

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

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Representative Kallinger offered the following:

Amendment (with title amendment)

Remove everything after the enacting clause, and insert:

Section 1. Regional emergency elevator access.--

(1) In order to provide emergency access to elevators:

(a) For each building in this state which is six or more stories in height, including, but not limited to, hotels and condominiums, on which construction is begun after June 30, 2003, all of the keys for elevators that allow public access, including, but not limited to, service and freight elevators, must be keyed so as to allow all elevators within each of the seven state emergency response regions to operate in fire emergency situations with one master elevator key.

(b) Any building in this state which is six or more stories in height and is "substantially renovated" as defined in

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28 the Americans with Disabilities Act, as amended, after June 30,
29 2003, must also comply with paragraph (a).

30 (2) Each existing building in this state which is six or
31 more stories in height must comply with subsection (1) before
32 July 1, 2006.

33 (3) In addition to elevator owners, owner's agents,
34 elevator contractors, State Certified Inspectors, and State of
35 Florida agency representatives, master elevator keys may be
36 issued only to the fire department and may not be issued to any
37 other emergency-response agency. A person may not duplicate a
38 master elevator key for issuance to, or issue such a key to,
39 anyone other than authorized fire-department personnel. Each
40 master elevator key must be marked "DO NOT DUPLICATE."

41 (4) If it is technically or physically impossible to bring
42 a building into compliance with this section, the local fire
43 marshal may allow substitute emergency measures that will
44 provide reasonable emergency elevator access. The local fire
45 marshal's decision regarding substitute measures may be appealed
46 to the State Fire Marshal.

47 (5) The Division of State Fire Marshal of the Department
48 of Financial Services shall enforce this section.

49 (6) Builders should make every effort to use new
50 technology and developments in keying systems which make it
51 possible to convert existing equipment so as to provide
52 efficient regional emergency elevator access.

53 (7) Any building operated by an independent special
54 district or airport that has 24-hour emergency response services
55 shall be exempt from this section.

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56 Section 2. Section 399.106, Florida Statutes, is amended
57 to read:

58 399.106 Elevator Safety Technical Advisory Committee.--

59 (1) The Elevator Safety Technical Advisory Committee is
60 created within the Department of Business and Professional
61 Regulation, Division of Hotels and Restaurants, consisting of
62 eight ~~seven~~ members to be appointed by the secretary of the
63 Department of Business and Professional Regulation as follows:
64 one representative from a major elevator manufacturing company
65 or its authorized representative; one representative from an
66 elevator servicing company; one representative from a building
67 design profession; one representative of the general public; one
68 representative of a local government in this state; one
69 representative of a building owner or manager; one
70 representative of labor involved in the installation,
71 maintenance, and repair of elevators; and one representative who
72 is a certified elevator inspector from a private inspection
73 service. The purpose of the committee is to provide technical
74 assistance to the division in support of protecting the health,
75 safety, and welfare of the public; to give the division the
76 benefit of the committee members' knowledge and experience
77 concerning the industries and individual businesses affected by
78 the laws and rules administered by the division.

79 (2) The committee members shall serve staggered terms of 4
80 years to be set by rule without salary, but may receive from the
81 state expenses for per diem and travel. The committee shall
82 appoint one of the members to serve as chair.

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83 ~~(3) The committee shall meet and organize not later than~~
84 ~~45 days prior to the convening of the 2002 Legislature. This~~
85 ~~committee terminates December 31, 2003.~~

86 (3)(4) The committee may consult with engineering
87 authorities and organizations concerned with standard safety
88 codes for recommendations to the department regarding rules and
89 regulations governing the operation, maintenance, servicing,
90 construction, alteration, installation, or inspection of
91 vertical conveyances subject to this chapter.

92 Section 3. Subsection (3) is added to section 633.171,
93 Florida Statutes, to read:

94 633.171 Penalty for violation of law, rule, or order to
95 cease and desist or for failure to comply with corrective
96 order.--

97 (3)(a) An owner or operator of an indoor facility may not
98 knowingly allow the installation of a pyrotechnic device or
99 fireworks inside his or her facility without a fire-suppression
100 system or without a copy of a local fire marshal's permit
101 furnished to the owner or operator by a vendor or licensee who
102 wishes to install a pyrotechnic device or fireworks inside the
103 indoor facility.

104 (b) A vendor or licensee may not install fireworks or a
105 pyrotechnic device in an indoor facility without a fire-
106 suppression system unless he or she first obtains a local fire
107 marshal's permit, furnishes a copy of that permit to the owner
108 or operator of the indoor facility, and obtains prior written
109 consent of the owner or operator to install the fireworks or a
110 pyrotechnic device inside his or her indoor facility.

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111 (c) A person who violates this subsection commits a felony
112 of the third degree, punishable as provided in s. 775.082, s.
113 775.083, or s. 775.084.

114
115 The provisions of this section do not apply to the manufacture,
116 distribution, sale at wholesale, retail sale, or seasonal sale
117 of products regulated pursuant to chapter 791 when such products
118 are not used within an indoor facility.

119 Section 4. This act shall take effect July 1, 2003.

120
121 ===== T I T L E A M E N D M E N T =====

122 Remove the entire title, and insert:

123 A bill to be entitled

124 An act relating to the Florida Building Code; providing
125 requirements relating to regional emergency elevator
126 access; requiring elevators in newly constructed or
127 certain substantially renovated buildings to be keyed
128 alike within each of the state emergency response regions;
129 providing for these requirements to be phased in for
130 certain existing buildings; restricting the duplication
131 and issuance of master elevator keys; requiring the
132 labeling of master elevator keys; allowing local fire
133 marshals to allow substitute emergency measures for
134 elevator access in certain circumstances; providing for
135 appeal of the local fire marshal's decision; providing for
136 the State Fire Marshal to enforce these provisions;
137 encouraging builders to use applicable new technology to
138 provide regional emergency elevator access; providing an
139 exemption for certain buildings; amending s. 399.106,

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140 F.S.; revising the membership of the Elevator Safety
141 Technical Advisory Committee; removing provisions
142 terminating the committee; amending s. 633.171, F.S.;
143 establishing penalties for unauthorized use of fireworks
144 and pyrotechnic devices; specifying nonapplication to
145 certain products to be used outdoors; providing an
146 effective date.
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