



222574

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/01/2009	.	
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The Committee on Regulated Industries (Jones) recommended the following:

Senate Amendment (with title amendment)

Between lines 532 and 533
insert:

(6) Elevator owners have 3 years to retrofit an elevator to comply with any noncritical revision of the elevator safety code. This subsection does not apply to new installations, any replacement of an existing installation, or any repair of an existing installation for which a construction permit is required. When revising the elevator safety code, the division shall determine for each revision of the elevator safety code



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12 whether the new or revised code requirement is a critical or
13 noncritical revision. To determine whether a new or revised code
14 requirement is a critical or noncritical revision of the code,
15 the division shall:

16 (a) Determine the nature of the risk of harm or injury to
17 the public associated with the proposed code revision;

18 (b) Review whether there have been incidences of harm or
19 injury to the public related to the risk that the proposed code
20 revision is intended to address;

21 (c) Evaluate whether a delay in the implementation of the
22 proposed code revision would pose a danger to life or safety;

23 (d) Consider the cost to elevator owners of compliance with
24 the proposed code revision; and

25 (e) Determine whether the risks associated with the
26 proposed code revision may be avoided or whether the benefits
27 associated with the proposed code revision may be achieved
28 through alternative means.

29 Nothing in this subsection shall prohibit the division from
30 granting variances pursuant to ss. 120.542 and 399.02(4). The
31 division shall adopt rules to administer and implement this
32 subsection.

33
34 ===== T I T L E A M E N D M E N T =====

35 And the title is amended as follows:

36 Delete line 22

37 and insert:

38 associated fees; permitting elevator owners 3 years to retrofit
39 an elevator to comply with noncriminal revisions of the Elevator
40 Safety Code; amending s. 399.03, F.S.; revising