

By Senator Crist

12-01112-10

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1 A bill to be entitled
2 An act relating to firesafety inspections; amending s.
3 633.081, F.S.; providing exceptions to certain local
4 government firesafety inspection requirements;
5 amending s. 633.082, F.S.; specifying inspection
6 requirements for fire hydrants owned by governmental
7 entities; authorizing local government utilities to
8 comply using designated employees; specifying
9 responsibility for ensuring the qualification of
10 designated employees to make inspections; providing an
11 effective date.

12
13 Be It Enacted by the Legislature of the State of Florida:

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15 Section 1. Subsections (1) and (2) of section 633.081,
16 Florida Statutes, are amended to read:

17 633.081 Inspection of buildings and equipment; orders;
18 firesafety inspection training requirements; certification;
19 disciplinary action.—The State Fire Marshal and her or his
20 agents shall, at any reasonable hour, when the department has
21 reasonable cause to believe that a violation of this chapter or
22 s. 509.215, or a rule promulgated thereunder, or a minimum
23 firesafety code adopted by a local authority, may exist, inspect
24 any and all buildings and structures which are subject to the
25 requirements of this chapter or s. 509.215 and rules promulgated
26 thereunder. The authority to inspect shall extend to all
27 equipment, vehicles, and chemicals which are located within the
28 premises of any such building or structure.

29 (1) Each county, municipality, and special district that

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30 has firesafety enforcement responsibilities shall employ or
31 contract with a firesafety inspector. Except as provided in s.
32 633.082(2), the firesafety inspector must conduct all firesafety
33 inspections that are required by law. The governing body of a
34 county, municipality, or special district that has firesafety
35 enforcement responsibilities may provide a schedule of fees to
36 pay only the costs of inspections conducted pursuant to this
37 subsection and related administrative expenses. Two or more
38 counties, municipalities, or special districts that have
39 firesafety enforcement responsibilities may jointly employ or
40 contract with a firesafety inspector.

41 (2) Except as provided in s. 633.082(2), every firesafety
42 inspection conducted pursuant to state or local firesafety
43 requirements shall be by a person certified as having met the
44 inspection training requirements set by the State Fire Marshal.
45 Such person shall:

46 (a) Be a high school graduate or the equivalent as
47 determined by the department;

48 (b) Not have been found guilty of, or having pleaded guilty
49 or nolo contendere to, a felony or a crime punishable by
50 imprisonment of 1 year or more under the law of the United
51 States, or of any state thereof, which involves moral turpitude,
52 without regard to whether a judgment of conviction has been
53 entered by the court having jurisdiction of such cases;

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

56 (d) Have good moral character as determined by the
57 department;

58 (e) Be at least 18 years of age;

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59 (f) Have satisfactorily completed the firesafety inspector
60 certification examination as prescribed by the department; and

61 (g)1. Have satisfactorily completed, as determined by the
62 department, a firesafety inspector training program of not less
63 than 200 hours established by the department and administered by
64 agencies and institutions approved by the department for the
65 purpose of providing basic certification training for firesafety
66 inspectors; or

67 2. Have received in another state training which is
68 determined by the department to be at least equivalent to that
69 required by the department for approved firesafety inspector
70 education and training programs in this state.

71 Section 2. Subsection (2) of section 633.082, Florida
72 Statutes, is amended to read:

73 633.082 Inspection of fire control systems, fire hydrants,
74 and fire protection systems.—

75 (2) Fire hydrants and fire protection systems installed in
76 public and private properties, except one-family or two-family
77 dwellings, ~~in this state~~ shall be inspected following procedures
78 established in the nationally recognized inspection, testing,
79 and maintenance standards publications NFPA-24 and NFPA-25 as
80 set forth in the edition adopted by the State Fire Marshal.
81 Quarterly, annual, 3-year, and 5-year inspections consistent
82 with the contractual provisions with the owner shall be
83 conducted by the certificateholder or permittees employed by the
84 certificateholder pursuant to s. 633.521, except that:

85 (a) Public fire hydrants owned by a governmental entity
86 shall be inspected following procedures established in the
87 inspection, testing, and maintenance standards adopted by the

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88 State Fire Marshal or equivalent standards such as those
89 contained in the latest edition of the American Water Works
90 Association's Manual M17, "Installation, Field Testing, and
91 Maintenance of Fire Hydrants."

92 (b) County, municipal, and special district utilities may
93 perform fire hydrant inspections required by this section using
94 designated employees. Such designated employees need not be
95 certified under this chapter. However, counties, municipalities,
96 or special districts that use designated employees are
97 responsible for ensuring that the designated employees are
98 qualified to perform such inspections.

99 Section 3. This act shall take effect upon becoming a law.