing  
24          a ground for disciplinary action relating to  
25          the issuance of a building permit without  
26          obtaining a contractor certificate or  
27          registration number, where such a certificate  
28          or registration is required; providing  
29          penalties; amending ss. 20.165, 471.045,  
30          481.222, 489.109, and 489.519, F.S.; correcting  
31          references, to conform; amending s. 469.001,

1 F.S.; defining the term "ASHARA"; revising  
2 terminology in a reference; amending s.  
3 469.002, F.S.; revising references relating to  
4 training required of certain persons exempt  
5 from regulation under ch. 469, F.S., relating  
6 to asbestos abatement; amending s. 469.004,  
7 F.S.; providing for biennial renewal of  
8 licenses of asbestos consultants and asbestos  
9 contractors and providing continuing education  
10 requirements therefor; amending s. 469.005,  
11 F.S.; eliminating a course requirement for  
12 licensure as an asbestos consultant; amending  
13 s. 469.006, F.S.; revising requirements to  
14 qualify additional business organizations for  
15 licensure; amending s. 469.011, F.S.; providing  
16 rulemaking authority for implementation of the  
17 chapter; requiring consideration of certain  
18 federal regulations in developing such rules;  
19 amending s. 469.012, F.S.; revising course  
20 requirements for onsite supervisors and  
21 asbestos abatement workers; correcting  
22 terminology; amending s. 469.013, F.S.;  
23 revising course requirements for asbestos  
24 surveyors, management planners, and project  
25 monitors, and providing course requirements for  
26 project designers; correcting terminology;  
27 creating s. 489.13, F.S.; prohibiting any  
28 person from performing any activity requiring  
29 licensure as a construction contractor under  
30 pt. I, ch. 489, F.S., unless the person holds a  
31 valid active certificate or registration to

1 perform such activity issued under such part;  
2 providing penalties; prohibiting any local  
3 building department from issuing a building  
4 permit to any person who does not hold an  
5 active valid certificate or registration in the  
6 applicable construction category issued under  
7 such part; amending s. 489.503, F.S.;  
8 clarifying an existing utilities exemption from  
9 regulation under pt. II, ch. 489, F.S.,  
10 relating to electrical and alarm system  
11 contracting; amending s. 489.511, F.S.;  
12 requiring certain work experience for an alarm  
13 system contractor I to be in certain types of  
14 fire alarm systems; revising provisions  
15 relating to designation and certification of  
16 specialty contractors; providing for the  
17 voiding of previously issued registered  
18 licenses upon issuance of certification in the  
19 same classification; amending s. 489.513, F.S.,  
20 and repealing subsection (7), relating to  
21 tracking registration and discipline related  
22 thereto; revising requirements for registration  
23 as an electrical contractor, alarm system  
24 contractor I or II, or registered alarm system  
25 contractor; amending s. 489.537, F.S.;  
26 authorizing certain persons to install  
27 residential smoke or heat detectors; amending  
28 s. 489.129, F.S.; providing certain legal  
29 protection to a contractor relying on a  
30 building code interpretation rendered by  
31 certain officials; amending s. 633.061, F.S.;

1 providing for biennial licensure of persons  
2 servicing, recharging, repairing, testing,  
3 marking, inspecting, or installing fire  
4 extinguishers and systems; providing license  
5 and permit fees; providing for prorated license  
6 fee; providing for continuing education;  
7 providing effective dates.

8  
9 Be It Enacted by the Legislature of the State of Florida:

10  
11 Section 1. Subsection (5) is added to section 489.117,  
12 Florida Statutes, 1998 Supplement, to read:

13 489.117 Registration; specialty contractors.--

14 (5) In order to establish uniformity among the job  
15 scopes established by local jurisdictions, the board shall, by  
16 rule, establish the job scope for any licensure category  
17 registered by the board under this part. The board shall not  
18 arbitrarily limit such scopes and shall restrict the job  
19 scopes only to the minimum extent necessary to ensure  
20 uniformity.

21 Section 2. Subsection (8) is added to section 489.513,  
22 Florida Statutes, 1998 Supplement, to read:

23 489.513 Registration; application; requirements.--

24 (8) In order to establish uniformity among the job  
25 scopes established by local jurisdictions, the board shall, by  
26 rule, establish the job scope for any licensure category  
27 registered by the board under this part. The board shall not  
28 arbitrarily limit such scopes and shall restrict the job  
29 scopes only to the minimum extent necessary to ensure  
30 uniformity.

1           Section 3. Section 489.118, Florida Statutes, is  
2 created to read:

3           489.118 Certification of registered contractors;  
4 grandfathering provisions.--The board shall, upon receipt of a  
5 completed application and appropriate fee, issue a certificate  
6 in the appropriate category to any contractor registered under  
7 this part who makes application to the board and can show that  
8 he or she meets each of the following requirements:

9           (1) Currently holds a valid registered local license  
10 in one of the contractor categories defined in s.  
11 489.105(3)(a)-(p).

12           (2) Has, for that category, passed a written  
13 examination that the board finds to be substantially similar  
14 to the examination required to be licensed as a certified  
15 contractor under this part. For purposes of this subsection, a  
16 written, proctored examination such as that produced by the  
17 National Assessment Institute, Block and Associates, or  
18 NAI/Block shall be considered to be substantially similar to  
19 the examination required to be licensed as a certified  
20 contractor.

21           (3) Has at least 5 years of experience as a contractor  
22 in that contracting category, or as an inspector or building  
23 administrator with oversight over that category, at the time  
24 of application. For contractors, only time periods in which  
25 the contractor license is active and the contractor is not on  
26 probation shall count toward the 5 years required by this  
27 subsection.

28           (4) Has not had his or her contractor's license  
29 revoked at any time, had his or her contractor's license  
30 suspended within the last 5 years, or been assessed a fine in  
31 excess of \$500 within the last 5 years.

1           (5) Is in compliance with the insurance and financial  
2 responsibility requirements in s. 489.115(5).

3           Section 4. Section 489.514, Florida Statutes, is  
4 created to read:

5           489.514 Certification for registered contractors;  
6 grandfathering provisions.--The board shall, upon receipt of a  
7 completed application and appropriate fee, issue a  
8 certification in the appropriate category to any contractor  
9 registered under this part who makes application to the board  
10 and can show that he or she meets each of the following  
11 requirements:

12           (1) Currently holds a valid registered local license  
13 in the category of electrical or alarm system contractor.

