



231238

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/16/2011	.	
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	.	
	.	

The Committee on Regulated Industries (Wise) recommended the following:

Senate Amendment (with title amendment)

Between lines 711 and 712
insert:

Section 19. Section 553.502, Florida Statutes, is amended
to read:

553.502 Intent.—The purpose and intent of this part ~~ss.~~
~~553.501–553.513~~ is to incorporate into the law of this state the
accessibility requirements of the Americans with Disabilities
Act of 1990, as amended ~~Pub. L. No. 101–336~~, 42 U.S.C. ss. 12101
et seq., and to obtain and maintain United States Department of
Justice certification of the Florida Accessibility Code for



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13 Building Construction as equivalent to federal standards for
14 accessibility of buildings, structures, and facilities. All
15 state laws, rules, standards, and codes governing facilities
16 covered by the Americans with Disabilities Act Standards for
17 Accessible Design guidelines shall be maintained to assure
18 certification of the state's construction standards and codes.
19 This part ~~Nothing in ss. 553.501-553.513~~ is not intended to
20 expand or diminish the defenses available to a place of public
21 accommodation or a commercial facility under the Americans with
22 Disabilities Act and the standards ~~federal Americans with~~
23 ~~Disabilities Act Accessibility Guidelines~~, including, but not
24 limited to, the readily achievable standard, and the standards
25 applicable to alterations to private buildings or facilities as
26 defined by the standards ~~places of public accommodation~~.

27 Section 20. Section 553.503, Florida Statutes, is amended
28 to read:

29 553.503 Adoption of federal standards ~~guidelines~~.—Subject
30 to modifications under this part ~~the exceptions in s. 553.504~~,
31 the federal Americans with Disabilities Act Standards for
32 Accessible Design Accessibility Guidelines, and related
33 regulations provided as adopted by reference in 28 C.F.R., parts
34 35 and part 36, and 49 C.F.R. part 37 subparts A and D, and
35 ~~Title II of Pub. L. No. 101-336~~, are hereby adopted and
36 incorporated by reference as the law of this state and shall be
37 incorporated into. ~~The guidelines shall establish the minimum~~
38 ~~standards for the accessibility of buildings and facilities~~
39 ~~built or altered within this state.~~ the 1997 Florida
40 Accessibility Code for Building Construction and ~~must be~~ adopted
41 by the Florida Building Commission in accordance with chapter



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42 120.

43 Section 21. Section 553.504, Florida Statutes, is amended
44 to read:

45 553.504 Exceptions to applicability of the federal
46 standards guidelines.—Notwithstanding the adoption of the
47 Americans with Disabilities Act Standards for Accessible Design
48 pursuant to Accessibility Guidelines in s. 553.503, all
49 buildings, structures, and facilities in this state must shall
50 meet the following additional requirements if such requirements
51 when they provide increased accessibility:

52 (1) All new or altered public buildings and facilities,
53 private buildings and facilities, places of public
54 accommodation, and commercial facilities, as those terms are
55 defined by the standards, subject to this part ss. 553.501-
56 553.513 which may be frequented in, lived in, or worked in by
57 the public must shall comply with this part ss. 553.501-553.513.

58 (2) All new single-family houses, duplexes, triplexes,
59 condominiums, and townhouses shall provide at least one
60 bathroom, located with maximum possible privacy, where bathrooms
61 are provided on habitable grade levels, with a door that has a
62 29-inch clear opening. However, if only a toilet room is
63 provided at grade level, such toilet room must shall have a
64 clear opening of at least not less than 29 inches.

65 ~~(3) All required doors and walk-through openings in~~
66 ~~buildings excluding single-family homes, duplexes, and triplexes~~
67 ~~not covered by the Americans with Disabilities Act of 1990 or~~
68 ~~the Fair Housing Act shall have at least 29 inches of clear~~
69 ~~width except under ss. 553.501-553.513.~~

70 ~~(4) In addition to the requirements in reference 4.8.4 of~~



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71 ~~the guidelines, all landings on ramps shall be not less than 60~~
72 ~~inches clear, and the bottom of each ramp shall have not less~~
73 ~~than 72 inches of straight and level clearance.~~

74 ~~(5) All curb ramps shall be designed and constructed in~~
75 ~~accordance with the following requirements:~~

76 ~~(a) Notwithstanding the requirements of reference 4.8.5.2~~
77 ~~of the guidelines, handrails on ramps which are not continuous~~
78 ~~shall extend not less than 18 inches beyond the sloped segment~~
79 ~~at both the top and bottom, and shall be parallel to the floor~~
80 ~~or ground surface.~~

81 ~~(b) Notwithstanding the requirements of references 4.3.3~~
82 ~~and 4.8.3 of the guidelines, curb ramps that are part of a~~
83 ~~required means of egress shall be not less than 44 inches wide.~~

