

Bill No. CS for CS for SB's 336 & 190

Amendment No. Barcode 085786

<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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Senator Constantine moved the following amendment:

Senate Amendment (with title amendment)

On page 3, between lines 29 and 30,

insert:

Section 2. Effective upon this act becoming a law, section 399.061, Florida Statutes, is amended to read:

399.061 Inspections; correction of deficiencies.--

(1)(a) All elevators or other conveyances subject to this chapter must be annually inspected by a certified elevator inspector through a third-party inspection service, or by a municipality or county under contract with the division, pursuant to s. 399.13. If the elevator or other conveyance is by a third-party inspection service certified as a qualified elevator inspector or maintained pursuant to a service maintenance contract continuously in force, it shall be inspected at least once every 2 years by a certified elevator inspector who is not employed by or otherwise associated with the maintenance company; however, if the elevator is not an escalator or a dumbwaiter, serves only two

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1 adjacent floors, and is covered by a service maintenance
2 contract, an inspection is not required so long as the service
3 contract remains in effect. A statement verifying the
4 existence, performance, and cancellation of each service
5 maintenance contract must be filed annually with the division
6 as prescribed by rule. ~~All elevators covered by a service~~
7 ~~maintenance contract shall be inspected by a~~
8 ~~certificate of competency holder at least once every 2 years;~~
9 ~~however, if the elevator is not an escalator or a dumbwaiter~~
10 ~~and the elevator serves only two adjacent floors and is~~
11 ~~covered by a service maintenance contract, no inspection shall~~
12 ~~be required so long as the service contract remains in effect.~~

13 (b) The division may inspect an elevator whenever
14 necessary to ensure its safe operation or when a third-party
15 inspection service is not available for a routine inspection.

16 (2) The division may ~~shall~~ employ state elevator
17 inspectors to conduct the inspections as required by
18 subsection (1) and may charge an inspection fee for each
19 inspection in an amount sufficient to cover the costs of that
20 inspection, as provided by rule. Each state elevator inspector
21 shall hold a certificate of competency issued by the division.

22 (3) Whenever the division determines from the results
23 of any inspection that, in the interest of the public safety,
24 an elevator is in an unsafe condition, the division may seal
25 the elevator or order the discontinuance of the use of the
26 elevator until the division determines by inspection that such
27 elevator has been satisfactorily repaired or replaced so that
28 the elevator may be operated in a safe manner.

29 (4) When the division determines that an elevator is
30 in violation of this chapter, the division may issue an order
31 to the elevator owner requiring correction of the violation.

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(Redesignate subsequent sections.)

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

On page 1, line 6, after the first semicolon,

insert:

amending s. 399.061, F.S.; revising
requirements for the inspection of elevators
and other conveyances;