14           (2) Has, for that category, passed a written  
15 examination that the board finds to be substantially similar  
16 to the examination required to be licensed as a certified  
17 contractor under this part. For purposes of this subsection, a  
18 written, proctored examination such as that produced by the  
19 National Assessment Institute, Block and Associates, or  
20 NAI/Block shall be considered to be substantially similar to  
21 the examination required to be licensed as a certified  
22 contractor.

23           (3) Has at least 5 years of experience as a contractor  
24 in that contracting category, or as a inspector or building  
25 administrator with oversight over that category, at the time  
26 of application. For contractors, only time periods in which  
27 the contractor license is active and the contractor is not on  
28 probation shall count toward the 5 years required under this  
29 subsection.

30           (4) Has not had his or her contractor's license  
31 revoked at any time, had his or her contractor's license

1 suspended in the last 5 years, or been assessed a fine in  
2 excess of \$500 in the last 5 years.

3 (5) Is in compliance with the insurance and financial  
4 responsibility requirements in s. 489.515(1)(b).

5 Section 5. (1) The Legislative Committee on  
6 Intergovernmental Relations, in consultation with the Office  
7 of Program Policy Analysis and Government Accountability,  
8 shall conduct a study to determine the fiscal impact on local  
9 governments of instituting a single-tier regulatory system for  
10 construction and electrical and alarm system contractors in  
11 Florida. Such a system would be established by prohibiting, on  
12 a date certain, issuance of new local licenses in any category  
13 set forth in section 489.105(3)(a)-(p), Florida Statutes, 1998  
14 Supplement, or in the category of electrical or alarm system  
15 contracting, while allowing existing locally licensed  
16 construction and electrical and alarm system contractors the  
17 option of continuing and concluding their careers as locally  
18 licensed, registered contractors.

19 (2)(a) The study required by this section shall  
20 include:

21 1. A survey of local governments to identify the  
22 licensing revenues and associated expenditures by those  
23 jurisdictions that issue local construction and electrical and  
24 alarm system contractor licenses.

25 2. An analysis of the projected impact upon the  
26 licensure and disciplinary departments of such jurisdictions  
27 caused by ending local construction and electrical and alarm  
28 system contractor licensure.

29 3. An analysis of the extent to which revenues raised  
30 from licensees are being used to fund activities other than  
31 the discipline of such licensees.

1           (b) After the revenue and expenditure information for  
2 all local jurisdictions that issue construction and electrical  
3 and alarm system contractor licenses has been gathered under  
4 subparagraph (a)1., the analysis portions of the study under  
5 subparagraphs (a)2. and 3. may be limited to the 10 most  
6 active jurisdictions.

7           (3) A report on the findings of the study, including  
8 the results of the survey and analyses required, shall be  
9 presented to the chairs of the appropriate substantive  
10 committees of the Legislature by December 1, 1999.

11           (4) This section shall take effect upon this act  
12 becoming a law.

13           Section 6. Section 205.065, Florida Statutes, is  
14 amended to read:

15           205.065 Exemption; nonresident persons regulated by  
16 the Department of Business and Professional Regulation.--If  
17 any person engaging in or managing a business, profession, or  
18 occupation regulated by the Department of Business and  
19 Professional Regulation has paid an occupational license tax  
20 for the current year to the county or municipality in the  
21 state where the person's permanent business location or branch  
22 office is maintained, no other local governing authority may  
23 levy an occupational license tax, or any registration or  
24 regulatory fee equivalent to the occupational license tax, on  
25 the person for performing work or services on a temporary or  
26 transitory basis in another municipality or county. In no  
27 event shall any work or services performed in a place other  
28 than the county or municipality where the permanent business  
29 location or branch office is maintained be construed as  
30 creating a separate business location or branch office of that  
31 person for the purposes of this chapter. Any properly licensed



1 contractor asserting an exemption under this section who is  
2 unlawfully required by the local governing authority to pay an  
3 occupational license tax, or any registration or regulatory  
4 fee equivalent to the occupational license tax, shall have  
5 standing to challenge the propriety of the local government's  
6 actions, and the prevailing party in such a challenge is  
7 entitled to recover a reasonable attorney's fee.

8 Section 7. Paragraph (c) of subsection (2) of section  
9 468.609, Florida Statutes, 1998 Supplement, is amended to  
10 read:

11 468.609 Administration of this part; standards for  
12 certification; additional categories of certification.--

13 (2) A person shall be entitled to take the examination  
14 for certification as an inspector or plans examiner pursuant  
15 to this part if the person:

16 (c) Meets eligibility requirements according to one of  
17 the following criteria:

18 1. Demonstrates 5 years' combined experience in the  
19 field of construction or a related field, building inspection,  
20 or plans review corresponding to the certification category  
21 sought;

22 2. Demonstrates a combination of postsecondary  
23 education in the field of construction or a related field and  
24 experience which totals 4 years, with at least 1 year of such  
25 total being experience in construction, building inspection,  
26 or plans review; ~~or~~

27 3. Demonstrates a combination of technical education  
28 in the field of construction or a related field and experience  
29 which totals 4 years, with at least 1 year of such total being  
30 experience in construction, building inspection, or plans  
31 review; or

1           ~~4.3.~~ Currently holds a standard certificate as issued  
2 by the board and satisfactorily completes an inspector or  
3 plans examiner training program of not less than 200 hours in  
4 the certification category sought. The board shall establish  
5 by rule criteria for the development and implementation of the  
6 training programs.

7           Section 8. Paragraph (h) is added to subsection (1) of  
8 section 468.621, Florida Statutes, 1998 Supplement, to read:

9           468.621 Disciplinary proceedings.--

10          (1) The following acts constitute grounds for which  
11 the disciplinary actions in subsection (2) may be taken:

12          (h) Issuing a building permit to a contractor, or any  
13 person representing himself or herself as a contractor,  
14 without obtaining the contractor's certificate or registration  
15 number, where such a certificate or registration is required.

16          Section 9. Paragraph (a) of subsection (4) of section  
17 20.165, Florida Statutes, is amended to read:

18          20.165 Department of Business and Professional  
19 Regulation.--There is created a Department of Business and  
20 Professional Regulation.