84 ~~(c) Notwithstanding the requirements of reference 4.7.5 of~~
85 ~~the guidelines, curb ramps located where pedestrians must use~~
86 ~~them and all curb ramps which are not protected by handrails or~~
87 ~~guardrails shall have flared sides with a slope not exceeding a~~
88 ~~ratio of 1 to 12.~~

89 ~~(3)(6) Notwithstanding the requirements in s. 404.2.9~~
90 ~~reference 4.13.11 of the standards guidelines, exterior hinged~~
91 ~~doors must shall be ~~so~~ designed so that such doors can be pushed~~
92 ~~or pulled open with a force not exceeding 8.5 foot pounds.~~

93 ~~(7) Notwithstanding the requirements in reference 4.33.1 of~~
94 ~~the guidelines, all public food service establishments, all~~
95 ~~establishments licensed under the Beverage Law for consumption~~
96 ~~on the premises, and all facilities governed by reference 4.1 of~~
97 ~~the guidelines shall provide seating or spaces for seating in~~
98 ~~accordance with the following requirements:~~

99 ~~(a) For the first 100 fixed seats, accessible and usable~~



100 ~~spaces must be provided consistent with the following table:~~

101

Capacity of Seating In Assembly Areas	Number of Required Wheelchair Locations
1 to 25.....	1
26 to 50.....	2
51 to 100.....	4

102
103
104

105
106 ~~(b) For all remaining fixed seats, there shall be not less~~
107 ~~than one such accessible and usable space for each 100 fixed~~
108 ~~seats or fraction thereof.~~

109 ~~(8) Notwithstanding the requirements in references 4.32.1-~~
110 ~~4.32.4 of the guidelines, all fixed seating in public food~~
111 ~~service establishments, in establishments licensed under the~~
112 ~~Beverage Law for consumption on the premises, and in all other~~
113 ~~facilities governed by reference 4.1 of the guidelines shall be~~
114 ~~designed and constructed in accordance with the following~~
115 ~~requirements:~~

116 ~~(a) All aisles adjacent to fixed seating shall provide~~
117 ~~clear space for wheelchairs.~~

118 ~~(b) Where there are open positions along both sides of such~~
119 ~~aisles, the aisles shall be not less than 52 inches wide.~~

120 ~~(4) (9) In motels and hotels a number of rooms equaling at~~
121 ~~least 5 percent of the guest rooms minus the number of~~
122 ~~accessible rooms required by the standards must guidelines shall~~
123 ~~provide the following special accessibility features:~~



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124 (a) Grab rails in bathrooms and toilet rooms that comply
125 with s. ~~604.5~~ 4.16.4 of the standards ~~guidelines~~.

126 (b) All beds in designed accessible guest rooms must ~~shall~~
127 be an open-frame type that allows the ~~to permit~~ passage of lift
128 devices.

129 (c) Water closets that comply with section 604.4 of the
130 standards. All standard water closet seats shall be at a height
131 of 15 inches, measured vertically from the finished floor to the
132 top of the seat, with a variation of plus or minus 1/2 inch. A
133 portable or attached raised toilet seat shall be provided in all
134 designated handicapped accessible rooms.

135

136 All buildings, structures, or facilities licensed as a hotel,
137 motel, or condominium pursuant to chapter 509 are ~~shall be~~
138 subject to ~~the provisions of~~ this subsection. This subsection
139 does not relieve ~~Nothing in this subsection shall be construed~~
140 ~~as relieving~~ the owner of the responsibility of providing
141 accessible rooms in conformance with ss. 224 and 806 of the
142 standards 9.1-9.5 of the guidelines.

143 ~~(10) Notwithstanding the requirements in reference 4.29.2~~
144 ~~of the guidelines, all detectable warning surfaces required by~~
145 ~~the guidelines shall be governed by the requirements of American~~
146 ~~National Standards Institute A117.1-1986.~~

147 ~~(11) Notwithstanding the requirements in references 4.31.2~~
148 ~~and 4.31.3 of the guidelines, the installation and placement of~~
149 ~~all public telephones shall be governed by the rules of the~~
150 ~~Florida Public Service Commission.~~

151 ~~(5)~~ (12) Notwithstanding ss. 213 and 604 of the standards
152 ~~the requirements in references 4.1.3(11) and 4.16-4.23 of the~~



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153 ~~guidelines~~, required bathing rooms ~~restrooms~~ and toilet rooms in
154 new construction shall be designed and constructed in accordance
155 with the following ~~requirements~~:

156 (a) The standard accessible toilet compartment must
157 ~~restroom stall~~ shall contain an accessible lavatory within it,
158 which must be at least the size of such lavatory to be not less
159 ~~than~~ 19 inches wide by 17 inches deep, nominal size, and wall-
160 mounted. The lavatory shall be mounted so as not to overlap the
161 clear floor space areas required by s. 604 of the standards ~~4.17~~
162 ~~figure 30(a) of the guidelines~~ for the standard accessible
163 toilet compartment stall and ~~to~~ comply with s. 606 of the
164 standards ~~4.19 of the guidelines~~. Such lavatories shall be
165 counted as part of the required fixture count for the building.

