

By Senator Haridopolos

26-1507-04

1 A bill to be entitled
2 An act relating to construction contracting;
3 amending s. 489.103, F.S.; exempting the
4 installation of garage doors from regulation
5 under part I of ch. 489, F.S.; amending s.
6 489.105, F.S.; authorizing Class A or Class B
7 air-conditioning contractors to disconnect or
8 reconnect liquefied petroleum gas line
9 changeouts; deleting a prohibition against
10 mechanical contractors or plumbing contractors
11 performing work on liquefied petroleum gas
12 lines; providing an effective date.

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

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16 Section 1. Subsection (6) of section 489.103, Florida
17 Statutes, is amended to read:

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489.103 Exemptions.--This part does not apply to:

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20 (6) The sale or installation of any finished products,
21 materials, or articles of merchandise that are not fabricated
22 into and do not become a permanent fixed part of the
23 structure, such as awnings or garage doors. However, this
24 subsection does not exempt in-ground spas and swimming pools
25 that involve excavation, plumbing, chemicals, or wiring of any
26 appliance without a factory-installed electrical cord and
27 plug. This subsection does not limit the exemptions provided
28 in subsection (7).

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29 Section 2. Paragraphs (f), (g), (i), and (m) of
30 subsection (3) of section 489.105, Florida Statutes, are
31 amended to read:

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489.105 Definitions.--As used in this part:

1 (3) "Contractor" means the person who is qualified
2 for, and shall only be responsible for, the project contracted
3 for and means, except as exempted in this part, the person
4 who, for compensation, undertakes to, submits a bid to, or
5 does himself or herself or by others construct, repair, alter,
6 remodel, add to, demolish, subtract from, or improve any
7 building or structure, including related improvements to real
8 estate, for others or for resale to others; and whose job
9 scope is substantially similar to the job scope described in
10 one of the subsequent paragraphs of this subsection. For the
11 purposes of regulation under this part, "demolish" applies
12 only to demolition of steel tanks over 50 feet in height;
13 towers over 50 feet in height; other structures over 50 feet
14 in height, other than buildings or residences over three
15 stories tall; and buildings or residences over three stories
16 tall. Contractors are subdivided into two divisions, Division
17 I, consisting of those contractors defined in paragraphs
18 (a)-(c), and Division II, consisting of those contractors
19 defined in paragraphs (d)-(q):

20 (f) "Class A air-conditioning contractor" means a
21 contractor whose services are unlimited in the execution of
22 contracts requiring the experience, knowledge, and skill to
23 install, maintain, repair, fabricate, alter, extend, or
24 design, when not prohibited by law, central air-conditioning,
25 refrigeration, heating, and ventilating systems, including
26 duct work in connection with a complete system only to the
27 extent such duct work is performed by the contractor as is
28 necessary to make complete an air-distribution system, boiler
29 and unfired pressure vessel systems, and all appurtenances,
30 apparatus, or equipment used in connection therewith, and any
31 duct cleaning and equipment sanitizing which requires at least

1 a partial disassembling of the system; to install, maintain,
2 repair, fabricate, alter, extend, or design, when not
3 prohibited by law, piping, insulation of pipes, vessels and
4 ducts, pressure and process piping, and pneumatic control
5 piping; to replace, disconnect, or reconnect power wiring on
6 the load side of the dedicated existing electrical disconnect
7 switch; to install, disconnect, and reconnect low voltage
8 heating, ventilating, and air-conditioning control wiring; and
9 to install a condensate drain from an air-conditioning unit to
10 an existing safe waste or other approved disposal other than a
11 direct connection to a sanitary system. The scope of work for
12 such contractor shall also include any excavation work
13 incidental thereto, but shall not include any work such as
14 liquefied petroleum or natural gas fuel lines within buildings
15 except for disconnecting or reconnecting changeouts, potable
16 water lines or connections thereto, sanitary sewer lines,
17 swimming pool piping and filters, or electrical power wiring.

18 (g) "Class B air-conditioning contractor" means a
19 contractor whose services are limited to 25 tons of cooling
20 and 500,000 Btu of heating in any one system in the execution
21 of contracts requiring the experience, knowledge, and skill to
22 install, maintain, repair, fabricate, alter, extend, or
23 design, when not prohibited by law, central air-conditioning,
24 refrigeration, heating, and ventilating systems, including
25 duct work in connection with a complete system only to the
26 extent such duct work is performed by the contractor as is
27 necessary to make complete an air-distribution system being
28 installed under this classification, and any duct cleaning and
29 equipment sanitizing which requires at least a partial
30 disassembling of the system; to install, maintain, repair,
31 fabricate, alter, extend, or design, when not prohibited by

1 law, piping and insulation of pipes, vessels, and ducts; to
2 replace, disconnect, or reconnect power wiring on the load
3 side of the dedicated existing electrical disconnect switch;
4 to install, disconnect, and reconnect low voltage heating,
5 ventilating, and air-conditioning control wiring; and to
6 install a condensate drain from an air-conditioning unit to an
7 existing safe waste or other approved disposal other than a
8 direct connection to a sanitary system. The scope of work for
9 such contractor shall also include any excavation work
10 incidental thereto, but shall not include any work such as
11 liquefied petroleum or natural gas fuel lines within buildings
12 except for disconnecting or reconnecting changeouts, potable
13 water lines or connections thereto, sanitary sewer lines,
14 swimming pool piping and filters, or electrical power wiring.