21          (4)(a) The following boards are established within the  
22 Division of Professions:

23          1. Board of Architecture and Interior Design, created  
24 under part I of chapter 481.

25          2. Florida Board of Auctioneers, created under part VI  
26 of chapter 468.

27          3. Barbers' Board, created under chapter 476.

28          4. Florida Building Code Administrators and Inspectors  
29 Board, created under part XII ~~XIII~~ of chapter 468.

30          5. Construction Industry Licensing Board, created  
31 under part I of chapter 489.

1           6. Board of Cosmetology, created under chapter 477.

2           7. Electrical Contractors' Licensing Board, created  
3 under part II of chapter 489.

4           8. Board of Employee Leasing Companies, created under  
5 part XI of chapter 468.

6           9. Board of Funeral Directors and Embalmers, created  
7 under chapter 470.

8           10. Board of Landscape Architecture, created under  
9 part II of chapter 481.

10           11. Board of Pilot Commissioners, created under  
11 chapter 310.

12           12. Board of Professional Engineers, created under  
13 chapter 471.

14           13. Board of Professional Geologists, created under  
15 chapter 492.

16           14. Board of Professional Surveyors and Mappers,  
17 created under chapter 472.

18           15. Board of Veterinary Medicine, created under  
19 chapter 474.

20           Section 10. Section 471.045, Florida Statutes, 1998  
21 Supplement, is amended to read:

22           471.045 Professional engineers performing building  
23 code inspector duties.--Notwithstanding any other provision of  
24 law, a person who is currently licensed under this chapter to  
25 practice as a professional engineer may provide building  
26 inspection services described in s. 468.603(6) and (7) to a  
27 local government or state agency upon its request, without  
28 being certified by the Florida Board of Building Code  
29 Administrators and Inspectors Board under part XII ~~XIII~~ of  
30 chapter 468. When performing these building inspection  
31 services, the professional engineer is subject to the

1 disciplinary guidelines of this chapter and s.  
2 468.621(1)(c)-~~(h)(c)-(g)~~. Any complaint processing,  
3 investigation, and discipline that arise out of a professional  
4 engineer's performing building inspection services shall be  
5 conducted by the Board of Professional Engineers rather than  
6 the Florida Board of Building Code Administrators and  
7 Inspectors Board. A professional engineer may not perform  
8 plans review as an employee of a local government upon any job  
9 that the professional engineer or the professional engineer's  
10 company designed.

11 Section 11. Section 481.222, Florida Statutes, 1998  
12 Supplement, is amended to read:

13 481.222 Architects performing building code inspector  
14 duties.--Notwithstanding any other provision of law, a person  
15 who is currently licensed to practice as an architect under  
16 this part may provide building inspection services described  
17 in s. 468.603(6) and (7) to a local government or state agency  
18 upon its request, without being certified by the Florida Board  
19 ~~of~~ Building Code Administrators and Inspectors Board under  
20 part XII ~~XIII~~ of chapter 468. With respect to the performance  
21 of such building inspection services, the architect is subject  
22 to the disciplinary guidelines of this part and s.  
23 468.621(1)(c)-~~(h)(c)-(g)~~. Any complaint processing,  
24 investigation, and discipline that arise out of an architect's  
25 performance of building inspection services shall be conducted  
26 by the Board of Architecture and Interior Design rather than  
27 the Florida Board of Building Code Administrators and  
28 Inspectors Board. An architect may not perform plans review as  
29 an employee of a local government upon any job that the  
30 architect or the architect's company designed.

31

1           Section 12. Paragraph (e) of subsection (1) of section  
2 489.109, Florida Statutes, is amended to read:

3           489.109 Fees.--

4           (1) The board, by rule, shall establish reasonable  
5 fees to be paid for applications, certification and renewal,  
6 registration and renewal, and recordmaking and recordkeeping.  
7 The fees shall be established as follows:

8           (e) The board, by rule, shall impose a renewal fee for  
9 an inactive status certificate or registration, not to exceed  
10 the renewal fee for an active status certificate or  
11 registration. Neither the inactive certification fee nor the  
12 inactive registration fee may exceed \$50. The board, by rule,  
13 may provide for a different fee for inactive status where such  
14 status is sought by a building code administrator, plans  
15 examiner, or inspector certified pursuant to part XII ~~XIII~~ of  
16 chapter 468 who is employed by a local government and is not  
17 allowed by the terms of such employment to maintain a  
18 certificate on active status issued pursuant to this part.

19           Section 13. Subsection (3) of section 489.519, Florida  
20 Statutes, 1998 Supplement, is amended to read:

21           489.519 Inactive status.--

22           (3) The board shall impose, by rule, continuing  
23 education requirements for inactive certificateholders, when  
24 inactive status is sought by certificateholders who are also  
25 building code administrators, plans examiners, or inspectors  
26 certified pursuant to part XII ~~XIII~~ of chapter 468.

27           Section 14. Section 469.001, Florida Statutes, 1998  
28 Supplement, is amended to read:

29           469.001 Definitions.--As used in this chapter:

30           (1) "Abatement" means the removal, encapsulation,  
31 enclosure, or disposal of asbestos.

1 (2) "AHERA" means the Asbestos Hazard Emergency  
2 Response Act of 1986, 15 U.S.C. s. 2601, and any rules adopted  
3 thereunder.

4 (3) "Asbestos" means the asbestiform varieties of  
5 chrysotile, crocidolite, amosite, anthophyllite, tremolite,  
6 and actinolite.

7 (4) "Asbestos abatement worker" means a person who  
8 works as an employee under the direction of a licensed  
9 asbestos contractor, and includes any person directly engaged  
10 in abatement activities.

11 (5) "Asbestos consultant" means a person who offers  
12 to, undertakes to, submits a bid to, or does, individually or  
13 by employing others, conduct surveys for asbestos-containing  
14 materials, develop operation and maintenance plans, monitor  
15 and evaluate asbestos abatement, prepare asbestos abatement  
16 specifications, or perform related tasks.

17 (6) "Asbestos-containing material" means any material  
18 which contains more than 1 percent asbestos as determined by  
19 polarized light microscopy.

20 (7) "Asbestos contractor" means the person who is  
21 qualified and responsible for the contracted project and who  
22 offers to, undertakes to, submits a bid to, or does,  
23 individually or by employing others, remove, encapsulate, or  
24 enclose asbestos-containing materials or dispose of  
25 asbestos-containing waste in the course of activities  
26 including, but not limited to, construction, renovation,  
27 maintenance, or demolition.

