

By Senator Sullivan

22-300A-99

1 A bill to be entitled
2 An act relating to recreational sport diving;
3 providing for standards for compressed air used
4 in recreational sport diving; providing for
5 testing compressed air; providing exemptions;
6 requiring certification for certain persons
7 providing compressed air for compensation;
8 providing penalties; providing an effective
9 date.

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

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13 Section 1. (1) The Department of Health shall adopt
14 rules establishing maximum allowable levels for contaminants
15 in compressed air used for recreational sport diving in this
16 state. In developing the rules, the department must take into
17 consideration the levels of contaminants allowed by the United
18 States Navy and the Occupational Safety and Health Act of
19 1970, as amended, for nondecompression air diving.

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21 (2) The standards prescribed under this section do not

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23 apply to:

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25 (a) Any person providing compressed air for his or her
26 own use.

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28 (b) Any governmental entity using a governmentally
29 owned compressed air source for work related to the
30 governmental entity.

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32 (c) Foreign registered vessels upon which a compressor
is used to provide compressed air for work related to the
operation of the vessel.

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34 (3) A person that, for compensation, provides
compressed air for recreational sport diving in this state

1 must submit to the Department of Health, in containers
2 provided by the department, a sample of such compressed air
3 along with a copy of the schedule of fees charged for it.
4 Samples shall be submitted at intervals determined by the
5 department.

6 (4) The Department of Health shall test air samples
7 for contaminant levels. If a sample meets the department's
8 standards for allowable levels of contaminants, it shall issue
9 the person providing the sample a certificate so stating. If a
10 sample fails to meet the department's standards for allowable
11 levels of contaminants, it must notify the person providing
12 the sample of that fact.

13 (5) A person may not, for compensation, provide
14 compressed air for recreational sport diving unless that
15 person possesses a currently valid certificate from the
16 Department of Health which evidences that the compressed air
17 meets the department's standards for allowable levels of
18 contaminants established under this section. The certificate
19 must be conspicuously posted in a location where it can
20 readily be seen by any person purchasing such compressed air.

21 (6) The Department of Health shall establish fees
22 adequate to cover its costs of testing air samples, which fees
23 may not exceed \$50 a year for each premises at which
24 compressed air is provided.

25 (7) It is unlawful for any person to provide, for
26 compensation, compressed air for recreational sport diving in
27 this state:

28 (a) Without having a currently valid certificate from
29 the Department of Health evidencing that the air meets the
30 department's standards for contaminant levels.

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1 (b) After receiving notice from the Department of
2 Health that the person's sample of compressed air has failed
3 to meet the department's standards for contaminant levels.

4 (8) Any person who violates this section is liable
5 for:

6 (a) A civil penalty, not to exceed \$500, determined by
7 the Department of Health; and

8 (b) Any damages resulting from the violation.

9 Section 2. This act shall take effect July 1, 1999.

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12 SENATE SUMMARY

13 Directs the Department of Health to adopt standards for
14 contaminants in compressed air that is used for
15 recreational sport diving. Provides for the department to
16 test samples of compressed air and requires persons
17 providing compressed air for compensation to submit air
18 samples to the department for testing. Prohibits a person
19 from providing, for compensation, compressed air for
20 recreational sport diving without certification of the
21 product's air quality from the department. Prohibits such
22 a person from continuing to provide compressed air after
23 notification that the air fails to meet department
24 standards. Provides penalties for violations.
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