

By the Committees on Community Affairs; Domestic Security; and  
Senator Diaz de la Portilla

578-2167-06

1                                   A bill to be entitled  
2           An act relating to emergency preparedness;  
3           creating s. 399.036, F.S.; requiring an owner,  
4           managing entity, or operator of a specified  
5           residential multifamily dwelling to have at  
6           least one public elevator that is capable of  
7           operating on an alternate generated power  
8           source following certain disasters and  
9           emergencies; requiring that the alternate  
10          generated power source be capable of powering a  
11          connected fire alarm system; requiring  
12          elevators to be prewired to accept alternate  
13          generated power; requiring the alternate power  
14          supply to be sufficient to provide emergency  
15          lighting to certain portions of the building  
16          used by the public; requiring a residential  
17          multifamily dwelling to have a generator and  
18          fuel source available on the property or proof  
19          of a guaranteed service contract; requiring a  
20          local building inspector to provide  
21          verification of certain engineering plans and  
22          capabilities for alternate generated power to  
23          the emergency management director of the county  
24          by certain dates; requiring a newly constructed  
25          residential multifamily dwelling to have an  
26          alternate generated power source for use  
27          following a disaster or emergency; requiring a  
28          local building inspector to provide certain  
29          engineering plans for alternate generated power  
30          to the emergency management director prior to  
31          occupancy of the building; requiring an owner,

1 managing entity, or operator to maintain a  
2 written emergency operations plan and a log of  
3 inspections; requiring an owner, managing  
4 entity, or operator to keep a generator key  
5 near an installed generator unit; requiring an  
6 elevator inspector to confirm required  
7 capabilities and a contract for contingent  
8 services; prescribing additional requirements  
9 with respect to funding and emergency  
10 evacuation for certain dwellings for persons  
11 age 62 and older; providing an effective date.

12

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

14

15 Section 1. Section 399.036, Florida Statutes, is  
16 created to read:

17

18 399.036 Alternate generated power source for  
residential multifamily dwellings.--

19

20 (1) Any person, firm, or corporation that owns,  
manages, or operates a residential multifamily dwelling,  
including a condominium, which is at least 75 feet high and  
contains a public elevator, as described in s. 399.035(2) and  
21 (3), must have at least one public elevator that is capable of  
22 operating on an alternate generated power source for the  
23 purpose of allowing all residents access for a number of hours  
24 each day over a 5-day period following a natural disaster,  
25 manmade disaster, emergency, or other civil disturbance that  
26 disrupts the normal supply of electricity. The alternate  
27 generated power source must be capable of powering any  
28 connected fire alarm system in the building which controls  
29 elevator operations.  
30  
31

1           (2) At a minimum, the elevator must be appropriately  
2 prewired and prepared to accept such alternate generated power  
3 and must have a connection on the line side of the main  
4 disconnect, pursuant to National Electric Code Handbook,  
5 Article 700. In addition to the required power source for the  
6 elevator and connected fire alarm system in the building, the  
7 alternate power supply must be sufficient to provide emergency  
8 lighting to the internal lobbies, internal hallways, and other  
9 internal portions of the building used by the public.  
10 Residential multifamily dwellings must have an available  
11 generator and fuel source on the property or have proof of a  
12 current guaranteed service contract for such equipment and  
13 fuel source to operate the elevator on-call within 24 hours  
14 after a request. Local building inspectors must provide  
15 verification of engineering plans for alternate generated  
16 power capability for such buildings to the emergency  
17 management director of the county by December 31, 2006.  
18 Verification of installation and operational capability must  
19 be made by local building inspectors to the emergency  
20 management director of the county by December 31, 2007.  
21           (3) Each newly constructed residential multifamily  
22 dwelling, as defined in this section, which has an operating  
23 elevator must have at least one public elevator that is  
24 capable of operating on an alternate generated power source  
25 for the purpose of allowing all residents access for a number  
26 of hours each day over a 5-day period following a natural  
27 disaster, manmade disaster, emergency, or other civil  
28 disturbance that disrupts the normal supply of electricity.  
29 The alternate generated power source must be capable of  
30 powering any connected fire alarm system in the building which  
31 controls elevator operations. In addition to the required

1 power source for the elevator and connected fire alarm system  
2 in the building, the alternate power supply must be sufficient  
3 to provide emergency lighting to the internal lobbies,  
4 internal hallways, and other internal portions of the building  
5 used by the public. Engineering plans and verification of  
6 operational capability must be provided by the local building  
7 inspector to the emergency management director of the local  
8 county before occupancy of the newly constructed building.

9       (4) Each person, firm, corporation, managing  
10 association, or other entity that is required to maintain  
11 alternate generated power under this section shall maintain a  
12 written emergency operations plan that details the sequence of  
13 operations before, during, and after a natural or manmade  
14 disaster or other emergency situation. The plan must include,  
15 at a minimum, a life-safety plan for evacuation, maintenance  
16 of the electrical and lighting supply, and provision for the  
17 health, safety, and welfare of the residents. In addition, the  
18 owner, managing entity, or operator of the residential  
19 multifamily dwelling must keep a log containing a list of  
20 quarterly inspections to keep life-safety and alternate power  
21 generation equipment in good and working condition and any  
22 contracts for alternate power generation equipment. The  
23 written emergency operations plan and log shall be open for  
24 periodic inspections by local and state government agencies,  
25 as deemed necessary. The owner, managing entity, or operator  
26 must keep a generator key in a lockbox posted at or near any  
27 installed generator unit.

28       (5) As a part of the annual elevator inspection  
29 required in s. 399.061, certified inspectors shall confirm  
30 that all installed generators required by this chapter are in  
31 working order, that the logs are current, and that the

1 required generator key is present in the lockbox posted at or  
2 near the installed generator. If a building does not have an  
3 installed generator, the inspector shall ensure that the  
4 transfer switch is visible in the utility connection box and  
5 confirm that a contract for contingent services for alternate  
6 generated power is current for the operating period.

7 (6) Multistory affordable residential dwellings for  
8 persons age 62 and older which are financed or insured by the  
9 United States Department of Housing and Urban Development must  
10 make every effort to obtain grant funding from the Federal  
11 Government or the Florida Housing Finance Corporation to  
12 comply with this section. If an owner of such a residential  
13 dwelling cannot comply, the owner must develop a plan with the  
14 local emergency management director to ensure that residents  
15 are evacuated to a place of safety in the event of a power  
16 outage resulting from a natural or manmade disaster or other  
17 emergency situation that disrupts the normal supply of  
18 electricity for an extended period of time. A place of safety  
19 may include, but is not limited to, relocation to an  
20 alternative site within the building or evacuation to a local  
21 shelter.

22 Section 2. This act shall take effect upon becoming a  
23 law.

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25 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN  
26 COMMITTEE SUBSTITUTE FOR  
27 CS/SB 860

28 The committee substitute for committee substitute revises  
29 language relating to an alternate generated power source and  
30 annual elevator building inspections for certain residential  
31 multi-family dwellings. If a building does not have an  
installed generator, it requires the inspector to ensure the  
transfer switch is visible in the utility connection box and  
confirm that a contract for contingent services to provide a  
generator is current for the operating period.