28 (8) "Asbestos surveyor" means a person who works under  
29 the direction of a licensed asbestos consultant and engages in  
30 the survey and assessment of asbestos-containing materials.  
31 This term is synonymous with "inspector" under AHERA.

1           (9) "ASHARA" means the Asbestos School Hazard  
2 Reauthorization Act.

3           ~~(10)(9)~~ "Department" means the Department of Business  
4 and Professional Regulation.

5           ~~(11)(10)~~ "Encapsulation" means the application of any  
6 coating to asbestos-containing material to prevent fiber  
7 release.

8           ~~(12)(11)~~ "Enclosure" means the construction of an  
9 airtight barrier around asbestos-containing material to  
10 prevent fiber release.

11           ~~(13)(12)~~ "Friable" means the condition of any  
12 asbestos-containing materials which, when dry, may be  
13 crumbled, pulverized, or reduced to powder by hand pressure.

14           ~~(14)(13)~~ "Management planner" means a person who works  
15 under the direction of a licensed asbestos consultant and  
16 engages in the development of asbestos abatement schedules or  
17 operation and maintenance plans.

18           ~~(15)(14)~~ "NESHAP" means the National Emission  
19 Standards for Hazardous Air Pollutants, 40 C.F.R. part 61,  
20 subpart M.

21           ~~(16)(15)~~ "NIOSH" means the National Institute for  
22 Occupational Safety and Health.

23           ~~(17)(16)~~ "Onsite roofing supervisor" means a person  
24 who works under the direction of a roofing contractor  
25 certified pursuant to part I of chapter 489 and provides  
26 supervision of removal of asbestos-containing roofing  
27 materials at the project site at all times when such  
28 activities are being performed.

29           ~~(18)(17)~~ "Onsite supervisor" means a person who works  
30 under the direction of a licensed asbestos contractor and  
31 provides supervision of abatement activities at the abatement

1 project site at all times when such activities are being  
2 performed. This term is synonymous with "onsite  
3 representative" in the NESHAP asbestos standard ~~rules~~.

4 (19)~~(18)~~ "Operation and maintenance plan" means a set  
5 of work practices and procedures undertaken to clean up  
6 previously released asbestos fibers, prevent future release of  
7 fibers by minimizing disturbance or damage to  
8 asbestos-containing materials, or monitor the condition of the  
9 asbestos-containing materials.

10 (20)~~(19)~~ "OSHA" means the Occupational Safety and  
11 Health Administration.

12 (21)~~(20)~~ "Project designer" means a person who works  
13 under the direction of a licensed asbestos consultant and  
14 engages in the design of project specifications for asbestos  
15 abatement projects.

16 (22)~~(21)~~ "Project monitor" means a person who monitors  
17 asbestos abatement projects for compliance with project  
18 specifications, applicable safety and health regulations, and  
19 other contract requirements under the direction of a licensed  
20 asbestos consultant.

21 (23)~~(22)~~ "Survey" means the process of inspecting a  
22 facility for the presence of asbestos-containing materials to  
23 determine the location and condition of asbestos-containing  
24 materials prior to transfer of property, renovation,  
25 demolition, or maintenance projects which may disturb  
26 asbestos-containing materials.

27 (24)~~(23)~~ "Training-course provider" means an entity or  
28 any of its agents engaged in providing training courses  
29 required by this chapter.

30  
31



1           Section 15. Paragraphs (a) and (e) of subsection (1)  
2 of section 469.002, Florida Statutes, 1998 Supplement, are  
3 amended to read:

4           469.002 Exemptions.--

5           (1) This chapter does not apply to:

6           (a) An authorized employee of the United States, this  
7 state, or any municipality, county, or other political  
8 subdivision, public or private school, or private entity who  
9 has completed all training required by NESHAP and OSHA or by  
10 ASHARA ~~AHERA~~ for the activities described in this paragraph  
11 and who is conducting abatement work solely for maintenance  
12 purposes within the scope of the person's employment involving  
13 less than 160 square feet of asbestos-containing materials or  
14 less than 260 linear feet of asbestos-containing material on  
15 pipe, so long as the employee is not available for hire or  
16 does not otherwise engage in asbestos abatement, contracting,  
17 or consulting.

18           (e) An authorized employee of the United States, this  
19 state, or any municipality, county, or other political  
20 subdivision who has completed all training required by NESHAP  
21 and OSHA or by ASHARA ~~AHERA~~ for the activities described in  
22 this paragraph, while engaged in asbestos-related activities  
23 set forth in s. 255.5535 and asbestos-related activities  
24 involving the demolition of a building owned by that  
25 governmental unit, where such activities are within the scope  
26 of that employment and the employee does not hold out for hire  
27 or otherwise engage in asbestos abatement, contracting, or  
28 consulting.

29           Section 16. Subsection (3) is added to section  
30 469.004, Florida Statutes, 1998 Supplement, to read:

31

1           469.004 License; asbestos consultant; asbestos  
2 contractor.--

3           (3) A license issued under this chapter must be  
4 renewed every 2 years. Before an asbestos contractor's license  
5 may be renewed, the licensee must complete a 1-day course of  
6 continuing education during each of the preceding 2 years.  
7 Before an asbestos consultant's license may be renewed, the  
8 licensee must complete a 2-day course of continuing education  
9 during each of the preceding 2 years.

10           Section 17. Subsection (2) of section 469.005, Florida  
11 Statutes, 1998 Supplement, is amended to read:

12           469.005 License requirements.--All applicants for  
13 licensure as either asbestos consultants or asbestos  
14 contractors shall:

15           (2) When applying for licensure as an asbestos  
16 consultant, successfully complete the following  
17 department-approved courses:

18           ~~(a) An asbestos contractor/supervisor course. Such~~  
19 ~~course shall consist of not less than 5 days of instruction.~~

20           (a)(b) A building asbestos surveys and mechanical  
21 systems course. Such course shall consist of not less than 3  
22 days of instruction.

23           (b)(c) An asbestos management planning course. Such  
24 course shall consist of not less than 2 days of instruction.

25           (c)(d) A respiratory protection course. Such course  
26 shall consist of not less than 3 days of instruction.

27           (d)(e) A project designer course. Such course shall  
28 consist of not less than 3 days of instruction.

