

HB 629

2010

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; amending s.
5 633.082, F.S.; specifying inspection requirements for fire
6 hydrants owned by governmental entities; authorizing local
7 government utilities to comply using designated employees;
8 specifying responsibility for ensuring the qualification
9 of designated employees to make inspections; providing an
10 effective date.

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

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

16 633.081 Inspection of buildings and equipment; orders;
17 firesafety inspection training requirements; certification;
18 disciplinary action.—The State Fire Marshal and her or his
19 agents shall, at any reasonable hour, when the department has
20 reasonable cause to believe that a violation of this chapter or
21 s. 509.215, or a rule promulgated thereunder, or a minimum
22 firesafety code adopted by a local authority, may exist, inspect
23 any and all buildings and structures which are subject to the
24 requirements of this chapter or s. 509.215 and rules promulgated
25 thereunder. The authority to inspect shall extend to all
26 equipment, vehicles, and chemicals which are located within the
27 premises of any such building or structure.

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

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

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

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

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

- 55 (d) Have good moral character as determined by the
 56 department;
- 57 (e) Be at least 18 years of age;
- 58 (f) Have satisfactorily completed the firesafety inspector
 59 certification examination as prescribed by the department; and
- 60 (g)1. Have satisfactorily completed, as determined by the
 61 department, a firesafety inspector training program of not less
 62 than 200 hours established by the department and administered by
 63 agencies and institutions approved by the department for the
 64 purpose of providing basic certification training for firesafety
 65 inspectors; or
- 66 2. Have received in another state training which is
 67 determined by the department to be at least equivalent to that
 68 required by the department for approved firesafety inspector
 69 education and training programs in this state.

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

72 633.082 Inspection of fire control systems, fire hydrants,
 73 and fire protection systems.—

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

HB 629

2010

82 | conducted by the certificateholder or permittees employed by the
83 | certificateholder pursuant to s. 633.521, except that:

84 | (a) Public fire hydrants owned by a governmental entity
85 | shall be inspected following procedures established in the
86 | inspection, testing, and maintenance standards adopted by the
87 | State Fire Marshal or equivalent standards such as those
88 | contained in the latest edition of the American Water Works
89 | Association's Manual M17, "Installation, Field Testing, and
90 | Maintenance of Fire Hydrants."

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

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