



HB 0397

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A bill to be entitled
 An act relating to the Florida Building Code; amending s. 553.73, F.S.; providing for the updating of the Florida Building Code; amending s. 553.842, F.S.; revising provisions relating to product evaluation reports; providing requirements relating to regional emergency elevator access; requiring elevators in certain newly constructed or substantially renovated buildings to be keyed alike within each of the state emergency response regions; providing for these requirements to be phased in for certain existing buildings; restricting the duplication and issuance of master elevator keys; requiring the labeling of master elevator keys; allowing local fire marshals to allow substitute emergency measures for elevator access in certain circumstances; providing for appeal of the local fire marshal's decision; providing for the State Fire Marshal to enforce these provisions; encouraging builders to use applicable new technology to provide regional emergency elevator access; providing an effective date.

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

Section 1. Subsection (6) of section 553.73, Florida Statutes, is amended to read:

553.73 Florida Building Code.--

(6) The commission, by rule adopted pursuant to ss. 120.536(1) and 120.54, shall update the Florida Building Code every 3 years. When updating the Florida Building Code, the commission shall consider changes made by the adopting entity of



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31 any selected model code for any model code incorporated into the
 32 Florida Building Code, and may subsequently adopt ~~the new~~
 33 ~~edition or successor of the model code or~~ any part of such code,
 34 no sooner than 6 months after it ~~such model code~~ has been
 35 adopted by the adopting organization, which may then be modified
 36 for this state as provided in this section, and shall further
 37 consider the commission's own interpretations, declaratory
 38 statements, appellate decisions, and approved statewide and
 39 local technical amendments. A change made by an institute or
 40 standards organization to any standard or criterion that is
 41 adopted by reference in the Florida Building Code does not
 42 become effective statewide until it has been adopted by the
 43 commission. Furthermore, the edition of the Florida Building
 44 Code which is in effect on the date of application for any
 45 permit authorized by the code governs the permitted work for the
 46 life of the permit and any extension granted to the permit. Any
 47 amendment to the Florida Building Code which is adopted upon a
 48 finding by the commission that the amendment is necessary to
 49 protect the public from immediate threat of harm takes effect
 50 immediately.

51 Section 2. Paragraph (a) of subsection (6) of section
 52 553.842, Florida Statutes, is amended to read:

53 553.842 Product evaluation and approval.--

54 (6) Statewide or local approval of products, methods, or
 55 systems of construction may be achieved by one of the following
 56 methods. One of these methods must be used by local officials or
 57 the commission to approve the following categories of products:

58 panel walls, exterior doors, roofing, skylights, windows,
 59 shutters, and structural components as established by the
 60 commission by rule.



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61 (a) Products for which the code establishes standardized
 62 testing or comparative or rational analysis methods shall be
 63 approved by submittal and validation of one of the following
 64 reports or listings indicating that the product or method or
 65 system of construction was evaluated to be in compliance with
 66 the Florida Building Code and that the product or method or
 67 system of construction is, for the purpose intended, at least
 68 equivalent to that required by the Florida Building Code:

- 69 1. A certification mark or listing of an approved
 70 certification agency;
- 71 2. A test report from an approved testing laboratory;
- 72 3. A product evaluation report based upon testing or
 73 comparative or rational analysis, or a combination thereof, from
 74 an approved product evaluation entity; or
- 75 4. A product evaluation report based upon testing or
 76 comparative or rational analysis, or a combination thereof,
 77 developed and signed and sealed by a professional engineer or
 78 architect, licensed in this state.

79
 80 ~~A product evaluation report or a certification mark or listing~~
 81 ~~of an approved certification agency which demonstrates that the~~
 82 ~~product or method or system of construction complies with the~~
 83 ~~Florida Building Code for the purpose intended shall be~~
 84 ~~equivalent to a test report and test procedure as referenced in~~
 85 ~~the Florida Building Code.~~

86 Section 3. Regional emergency elevator access.--

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

88 (a) For each building in this state which is six or more
 89 stories in height, including, but not limited to, hotels and
 90 condominiums, and on which construction is begun after June 30,



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91 2003, all of the keys for elevators that allow public access,
92 including, but not limited to, service and freight elevators,
93 must be keyed so as to allow all elevators within each of the
94 seven state emergency response regions to be opened with one
95 master elevator key.

96 (b) Any building in this state which is six or more
97 stories in height and is "substantially renovated" as defined in
98 the Americans with Disabilities Act, as amended, after June 30,
99 2003, must also comply with paragraph (a).

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

103 (3) Master elevator keys may be issued only to the fire
104 department and may not be issued to any other emergency-response
105 agency. A person may not duplicate a master elevator key for
106 issuance to, or issue such a key to, anyone other than
107 authorized fire-department personnel. Each master elevator key
108 must be marked "DO NOT DUPLICATE."

109 (4) If it is technically impossible to bring a building
110 into compliance with this section, the local fire marshal may
111 allow substitute emergency measures that will provide reasonable
112 emergency elevator access. The local fire marshal's decision
113 regarding substitute measures may be appealed to the State Fire
114 Marshal.

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

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



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