29           Section 18. Subsection (6) of section 469.006, Florida  
30 Statutes, 1998 Supplement, is amended to read:

31

1           469.006 Licensure of business organizations;  
2 qualifying agents.--  
3           (6) Each qualifying agent shall pay the department an  
4 amount equal to the original fee for licensure of a new  
5 business organization. If the qualifying agent for a business  
6 organization desires to qualify additional business  
7 organizations, the department shall require the agent to  
8 present evidence of supervisory ability and financial  
9 responsibility of each such organization. Allowing a licensee  
10 to qualify more than one business organization shall be  
11 conditioned upon the licensee showing that the licensee has  
12 both the capacity and intent to adequately supervise each  
13 business organization. The department shall not limit the  
14 number of business organizations which the licensee may  
15 qualify except upon the licensee's failure to provide such  
16 information as is required under this subsection or upon a  
17 finding that such information or evidence as is supplied is  
18 incomplete or unpersuasive in showing the licensee's capacity  
19 and intent to comply with the requirements of this subsection.  
20 A qualification for an additional business organization may be  
21 revoked or suspended upon a finding by the department that the  
22 licensee has failed in the licensee's responsibility to  
23 adequately supervise the operations of the business  
24 organization. Failure to adequately supervise the operations  
25 of a business organization shall be grounds for denial to  
26 qualify additional business organizations.~~The issuance of~~  
27 ~~such additional licensure is discretionary with the~~  
28 ~~department.~~

29           Section 19. Section 469.011, Florida Statutes, is  
30 amended to read:  
31

1           469.011 Authority to make rules.--The department shall  
2 adopt ~~such~~ rules pursuant to ss. 120.536(1) and 120.54, ~~not~~  
3 ~~inconsistent with law, as may be necessary~~ to implement the  
4 provisions of this chapter. In developing the rules, the  
5 department shall consider related Florida Statutes and the  
6 rules promulgated thereunder, the criteria established in the  
7 Environmental Protection Agency Guidelines, and AHERA, ASHARA,  
8 NESHAP, and OSHA regulations.

9           Section 20. Subsections (1), (2), and (4) of section  
10 469.012, Florida Statutes, are amended to read:

11           469.012 Course requirements for onsite supervisors and  
12 asbestos abatement workers.--

13           (1) Each asbestos contractor's onsite supervisor must  
14 complete an asbestos contractor/supervisor project management  
15 ~~and supervision~~ course of not less than 5 ~~4~~ days prior to  
16 engaging in onsite supervision. Such training shall cover the  
17 nature of the health risks, the medical effects of exposure,  
18 federal and state asbestos laws and regulations, worker  
19 protection, and work area protection. Each onsite supervisor  
20 must also complete a continuing education course of not less  
21 than 1 day in length each year.

22           (2) All asbestos abatement workers, including onsite  
23 supervisors, must complete a department-approved course of not  
24 less than 4 ~~3~~ days in abatement prior to removing,  
25 encapsulating, enclosing, or disposing of asbestos-containing  
26 materials.

27           (4) All asbestos abatement workers, including onsite  
28 supervisors, must complete, as a condition of renewal of  
29 accreditation licensure, such courses of continuing education  
30 each year as are approved and required by the department.

31

1 Section 21. Section 469.013, Florida Statutes, 1998  
2 Supplement, is amended to read:

3 469.013 Course requirements for asbestos surveyors,  
4 management planners, ~~and project monitors,~~ and project  
5 designers.--

6 (1) All asbestos surveyors, management planners, and  
7 project monitors must comply with the requirements set forth  
8 in this section prior to commencing such activities and must  
9 also complete the continuing education necessary to maintain  
10 accreditation certification each year.

11 (a) Management planners must complete all requirements  
12 of s. 469.005(2)(~~b~~)(~~c~~)and(d)(~~e~~).

13 (b) Asbestos surveyors must complete all requirements  
14 of s. 469.005(2)(a)(~~b~~).

15 (c) Project monitors must complete all requirements of  
16 s. 469.005(~~3~~)(~~2~~)(a) and must also complete an asbestos  
17 sampling course which is equivalent to NIOSH Course 582.

18 (d) Project designers must complete all requirements  
19 of s. 469.005(2)(d).

20 (2) Each asbestos consultant shall be responsible for  
21 securing and retaining all records in order to verify that all  
22 surveyors, planners, ~~and monitors,~~ and designers working under  
23 that consultant's direction have completed all required  
24 courses. Such records shall be produced upon the department's  
25 request.

26 Section 22. Section 489.13, Florida Statutes, is  
27 created to read:

28 489.13 Unlicensed contracting; authority to issue or  
29 receive a building permit.--

30 (1) Any person performing an activity requiring  
31 licensure under this part as a construction contractor is

1 guilty of unlicensed contracting if he or she does not hold a  
2 valid active certificate or registration authorizing him or  
3 her to perform such activity, regardless of whether he or she  
4 holds a local construction contractor license or local  
5 certificate of competency. Persons working outside the  
6 geographical scope of their registration are guilty of  
7 unlicensed activity for purposes of this part.

8 (2) A local building department shall not issue a  
9 building permit to any contractor, or to any person  
10 representing himself or herself as a contractor, who does not  
11 hold a valid active certificate or registration in the  
12 appropriate category. Possession of a local certificate of  
13 competency or local construction license is not sufficient to  
14 lawfully obtain a building permit as a construction contractor  
15 if the activity in question requires licensure under this  
16 part. Nothing in this section shall be construed as  
17 prohibiting a local building department from issuing a  
18 building permit to a locally licensed or certified contractor  
19 for an activity that does not require licensure under this  
20 part.

21 Section 23. Subsection (14) of section 489.503,  
22 Florida Statutes, 1998 Supplement, is amended to read:

23 (Substantial rewording of subsection. See s.

24 489.503(14), F.S., 1998 Supp., for present text.)

25 489.503 Exemptions.--This part does not apply to:

26 (14)(a) The installation of, repair of, alteration of,  
27 addition to, or design of electrical wiring, fixtures,  
28 appliances, thermostats, apparatus, raceways, and conduit, or  
29 any part thereof, when those items are for the purpose of  
30 transmitting data, voice communications, or commands as part  
31 of a cable television, community antenna television, or radio

1 distribution system. The scope of this exemption is limited to  
2 electrical circuits and equipment governed by the applicable  
3 provisions of Articles 725 (Classes 2 and 3 circuits only),  
4 770, 800, 810, and 820 of the National Electrical Code,  
5 current edition, or 47 C.F.R. part 68.

