

Bill No. CS for SB 404

Barcode 882232

	CHAMBER ACTION	
<u>Senate</u>		<u>House</u>

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4	03/28/2007 03:34 PM
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11 Senator Bennett moved the following amendment:

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13 **Senate Amendment (with title amendment)**

14 On page 10, between lines 6 and 7,

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16 insert:

17 Section 8. Subsection (9) of section 489.113, Florida
18 Statutes, is amended to read:

19 489.113 Qualifications for practice; restrictions.--

20 (9)(a) ~~Nothing in This part does not shall be~~
21 ~~construed to~~ prevent any contractor from acting as a prime
22 contractor where the majority of the work to be performed
23 under the contract is within the scope of his or her license
24 or and from subcontracting to other licensed contractors that
25 remaining work which is part of the project contracted.

26 (b) This part, chapter 471, chapter 481, or any other
27 provision of law does not:

28 1. Prevent any licensed engineer or architect from
29 contracting directly with a licensed contractor for the
30 preparation of plans, specifications, or a master design
31 manual addressing structural designs used to make an

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1 application for building permits.

2 2. Require a licensed engineer or architect, when
3 preparing drawings, specifications, plans, or master design
4 manuals for use by any licensed contractor, to prepare
5 site-specific drawings, specifications, or plans for the
6 design and construction of single-family and two-family
7 dwelling; swimming pools, spas, or screened enclosures; or
8 any other structure not exceeding 1,200 square feet or one
9 story in height. For the purpose of issuing building permits,
10 local building officials shall accept such drawings,
11 specifications, or plans when submitted by any licensed
12 contractor. Upon good cause shown, local government code
13 enforcement agencies may accept or reject plans prepared by
14 persons licensed under chapter 471, chapter 481, or this
15 chapter.

16
17 As used in this section, the term "master design manual" means
18 a restrictive design manual intended to be used to design,
19 permit, and construct structures as described in this section.
20 Any such manual must be prepared by a licensed engineer or
21 architect and specifically detail the limits of its use,
22 including, but not limited to, the structure type, size,
23 materials, loading conditions, time limits, applicable codes,
24 and associated criteria. The manual must also detail the
25 required training for the contractor, engineer, or architect
26 using the manual. All master design manuals must be peer
27 reviewed by an independent licensed engineer or architect
28 having no financial interest in the development of the manual
29 or the construction of structures pursuant to the manual. The
30 engineer or architect conducting the peer review must be
31 identified in the manual.

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1 (c) Notwithstanding anything in this chapter or any
2 other provision of law, a licensed engineer or architect is
3 not required for the preparation or use of any design guide
4 adopted by the Florida Building Commission as part of the
5 building code pursuant to s. 553.73.

6
7 (Redesignate subsequent sections.)
8
9

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

11 And the title is amended as follows:

12 On page 3, line 2, after the semicolon,

13
14 insert:

15 amending s, 489.113, F.S.; prohibiting the
16 prevention of a licensed engineer or architect
17 from contracting directly with a licensed
18 contractor for the preparation of plans,
19 specifications, or a master design manual when
20 making an application for a building permit;
21 prohibiting the requirement of site-specific
22 drawings, specifications, or plans for certain
23 structures; authorizing local code enforcement
24 agencies to accept or reject plans prepared by
25 certain persons; defining the term "master
26 design manual"; providing requirements
27 regarding the preparation of such manuals;
28 requiring that a master design manual contain
29 certain information; requiring that such
30 manuals be peer reviewed by a licensed engineer
31 or architect who meets certain criteria;

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1 requiring that the reviewer be identified in
2 the manual; providing that a licensed engineer
3 or architect is not required for the
4 preparation or use of certain design guides;
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