

HB 0101

2004

1 A bill to be entitled

2 An act relating to firesafety; amending s. 633.171, F.S.;  
3 prohibiting installation of fireworks or pyrotechnic  
4 devices in certain facilities under certain circumstances;  
5 providing for installation pursuant to a permit; providing  
6 penalties; amending s. 633.821, F.S.; authorizing the  
7 Division of State Fire Marshal to adopt certain rules  
8 relating to workplace firesafety; providing an effective  
9 date.

10  
11 Be It Enacted by the Legislature of the State of Florida:

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13 Section 1. Subsection (3) is added to section 633.171,  
14 Florida Statutes, to read:

15 633.171 Penalty for violation of law, rule, or order to  
16 cease and desist or for failure to comply with corrective  
17 order.--

18 (3)(a) An owner or operator of any indoor facility shall  
19 not install or knowingly allow the installation of fireworks or  
20 any pyrotechnic device inside such facility without a fire  
21 suppression system or without first obtaining a permit from the  
22 local fire marshal.

23 (b) A vendor or licensee shall not install any fireworks  
24 or pyrotechnic device in any indoor facility without a fire  
25 suppression system unless the vendor or licensee first obtains a  
26 permit from the local fire marshal, furnishes a copy of the  
27 permit to the owner or operator of the facility, and obtains  
28 prior written consent of the owner or operator to install the  
29 fireworks or a pyrotechnic device inside the facility pursuant  
30 to the permit.

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31 (c) The provisions of this section do not apply to the  
 32 manufacture, distribution, sale at wholesale or retail, or  
 33 seasonal retail sale of products regulated pursuant to chapter  
 34 791 if such products are not used or intended to be used within  
 35 an indoor facility.

36 (d) A person who violates this subsection commits a felony  
 37 of the third degree, punishable as provided in s. 775.082, s.  
 38 775.083, or s. 775.084.

39 Section 2. Subsection (2) of section 633.821, Florida  
 40 Statutes, is amended to read:

41 633.821 Workplace safety.--

42 (2) The division shall have the authority to adopt rules  
 43 for the purpose of ensuring safe working conditions for all  
 44 firefighter employees by authorizing the enforcement of  
 45 effective standards, by assisting and encouraging firefighter  
 46 employers to maintain safe working conditions, and by providing  
 47 for education and training in the field of safety. Specifically,  
 48 the division may by rule adopt all or any part of subparts C  
 49 through T and subpart Z of 29 C.F.R. s. 1910, as revised April  
 50 8, 1998; the National Fire Protection Association, Inc.,  
 51 Standard 1500, paragraph 5-7 (Personal Alert Safety System)  
 52 (1992 edition); the National Fire Protection Association, Inc.,  
 53 Publication 1403, Standard on Live Fire Training Evolutions  
 54 (1997 edition); and ANSI A 10.4-1990.

55 Section 3. This act shall take effect upon becoming a law.  
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