6 (b) The installation of, repair of, alteration of,  
7 addition to, or design of electrical wiring, fixtures,  
8 appliances, thermostats, apparatus, raceways, and conduit, or  
9 any part thereof, when those items are for the purpose of  
10 transmitting data, voice communications, or commands as part  
11 of a system of telecommunications, including computers,  
12 telephone customer premises equipment, or premises wiring. The  
13 scope of this exemption is limited to electrical circuits and  
14 equipment governed by the applicable provisions of Articles  
15 725 (Classes 2 and 3 circuits only), 770, 800, 810, and 820 of  
16 the National Electrical Code, current edition, or 47 C.F.R.  
17 part 68. A company certified under chapter 364 is not  
18 subject to any local ordinance that requires a permit for work  
19 performed by its employees related to low voltage electrical  
20 work, including related technical codes and regulations. The  
21 exemption in this paragraph shall apply only if such work is  
22 requested by the company's customer, is required in order to  
23 complete phone service, is incidental to provision of  
24 telecommunication service as required by chapter 364, and is  
25 not the subject of a competitive bid. The definition of  
26 "employee" established in subsection (1) applies to this  
27 exemption and does not include subcontractors.

28 Section 24. Paragraph (c) is added to subsection (2)  
29 of section 489.511, Florida Statutes, 1998 Supplement,  
30 subsection (5) of that section is amended, and subsection (7)  
31 is added to that section, to read:

1           489.511 Certification; application; examinations;  
2 endorsement.--

3           (2)

4           (c) For purposes of this subsection, at least 40  
5 percent of the work experience for an alarm system contractor  
6 I must be in the types of fire alarm systems typically used in  
7 a commercial setting.

8           (5)~~(a)~~ The board shall, by rule, designate those types  
9 of specialty electrical or alarm system contractors who may be  
10 certified under this part. The limit of the scope of work and  
11 responsibility of a certified specialty contractor shall be  
12 established by ~~the board by rule. However,~~A certified  
13 specialty contractor category exists as an optional a  
14 voluntary statewide licensing category. Qualification for  
15 certification in a specialty category created by rule shall be  
16 the same as set forth in paragraph (2)(a). The existence of a  
17 specialty category created by rule does not itself create any  
18 licensing requirement; however, neither does its optional  
19 nature remove any licensure requirement established elsewhere  
20 in this part and does not create a mandatory licensing  
21 requirement. Any mandatory statewide electrical or alarm  
22 system contracting licensure requirement may only be  
23 established through specific statutory provision.

24           ~~(b) For those specialty electrical or alarm system~~  
25 ~~contractors applying for certification under this part who~~  
26 ~~work in jurisdictions that do not require local licensure for~~  
27 ~~those activities for which the applicant desires to be~~  
28 ~~certified, the experience requirement may be met by~~  
29 ~~demonstrating at least 6 years of comprehensive training,~~  
30 ~~technical education, or supervisory experience, within the 12~~  
31 ~~years immediately preceding the filing of the application, in~~



1 ~~the type of specialty electrical or alarm system filing of the~~  
2 ~~application, in the type of specialty electrical or alarm~~  
3 ~~system work for which certification is desired. An affidavit~~  
4 ~~signed by the applicant's employer stating that the applicant~~  
5 ~~performed the work required under this paragraph shall be~~  
6 ~~sufficient to demonstrate to the board that the applicant has~~  
7 ~~met the experience requirement.~~

8 (7) Upon the issuance of a certificate, any previously  
9 issued registered licenses for the classification in which the  
10 certification is issued are rendered void.

11 Section 25. Subsection (3) of section 489.513, Florida  
12 Statutes, 1998 Supplement, is amended, and subsection (7) of  
13 that section is repealed, to read:

14 489.513 Registration; application; requirements.--

15 (3) To be registered as an electrical contractor, an  
16 alarm system contractor I, an alarm system contractor II, or a  
17 residential alarm system contractor, the applicant shall file  
18 evidence of holding a current certificate of competency  
19 ~~occupational license or a current license~~ issued by any  
20 municipality or county of the state for the type of work for  
21 which registration is desired, on a form provided by the  
22 department, ~~if such a license is required by that municipality~~  
23 ~~or county,~~ together with evidence of having passed an  
24 appropriate local examination, written or oral, designed to  
25 test skills and knowledge relevant to the technical  
26 performance of the profession, accompanied by the registration  
27 fee fixed pursuant to this part. For any person working or  
28 wishing to work in any local jurisdiction that ~~which does not~~  
29 ~~issue a local license as an electrical or alarm system~~  
30 ~~contractor or does not require an examination for its license,~~  
31 the applicant may apply and shall be considered qualified to

1 be issued a registration in the appropriate electrical or  
2 alarm system category, provided that he or she shows that he  
3 or she has scored at least 75 percent on an examination which  
4 is substantially equivalent to the examination approved by the  
5 board for certification in the category and that he or she has  
6 had at least 3 years' technical experience in the trade. The  
7 requirement to take and pass an examination in order to obtain  
8 a registration shall not apply to persons making application  
9 prior to the effective date of this act.

10 ~~(7) Neither the board nor the department assumes any~~  
11 ~~responsibility for providing discipline pursuant to having~~  
12 ~~provided the tracking registration. Providing discipline to~~  
13 ~~such locally licensed individuals shall be the responsibility~~  
14 ~~of the local jurisdiction. Failure to obtain a tracking~~  
15 ~~registration shall not be considered a violation of this~~  
16 ~~chapter. However, a local jurisdiction requiring such~~  
17 ~~tracking registration may levy such penalties for failure to~~  
18 ~~obtain the tracking registration as the local jurisdiction~~  
19 ~~chooses to provide through local ordinance.~~

20 Section 26. Subsection (10) is added to section  
21 489.537, Florida Statutes, 1998 Supplement, to read:

22 489.537 Application of this part.--

23 (10) A registered electrical contractor, an alarm  
24 system contractor II certificateholder, and a registered alarm  
25 system contractor II shall be allowed to install residential  
26 smoke detectors or residential heat detectors.

