

Bill No. CS for SB 2836

Barcode 830074

CHAMBER ACTION

Senate

House

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The Committee on Transportation and Economic Development
Appropriations (Diaz de la Portilla) recommended the following
amendment:

Senate Amendment (with title amendment)

On page 24, between lines 29 and 30,

insert:

Section 8. Subsection (2) of section 633.081, Florida
Statutes, is amended to read:

633.081 Inspection of buildings and equipment; orders;
firesafety inspection training requirements; certification;
disciplinary action.--The State Fire Marshal and her or his
agents shall, at any reasonable hour, when the department has
reasonable cause to believe that a violation of this chapter
or s. 509.215, or a rule promulgated thereunder, or a minimum
firesafety code adopted by a local authority, may exist,
inspect any and all buildings and structures which are subject
to the requirements of this chapter or s. 509.215 and rules
promulgated thereunder. The authority to inspect shall extend
to all equipment, vehicles, and chemicals which are located

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1 within the premises of any such building or structure.

2 (2) Every firesafety inspection conducted pursuant to
3 state or local firesafety requirements shall be by a person
4 certified as having met the inspection training requirements
5 set by the State Fire Marshal. Such person shall:

6 (a) Be a high school graduate or the equivalent as
7 determined by the department;

8 (b) Not have been found guilty of, or having pleaded
9 guilty or nolo contendere to, a felony or a crime punishable
10 by imprisonment of 1 year or more under the law of the United
11 States, or of any state thereof, which involves moral
12 turpitude, without regard to whether a judgment of conviction
13 has been entered by the court having jurisdiction of such
14 cases;

15 (c) Have her or his fingerprints on file with the
16 department or with an agency designated by the department;

17 (d) Have good moral character as determined by the
18 department;

19 ~~(e) Be a resident of Florida;~~

20 ~~(e)(f)~~ Have satisfactorily completed the firesafety
21 inspector certification examination as prescribed by the
22 department; and

23 ~~(f)(g)~~1. Have satisfactorily completed, as determined
24 by the department, a firesafety inspector training program of
25 not less than 200 hours, ~~as~~ established by the department and
26 administered by ~~such~~ agencies and institutions ~~as~~ approved by
27 the department for the purpose of providing basic
28 certification training for firesafety inspectors; or

29 2. Have received in another state training which is
30 determined by the department to be at least equivalent to that
31 required by the department for approved firesafety inspector

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1 education and training programs in this state.

2 Section 9. Subsections (1) and (3) of section 633.082,
3 Florida Statutes, are amended to read:

4 633.082 Inspection of fire control systems, fire
5 hydrants, and fire protection systems.--

6 (1) The State Fire Marshal shall have the right to
7 inspect any fire control or fire protection system during and
8 after construction to determine that such system meets the
9 standards set forth in the laws and rules of the state. This
10 section does not prohibit a governmental entity from
11 inspecting and enforcing firesafety codes if the inspector for
12 the governmental entity is certified under s. 633.081.

13 (3) The inspecting contractor shall provide to the
14 building owner or hydrant owner and the local authority having
15 jurisdiction a copy of the applicable inspection report
16 established under this chapter. The maintenance of fire
17 hydrant and fire protection systems as well as corrective
18 actions on deficient systems is the responsibility of the
19 owner of the system or hydrant. ~~This section does not prohibit~~
20 ~~governmental entities from inspecting and enforcing firesafety~~
21 ~~codes.~~

22 Section 10. Subsection (9) of section 633.521, Florida
23 Statutes, is amended, and subsection (11) is added to that
24 section, to read:

25 633.521 Certificate application and issuance; permit
26 issuance; examination and investigation of applicant.--

27 (9) It is the intent of the Legislature that the
28 inspections and testing of automatic fire sprinkler systems
29 for detached one-family dwellings, detached two-family
30 dwellings, and mobile homes be accomplished by the owner, who
31 is responsible for requesting service from a contractor when

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1 necessary. It is further intended that the NFPA-25 inspection
 2 of exposed underground piping and any attached appurtenances
 3 supplying a fire protection system be conducted by a
 4 Contractor I or Contractor II.

5 (11) It is intended that a certificateholder, or a
 6 permitholder who is employed by a certificateholder, conduct
 7 inspections required by this chapter. It is understood that
 8 after July 1, 2008, employee turnover may result in a
 9 depletion of personnel who are certified under the NICET
 10 Sub-field of Inspection and Testing of Fire Protection Systems
 11 Level II which is required for permitholders. The extensive
 12 training and experience necessary to achieve NICET Level II
 13 certification is recognized. A certificateholder may therefore
 14 obtain a provisional permit with an endorsement for
 15 inspection, testing, and maintenance of water-based fire
 16 extinguishing systems for an employee if the employee has
 17 initiated procedures for obtaining Level II certification from
 18 the National Institute for Certification in Engineering
 19 Technologies Sub-field of Inspection and Testing of Fire
 20 Protection Systems and achieved Level I certification. After 2
 21 years of provisional certification, the employee must have
 22 achieved NICET Level II certification or cease performing
 23 inspections requiring Level II certification. The provisional
 24 permit is valid only for the 2 calendar years after the date
 25 of issuance, may not be extended, and is not renewable. After
 26 the initial 2-year provisional permit expires, the
 27 certificateholder must wait 2 additional years before a new
 28 provisional permit may be issued. The intent is to prohibit
 29 the certificateholder from using employees who never reach
 30 NICET Level II status by continuously obtaining provisional
 31 permits.

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1 Section 11. Subsection (4) of section 633.537, Florida
2 Statutes, is amended to read:

3 633.537 Certificate; expiration; renewal; inactive
4 certificate; continuing education.--

5 (4) The renewal period for the permit class is the
6 same as that for of the employing certificateholder. The
7 continuing education requirements for permitholders are what
8 is required to maintain NICET Sub-field of Inspection and
9 Testing of Fire Protection Systems Level II or higher
10 certification plus 8 shall be 8 contact hours by June 30,
11 2006. An additional 16 contact hours of continuing education
12 is required by June 30, 2008, and during each biennial renewal
13 period thereafter. The continuing education curriculum from
14 July 1, 2005, until July 1, 2008, shall be the preparatory
15 curriculum for NICET II certification; after July 1, 2008, the
16 technical curriculum is at the discretion of the State Fire
17 Marshal and may be used to meet the maintenance of NICET Level
18 II certification and 8 contact hours of continuing education
19 requirements. It is the responsibility of the permitholder to
20 maintain NICET II certification as a condition of permit
21 renewal after July 1, 2008.

22
23 (Redesignate subsequent sections.)

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26 ===== T I T L E A M E N D M E N T =====

27 And the title is amended as follows:

28 On page 2, line 19, after the semicolon,
29
30 insert:

31 amending s. 633.081, F.S.; deleting the

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1 requirement that a certified firesafety
2 inspector be a resident of Florida; amending s.
3 633.082, F.S.; requiring a firesafety inspector
4 for a governmental entity to be certified;
5 amending s. 633.521, F.S.; providing for
6 provisional permits for inspectors of certain
7 fire protection systems; providing a time
8 limitation for such permits; amending s.
9 633.537, F.S.; revising continuing education
10 requirements;

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