15 (i) "Mechanical contractor" means a contractor whose
16 services are unlimited in the execution of contracts requiring
17 the experience, knowledge, and skill to install, maintain,
18 repair, fabricate, alter, extend, or design, when not
19 prohibited by law, central air-conditioning, refrigeration,
20 heating, and ventilating systems, including duct work in
21 connection with a complete system only to the extent such duct
22 work is performed by the contractor as is necessary to make
23 complete an air-distribution system, boiler and unfired
24 pressure vessel systems, lift station equipment and piping,
25 and all appurtenances, apparatus, or equipment used in
26 connection therewith, and any duct cleaning and equipment
27 sanitizing which requires at least a partial disassembling of
28 the system; to install, maintain, repair, fabricate, alter,
29 extend, or design, when not prohibited by law, piping,
30 insulation of pipes, vessels and ducts, pressure and process
31 piping, pneumatic control piping, gasoline tanks and pump

1 installations and piping for same, standpipes, air piping,
2 vacuum line piping, oxygen lines, nitrous oxide piping, ink
3 and chemical lines, fuel transmission lines, liquefied
4 petroleum gas lines within buildings, and natural gas fuel
5 lines within buildings; to replace, disconnect, or reconnect
6 power wiring on the load side of the dedicated existing
7 electrical disconnect switch; to install, disconnect, and
8 reconnect low voltage heating, ventilating, and
9 air-conditioning control wiring; and to install a condensate
10 drain from an air-conditioning unit to an existing safe waste
11 or other approved disposal other than a direct connection to a
12 sanitary system. The scope of work for such contractor shall
13 also include any excavation work incidental thereto, but shall
14 not include any work such as ~~liquefied petroleum gas fuel~~
15 ~~lines within buildings~~, potable water lines or connections
16 thereto, sanitary sewer lines, swimming pool piping and
17 filters, or electrical power wiring.

18 (m) "Plumbing contractor" means a contractor whose
19 contracting business consists of the execution of contracts
20 requiring the experience, financial means, knowledge, and
21 skill to install, maintain, repair, alter, extend, or, when
22 not prohibited by law, design plumbing. A plumbing contractor
23 may install, maintain, repair, alter, extend, or, when not
24 prohibited by law, design the following without obtaining any
25 additional local regulatory license, certificate, or
26 registration: sanitary drainage or storm drainage facilities;
27 venting systems; public or private water supply systems;
28 septic tanks; drainage and supply wells; swimming pool piping;
29 irrigation systems; or solar heating water systems and all
30 appurtenances, apparatus, or equipment used in connection
31 therewith, including boilers and pressure process piping and

1 including the installation of water, natural gas, ~~(excluding~~
2 liquid petroleum gases), and storm and sanitary sewer lines;
3 and water and sewer plants and substations. The scope of work
4 of the plumbing contractor also includes the design, when not
5 prohibited by law, and installation, maintenance, repair,
6 alteration, or extension of air-piping, vacuum line piping,
7 oxygen line piping, nitrous oxide piping, and all related
8 medical gas systems; fire line standpipes and fire sprinklers
9 to the extent authorized by law; ink and chemical lines; fuel
10 oil and gasoline piping and tank and pump installation, except
11 bulk storage plants; and pneumatic control piping systems, all
12 in such a manner as to comply with all plans, specifications,
13 codes, laws, and regulations applicable. The scope of work of
14 the plumbing contractor shall apply to private property and
15 public property, shall include any excavation work incidental
16 thereto, and shall include the work of the specialty plumbing
17 contractor. Such contractor shall subcontract, with a
18 qualified contractor in the field concerned, all other work
19 incidental to the work but which is specified herein as being
20 the work of a trade other than that of a plumbing contractor.
21 Nothing in this definition shall be construed to limit the
22 scope of work of any specialty contractor certified pursuant
23 to s. 489.113(6). Nothing in this definition shall be
24 construed to require certification or registration under this
25 part of any authorized employee of a public natural gas
26 utility or of a private natural gas utility regulated by the
27 Public Service Commission when disconnecting and reconnecting
28 water lines in the servicing or replacement of an existing
29 water heater.

30 Section 3. This act shall take effect July 1, 2004.
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SENATE SUMMARY

Deletes prohibitions against certain contractors
performing work on liquefied petroleum gas lines.