27 Section 27. Subsection (1) of section 489.129, Florida  
28 Statutes, 1998 Supplement, is amended to read:

29 489.129 Disciplinary proceedings.--

30 (1) The board may take any of the following actions  
31 against any certificateholder or registrant: place on

1 probation or reprimand the licensee, revoke, suspend, or deny  
2 the issuance or renewal of the certificate, registration, or  
3 certificate of authority, require financial restitution to a  
4 consumer for financial harm directly related to a violation of  
5 a provision of this part, impose an administrative fine not to  
6 exceed \$5,000 per violation, require continuing education, or  
7 assess costs associated with investigation and prosecution, if  
8 the contractor, financially responsible officer, or business  
9 organization for which the contractor is a primary qualifying  
10 agent, a financially responsible officer, or a secondary  
11 qualifying agent responsible under s. 489.1195 is found guilty  
12 of any of the following acts:

13 (a) Obtaining a certificate, registration, or  
14 certificate of authority by fraud or misrepresentation.

15 (b) Being convicted or found guilty of, or entering a  
16 plea of nolo contendere to, regardless of adjudication, a  
17 crime in any jurisdiction which directly relates to the  
18 practice of contracting or the ability to practice  
19 contracting.

20 (c) Violating any provision of part I of chapter 455.

21 (d) Performing any act which assists a person or  
22 entity in engaging in the prohibited uncertified and  
23 unregistered practice of contracting, if the certificateholder  
24 or registrant knows or has reasonable grounds to know that the  
25 person or entity was uncertified and unregistered.

26 (e) Knowingly combining or conspiring with an  
27 uncertified or unregistered person by allowing his or her  
28 certificate, registration, or certificate of authority to be  
29 used by the uncertified or unregistered person with intent to  
30 evade the provisions of this part. When a certificateholder  
31 or registrant allows his or her certificate or registration to

1 be used by one or more business organizations without having  
2 any active participation in the operations, management, or  
3 control of such business organizations, such act constitutes  
4 prima facie evidence of an intent to evade the provisions of  
5 this part.

6 (f) Acting in the capacity of a contractor under any  
7 certificate or registration issued hereunder except in the  
8 name of the certificateholder or registrant as set forth on  
9 the issued certificate or registration, or in accordance with  
10 the personnel of the certificateholder or registrant as set  
11 forth in the application for the certificate or registration,  
12 or as later changed as provided in this part.

13 (g) Committing mismanagement or misconduct in the  
14 practice of contracting that causes financial harm to a  
15 customer. Financial mismanagement or misconduct occurs when:

16 1. Valid liens have been recorded against the property  
17 of a contractor's customer for supplies or services ordered by  
18 the contractor for the customer's job; the contractor has  
19 received funds from the customer to pay for the supplies or  
20 services; and the contractor has not had the liens removed  
21 from the property, by payment or by bond, within 75 days after  
22 the date of such liens;

23 2. The contractor has abandoned a customer's job and  
24 the percentage of completion is less than the percentage of  
25 the total contract price paid to the contractor as of the time  
26 of abandonment, unless the contractor is entitled to retain  
27 such funds under the terms of the contract or refunds the  
28 excess funds within 30 days after the date the job is  
29 abandoned; or

30 3. The contractor's job has been completed, and it is  
31 shown that the customer has had to pay more for the contracted

1 job than the original contract price, as adjusted for  
2 subsequent change orders, unless such increase in cost was the  
3 result of circumstances beyond the control of the contractor,  
4 was the result of circumstances caused by the customer, or was  
5 otherwise permitted by the terms of the contract between the  
6 contractor and the customer.

7 (h) Being disciplined by any municipality or county  
8 for an act or violation of this part.

9 (i) Failing in any material respect to comply with the  
10 provisions of this part or violating a rule or lawful order of  
11 the board.

12 (j) Abandoning a construction project in which the  
13 contractor is engaged or under contract as a contractor. A  
14 project may be presumed abandoned after 90 days if the  
15 contractor terminates the project without just cause or  
16 without proper notification to the owner, including the reason  
17 for termination, or fails to perform work without just cause  
18 for 90 consecutive days.

19 (k) Signing a statement with respect to a project or  
20 contract falsely indicating that the work is bonded; falsely  
21 indicating that payment has been made for all subcontracted  
22 work, labor, and materials which results in a financial loss  
23 to the owner, purchaser, or contractor; or falsely indicating  
24 that workers' compensation and public liability insurance are  
25 provided.

26 (l) Committing fraud or deceit in the practice of  
27 contracting.

28 (m) Committing incompetency or misconduct in the  
29 practice of contracting.

30  
31

1           (n) Committing gross negligence, repeated negligence,  
2 or negligence resulting in a significant danger to life or  
3 property.

4           (o) Proceeding on any job without obtaining applicable  
5 local building department permits and inspections.

6           (p) Intimidating, threatening, coercing, or otherwise  
7 discouraging the service of a notice to owner under part I of  
8 chapter 713 or a notice to contractor under chapter 255 or  
9 part I of chapter 713.

10           (q) Failing to satisfy within a reasonable time, the  
11 terms of a civil judgment obtained against the licensee, or  
12 the business organization qualified by the licensee, relating  
13 to the practice of the licensee's profession.

14  
15 For the purposes of this subsection, construction is  
16 considered to be commenced when the contract is executed and  
17 the contractor has accepted funds from the customer or lender.  
18 A contractor does not commit a violation of this subsection  
19 when the contractor relies on a building code interpretation  
20 rendered by a building official or person authorized by s.  
21 553.80 to enforce the building code, absent a finding of fraud  
22 or deceit in the practice of contracting, or gross negligence,  
23 repeated negligence, or negligence resulting in a significant  
24 danger to life or property on the part of the building  
25 official, in a proceeding under chapter 120.

