

By Senator Geller

29-1266-99

1 A bill to be entitled
2 An act relating to fire prevention and control;
3 amending s. 633.061, F.S.; providing for
4 biennial licensure of persons servicing,
5 recharging, repairing, testing, marking,
6 inspecting, or installing fire extinguishers
7 and systems; providing license and permit fees;
8 amending s. 633.021, F.S.; defining the terms
9 "servicing," "inspection," and "marking";
10 providing an effective date.

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

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

17 633.061 License or permit required of organizations
18 and individuals servicing, recharging, repairing, testing,
19 marking, inspecting, installing, or hydrotesting fire
20 extinguishers and preengineered systems.--

21 (1) It is unlawful for any organization or individual
22 to engage in the business of servicing, repairing, recharging,
23 testing, marking, inspecting, installing, or hydrotesting any
24 fire extinguisher or preengineered system in this state except
25 in conformity with the provisions of this chapter. Each
26 organization or individual that engages in such activity must
27 possess a valid and subsisting license issued by the State
28 Fire Marshal. All fire extinguishers and preengineered
29 systems required by statute or by rule must be serviced by an
30 organization or individual licensed under the provisions of
31 this chapter. The licensee is legally qualified to act for

1 the business organization in all matters connected with its
2 business, and the licensee must supervise all activities
3 undertaken by such business organization. Each licensee shall
4 maintain a specific business location. A further requirement,
5 in the case of multiple locations where such servicing or
6 recharging is taking place, is that each licensee who
7 maintains more than one place of business where actual work is
8 carried on must possess an additional license, as set forth in
9 this section, for each location, except that a licensed
10 individual may not qualify for more than five locations. A
11 licensee is limited to a specific type of work performed
12 depending upon the class of license held. Licenses and license
13 fees are required for the following:

14 (a) Class A.....\$250~~\$150~~
15 To service, recharge, repair, install, or inspect all types of
16 fire extinguishers and to conduct hydrostatic tests on all
17 types of fire extinguishers.

18 (b) Class B.....\$150~~\$100~~
19 To service, recharge, repair, install, or inspect all types of
20 fire extinguishers, including recharging carbon dioxide units
21 and conducting hydrostatic tests on all types of fire
22 extinguishers, except carbon dioxide units.

23 (c) Class C.....\$150~~\$100~~
24 To service, recharge, repair, install, or inspect all types of
25 fire extinguishers, except recharging carbon dioxide units,
26 and to conduct hydrostatic tests on all types of fire
27 extinguishers, except carbon dioxide units.

28 (d) Class D.....\$200~~\$125~~
29 To service, repair, recharge, hydrotest, install, or inspect
30 all types of preengineered fire extinguishing systems.

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

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4 Any fire equipment dealer licensed pursuant to this subsection
5 who does not want to engage in the business of servicing,
6 inspecting, recharging, repairing, hydrotesting, or installing
7 halon equipment must file an affidavit on a form provided by
8 the division so stating. Licenses will be issued by the
9 division to reflect the work authorized thereunder. It is
10 unlawful, unlicensed activity for any person or firm to
11 falsely hold himself or herself or a business organization out
12 to perform any service, inspection, recharge, repair,
13 hydrotest, or installation except as specifically described in
14 the license.

15 (2) Each individual actually performing the work of
16 servicing, recharging, repairing, hydrotesting, installing,
17 testing, or inspecting fire extinguishers or preengineered
18 systems must possess a valid and subsisting permit issued by
19 the State Fire Marshal. Permittees are limited as to specific
20 type of work performed dependent upon the class of permit held
21 which shall be a class allowing work no more extensive than
22 the class of license held by the licensee under whom the
23 permittee is working. Permits and fees therefor are required
24 for the following:

25 (a) Class 1.....\$90~~\$50~~
26 Servicing, recharging, repairing, installing, or inspecting
27 all types of fire extinguishers and conducting hydrostatic
28 tests on all types of fire extinguishers.

29 (b) Class 2.....\$90~~\$50~~
30 Servicing, recharging, repairing, installing, or inspecting
31 all types of fire extinguishers, including carbon dioxide

1 units, and conducting hydrostatic tests on all types of fire
2 extinguishers, except carbon dioxide units.