166 (b) The accessible toilet compartments must ~~water closet~~
167 ~~shall~~ be located in the corner, diagonal to the door.

168 ~~(c) The accessible stall door shall be self-closing.~~

169 ~~(13) All customer checkout aisles not required by the~~
170 ~~guidelines to be handicapped accessible shall have at least 32~~
171 ~~inches of clear passage.~~

172 ~~(14) Turnstiles shall not be used in occupancies which~~
173 ~~serve fewer than 100 persons, but turnstiles may be used in~~
174 ~~occupancies which serve at least 100 persons if there is an~~
175 ~~unlocked alternate passageway on an accessible route affording~~
176 ~~not less than 32 inches of clearance, equipped with latching~~
177 ~~devices in accordance with the guidelines.~~

178 ~~(6) (15)~~ Barriers at common or emergency entrances and exits
179 of business establishments conducting business with the general
180 public that are existing, under construction, or under contract
181 for construction which would prevent a person from using such



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182 entrances or exits must ~~shall~~ be removed.

183 Section 22. Section 553.5041, Florida Statutes, is amended
184 to read:

185 553.5041 Parking spaces for persons who have disabilities.-

186 (1) This section is not intended to expand or diminish the
187 defenses available to a place of public accommodation under the
188 Americans with Disabilities Act and the federal Americans with
189 Disabilities Act Standards for Accessible Design Accessibility
190 Guidelines, including, but not limited to, the readily
191 achievable standard, and the standards applicable to alterations
192 to places of public accommodation and commercial facilities.

193 Subject to the exceptions described in subsections (2), (4),
194 (5), and (6), if when the parking and loading zone requirements
195 of the federal standards and related regulations ~~Americans with~~
196 ~~Disabilities Act Accessibility Guidelines (ADAAG)~~, as adopted by
197 ~~reference in 28 C.F.R. part 36, subparts A and D, and Title II~~
198 ~~of Pub. L. No. 101-336~~, provide increased accessibility, those
199 requirements are adopted and incorporated by reference as the
200 law of this state.

201 (2) State agencies and political subdivisions having
202 jurisdiction over street parking or publicly owned or operated
203 parking facilities are not required to provide a greater right-
204 of-way width than would otherwise be planned under regulations,
205 guidelines, or practices normally applied to new development.

206 (3) Designated accessible ~~If parking spaces are provided~~
207 ~~for self-parking by employees or visitors, or both, accessible~~
208 ~~spaces shall be provided in each such parking area. Such spaces~~
209 shall be designed and marked for the exclusive use of ~~those~~
210 individuals who have a severe physical disability and have



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211 permanent or temporary mobility problems that substantially
212 impair their ability to ambulate and who have been issued ~~either~~
213 a disabled parking permit under s. 316.1958 or s. 320.0848 or a
214 license plate under s. 320.084, s. 320.0842, s. 320.0843, or s.
215 320.0845.

216 (4) The number of accessible parking spaces must comply
217 with the parking requirements in ~~ADAAG~~ s. 208 of the standards
218 ~~4.1~~ and the following:

219 (a) There must be one accessible parking space in the
220 immediate vicinity of a publicly owned or leased building that
221 houses a governmental entity or a political subdivision,
222 including, but not limited to, state office buildings and
223 courthouses, if ~~no~~ parking for the public is not provided on the
224 premises of the building.

225 (b) There must be one accessible parking space for each 150
226 metered on-street parking spaces provided by state agencies and
227 political subdivisions.

228 (c) The number of parking spaces for persons who have
229 disabilities must be increased on the basis of demonstrated and
230 documented need.

231 (5) Accessible perpendicular and diagonal accessible
232 parking spaces and loading zones must be designed and located to
233 conform to ~~in conformance with the guidelines set forth in ADAAG~~
234 ~~ss. 502 and 503 of the standards. 4.1.2 and 4.6 and Appendix s.~~
235 ~~A4.6.3 "Universal Parking Design."~~

236 (a) All spaces must be located on an accessible route that
237 is at least ~~no less than~~ 44 inches wide so that users are will
238 not be compelled to walk or wheel behind parked vehicles except
239 behind his or her own vehicle.