26           Section 28. Subsections (1) and (2) and paragraph (a)  
27 of subsection (3) of section 633.061, Florida Statutes, 1998  
28 Supplement, are amended to read:

29           633.061 License or permit required of organizations  
30 and individuals servicing, recharging, repairing, testing,  
31

1 marking, inspecting, installing, or hydrotesting fire  
2 extinguishers and preengineered systems.--

3 (1) It is unlawful for any organization or individual  
4 to engage in the business of servicing, repairing, recharging,  
5 testing, marking, inspecting, installing, or hydrotesting any  
6 fire extinguisher or preengineered system in this state except  
7 in conformity with the provisions of this chapter. Each  
8 organization or individual that engages in such activity must  
9 possess a valid and subsisting license issued by the State  
10 Fire Marshal. All fire extinguishers and preengineered  
11 systems required by statute or by rule must be serviced by an  
12 organization or individual licensed under the provisions of  
13 this chapter. The licensee is legally qualified to act for  
14 the business organization in all matters connected with its  
15 business, and the licensee must supervise all activities  
16 undertaken by such business organization. Each licensee shall  
17 maintain a specific business location. A further requirement,  
18 in the case of multiple locations where such servicing or  
19 recharging is taking place, is that each licensee who  
20 maintains more than one place of business where actual work is  
21 carried on must possess an additional license, as set forth in  
22 this section, for each location, except that a licensed  
23 individual may not qualify for more than five locations. A  
24 licensee is limited to a specific type of work performed  
25 depending upon the class of license held. Licenses and license  
26 fees are required for the following:

27 (a) Class A.....\$250~~\$150~~  
28 To service, recharge, repair, install, or inspect all types of  
29 fire extinguishers and to conduct hydrostatic tests on all  
30 types of fire extinguishers.

31 (b) Class B.....\$150~~\$100~~

1 To service, recharge, repair, install, or inspect all types of  
2 fire extinguishers, including recharging carbon dioxide units  
3 and conducting hydrostatic tests on all types of fire  
4 extinguishers, except carbon dioxide units.

5 (c) Class C.....\$150~~\$100~~  
6 To service, recharge, repair, install, or inspect all types of  
7 fire extinguishers, except recharging carbon dioxide units,  
8 and to conduct hydrostatic tests on all types of fire  
9 extinguishers, except carbon dioxide units.

10 (d) Class D.....\$200~~\$125~~  
11 To service, repair, recharge, hydrottest, install, or inspect  
12 all types of preengineered fire extinguishing systems.

13 (e) Licenses issued as duplicates or to reflect a  
14 change of address.....\$10  
15

16 Any fire equipment dealer licensed pursuant to this subsection  
17 who does not want to engage in the business of servicing,  
18 inspecting, recharging, repairing, hydrottesting, or installing  
19 halon equipment must file an affidavit on a form provided by  
20 the division so stating. Licenses will be issued by the  
21 division to reflect the work authorized thereunder. It is  
22 unlawful, unlicensed activity for any person or firm to  
23 falsely hold himself or herself or a business organization out  
24 to perform any service, inspection, recharge, repair,  
25 hydrottest, or installation except as specifically described in  
26 the license.

27 (2) Each individual actually performing the work of  
28 servicing, recharging, repairing, hydrottesting, installing,  
29 testing, or inspecting fire extinguishers or preengineered  
30 systems must possess a valid and subsisting permit issued by  
31 the State Fire Marshal. Permittees are limited as to specific



1 type of work performed dependent upon the class of permit held  
2 which shall be a class allowing work no more extensive than  
3 the class of license held by the licensee under whom the  
4 permittee is working. Permits and fees therefor are required  
5 for the following:

6 (a) Class 1.....\$90~~\$50~~  
7 Servicing, recharging, repairing, installing, or inspecting  
8 all types of fire extinguishers and conducting hydrostatic  
9 tests on all types of fire extinguishers.

10 (b) Class 2.....\$90~~\$50~~  
11 Servicing, recharging, repairing, installing, or inspecting  
12 all types of fire extinguishers, including carbon dioxide  
13 units, and conducting hydrostatic tests on all types of fire  
14 extinguishers, except carbon dioxide units.

15 (c) Class 3.....\$90~~\$50~~  
16 Servicing, recharging, repairing, installing, or inspecting  
17 all types of fire extinguishers, except recharging carbon  
18 dioxide units, and conducting hydrostatic tests on all types  
19 of fire extinguishers, except carbon dioxide units.

20 (d) Class 4.....\$120~~\$65~~  
21 Servicing, repairing, hydrotesting, recharging, installing, or  
22 inspecting all types of preengineered fire extinguishing  
23 systems.

24 (e) Permits issued as duplicates or to reflect a  
25 change of address.....\$10

26  
27 Any fire equipment permittee licensed pursuant to this  
28 subsection who does not want to engage in servicing,  
29 inspecting, recharging, repairing, hydrotesting, or installing  
30 halon equipment must file an affidavit on a form provided by  
31 the division so stating. Permits will be issued by the

1 division to reflect the work authorized thereunder. It is  
2 unlawful, unlicensed activity for any person or firm to  
3 falsely hold himself or herself out to perform any service,  
4 inspection, recharge, repair, hydrotest, or installation  
5 except as specifically described in the permit.

6 (3)(a) Such licenses and permits shall be issued by  
7 the State Fire Marshal for 2 years ~~each license year~~ beginning  
8 January 1, 2000, and each 2-year period thereafter and  
9 expiring ~~the following~~ December 31 of the second year. All  
10 licenses or permits issued will expire on December 31 of each  
11 odd-numbered year. The failure to renew a license or permit by  
12 December 31 of the second year will cause the license or  
13 permit to become inoperative. The holder of an inoperative  
14 license or permit shall not engage in any activities for which  
15 a license or permit is required by this section. A license or  
16 permit which is inoperative because of the failure to renew it  
17 shall be restored upon payment of the applicable fee plus a  
18 penalty equal to the applicable fee, if the application for  
19 renewal is filed no later than the following March 31. If the  
20 application for restoration is not made before the March 31st  
21 deadline, the fee for restoration shall be equal to the  
22 original application fee and the penalty provided for herein,  
23 and, in addition, the State Fire Marshal shall require  
24 reexamination of the applicant. The fee for a license or  
25 permit issued for 1 year or less shall be prorated at 50  
26 percent of the applicable fee for a biennial license or  
27 permit. Each licensee or permittee shall successfully complete  
28 a course or courses of continuing education for fire equipment  
29 technicians of at least 32 hours within 4 5 years of initial  
30 issuance of a license or permit and within each 4-year ~~every~~  
31 ~~5-year~~ period thereafter or no such license or permit shall be

1 renewed. The State Fire Marshal shall adopt rules describing  
2 the continuing education requirements.

3 Section 29. Except as otherwise provided herein, this  
4 act shall take effect October 1, 1999.

5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31