3 (c) Class 3.....\$90~~\$50~~
4 Servicing, recharging, repairing, installing, or inspecting
5 all types of fire extinguishers, except recharging carbon
6 dioxide units, and conducting hydrostatic tests on all types
7 of fire extinguishers, except carbon dioxide units.

8 (d) Class 4.....\$120~~\$65~~
9 Servicing, repairing, hydrotesting, recharging, installing, or
10 inspecting all types of preengineered fire extinguishing
11 systems.

12 (e) Permits issued as duplicates or to reflect a
13 change of address.....\$10
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15 Any fire equipment permittee licensed pursuant to this
16 subsection who does not want to engage in servicing,
17 inspecting, recharging, repairing, hydrotesting, or installing
18 halon equipment must file an affidavit on a form provided by
19 the division so stating. Permits will be issued by the
20 division to reflect the work authorized thereunder. It is
21 unlawful, unlicensed activity for any person or firm to
22 falsely hold himself or herself out to perform any service,
23 inspection, recharge, repair, hydrotest, or installation
24 except as specifically described in the permit.

25 (3)(a) Such licenses and permits shall be issued by
26 the State Fire Marshal for 2 years ~~each license year~~ beginning
27 January 1 ~~and expiring the following December 31~~. The failure
28 to renew a license or permit by December 31 will cause the
29 license or permit to become inoperative. The holder of an
30 inoperative license or permit shall not engage in any
31 activities for which a license or permit is required by this

1 section. A license or permit which is inoperative because of
2 the failure to renew it shall be restored upon payment of the
3 applicable fee plus a penalty equal to the applicable fee, if
4 the application for renewal is filed no later than the
5 following March 31. If the application for restoration is not
6 made before the March 31st deadline, the fee for restoration
7 shall be equal to the original application fee and the penalty
8 provided for herein, and, in addition, the State Fire Marshal
9 shall require reexamination of the applicant. Each licensee
10 or permittee shall successfully complete a course or courses
11 of continuing education for fire equipment technicians within
12 5 years of initial issuance of a license or permit and within
13 every 5-year period thereafter or no such license or permit
14 shall be renewed. The State Fire Marshal shall adopt rules
15 describing the continuing education requirements.

16 Section 2. Subsections (27), (28), and (29) are added
17 to section 633.021, Florida Statutes, 1998 Supplement, to
18 read:

19 633.021 Definitions.--As used in this chapter:

20 (27) "Servicing" means one or more of the following:

21 (a) Maintenance, which is a thorough examination of a
22 fire extinguisher intended to give maximum assurance that it
23 will operate effectively and safely. Maintenance includes a
24 thorough examination and any necessary repair or replacement.
25 Maintenance will normally reveal if hydrostatic testing or
26 internal maintenance is required.

27 (b) Recharging, which is the replacement of the
28 extinguishing agent, and also includes the expellant for
29 certain types of fire extinguishers.

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1 (c) Hydrostatic testing, which means pressure testing
2 of the extinguisher to verify its strength against unwanted
3 rupture.

4 (28) "Inspection" means a quick check that a fire
5 extinguisher is available and will operate. Inspection is
6 intended to give reasonable assurance that a fire extinguisher
7 is fully charged and operable; this is done by verifying that
8 it is in its designated place, that it has not been actuated
9 or tampered with, and that there is no obvious or physical
10 damage or condition to prevent its operation.

11 (29) "Marking" means a descriptive name,
12 identification number, instructions, cautions, weight,
13 specification, or United Nations marks, or combinations
14 thereof, required by 49 C.F.R. Subchapter C on outer
15 packagings of hazardous materials.

16 Section 3. This act shall take effect January 1, 2000.

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19 SENATE SUMMARY

20 Extends the period of validity for a license or permit to
21 service, recharge, repair, test, mark, inspect, or
22 install fire extinguishers and fire systems. Increases
the fee for a biennial license or permit. Defines the
terms "servicing," "inspection," and "marking."