

By the Committee on Banking and Insurance; and Senators Geller and Clary

311-2007-99

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 providing for prorated license fee; providing
9 for continuing education; providing an
10 effective date.

11
12 Be It Enacted by the Legislature of the State of Florida:

13
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.

31

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

3
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
14

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, 2000, and each 2-year period thereafter and
28 expiring ~~the following~~ December 31 of the second year. All
29 licenses or permits issued will expire on December 31 of each
30 odd-numbered year. The failure to renew a license or permit by
31 December 31 of the second year will cause the license or

1 permit to become inoperative. The holder of an inoperative
2 license or permit shall not engage in any activities for which
3 a license or permit is required by this section. A license or
4 permit which is inoperative because of the failure to renew it
5 shall be restored upon payment of the applicable fee plus a
6 penalty equal to the applicable fee, if the application for
7 renewal is filed no later than the following March 31. If the
8 application for restoration is not made before the March 31st
9 deadline, the fee for restoration shall be equal to the
10 original application fee and the penalty provided for herein,
11 and, in addition, the State Fire Marshal shall require
12 reexamination of the applicant. The fee for a license or
13 permit issued for 1 year or less shall be prorated at 50
14 percent of the applicable fee for a biennial license or
15 permit. Each licensee or permittee shall successfully complete
16 a course or courses of continuing education for fire equipment
17 technicians of at least 32 hours within 4 ~~5~~ years of initial
18 issuance of a license or permit and within each 4-year ~~every~~
19 ~~5-year~~ period thereafter or no such license or permit shall be
20 renewed. The State Fire Marshal shall adopt rules describing
21 the continuing education requirements.

22 Section 2. This act shall take effect January 1, 2000.

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24 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
25 COMMITTEE SUBSTITUTE FOR
26 Senate Bill 2504

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28 1. Provides for fire equipment license and permit fees to
29 be prorated. Changes the continuing education
30 requirement for fire licensees and permittees to 32
31 hours every 4 years.
- 30 2. Deletes the definitions added by the bill for the terms
31 "servicing," "inspection," and "marking" as those terms
relate to fire equipment.