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240 (b) ~~Each space must be located on the shortest safely~~
241 ~~accessible route from the parking space to an accessible~~
242 ~~entrance.~~ If there are multiple entrances or multiple retail
243 stores, the parking spaces must be dispersed to provide parking
244 at the nearest accessible entrance. If a theme park or an
245 entertainment complex as defined in s. 509.013(9) provides
246 parking in several lots or areas from which access to the theme
247 park or entertainment complex is provided, a single lot or area
248 may be designated for parking by persons who have disabilities,
249 if the lot or area is located on the shortest ~~safely~~ accessible
250 route to an accessible entrance to the theme park or
251 entertainment complex or to transportation to such an accessible
252 entrance.

253 (c)1. Each parking space must be at least ~~no less than~~ 12
254 feet wide. Parking access aisles must be at least ~~no less than~~ 5
255 feet wide and must be part of an accessible route to the
256 building or facility entrance. ~~In accordance with ADAAG s.~~
257 ~~4.6.3, access aisles must be placed adjacent to accessible~~
258 ~~parking spaces; however, two accessible parking spaces may share~~
259 ~~a common access aisle.~~ The access aisle must be striped
260 diagonally to designate it as a no-parking zone.

261 2. The parking access aisles are reserved for the temporary
262 exclusive use of persons who have disabled parking permits and
263 who require extra space to deploy a mobility device, lift, or
264 ramp in order to exit from or enter a vehicle. Parking is not
265 allowed in an access aisle. Violators are subject to the same
266 penalties ~~that are~~ imposed for illegally parking in parking
267 spaces that are designated for persons who have disabilities. A
268 vehicle may not be parked in an access aisle, even if the



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269 vehicle owner or passenger is disabled or owns a disabled
270 parking permit.

271 3. Notwithstanding any other provision of this subsection
272 ~~to the contrary notwithstanding~~, a theme park or an
273 entertainment complex as defined in s. 509.013(9) in which ~~are~~
274 ~~provided~~ continuous attendant services are provided for
275 directing individuals to marked accessible parking spaces or
276 designated lots for parking by persons who have disabilities,
277 may, in lieu of the required parking space design, provide
278 parking spaces that comply with ADAAG ss. 208 and 502 of the
279 standards 4.1 and 4.6.

280 (d) On-street parallel parking spaces ~~must be located~~
281 ~~either at the beginning or end of a block or adjacent to alley~~
282 ~~entrances. Such spaces must be designed to conform to in~~
283 ~~conformance with the guidelines set forth in ADAAG ss. 208 and~~
284 ~~502 of the standards, except that 4.6.2 through 4.6.5,~~
285 ~~exception:~~ access aisles are not required. Curbs adjacent to
286 such spaces must be of a height that does ~~will~~ not interfere
287 with the opening and closing of motor vehicle doors. This
288 subsection does not relieve the owner of the responsibility to
289 comply with the parking requirements of ADAAG ss. 208 and 502 of
290 the standards 4.1 and 4.6.

291 ~~(e) Parallel parking spaces must be even with surface~~
292 ~~slopes, may match the grade of the adjacent travel lane, and~~
293 ~~must not exceed a cross slope of 1 to 50, where feasible.~~

294 ~~(f) Curb ramps must be located outside of the disabled~~
295 ~~parking spaces and access aisles.~~

296 (e)(g)1. The removal of architectural barriers from a
297 parking facility in accordance with 28 C.F.R. s. 36.304 or with



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298 s. 553.508 must comply with this section unless compliance would
299 cause the barrier removal not to be readily achievable. If
300 compliance would cause the barrier removal not to be readily
301 achievable, a facility may provide parking spaces at alternative
302 locations for persons who have disabilities and provide
303 appropriate signage directing such persons ~~who have disabilities~~
304 to the alternative parking if readily achievable. The facility
305 may not reduce the required number or dimensions of those spaces
306 ~~or, nor may it~~ unreasonably increase the length of the
307 accessible route from a parking space to the facility. The
308 removal of an architectural barrier must not create a
309 significant risk to the health or safety of a person who has a
310 disability or to ~~that of~~ others.

311 2. A facility that is making alterations under s.
312 553.507(2)(b) must comply with this section to the maximum
313 extent feasible. If compliance with parking location
314 requirements is not feasible, the facility may provide parking
315 spaces at alternative locations for persons who have
316 disabilities and provide appropriate signage directing such
317 persons ~~who have a disability~~ to alternative parking. The
318 facility may not reduce the required number or dimensions of
319 those spaces, ~~or nor may it~~ unnecessarily increase the length of
320 the accessible route from a parking space to the facility. The
321 alteration must not create a significant risk to the health or
322 safety of a person who has a disability or to ~~that of~~ others.

323 (6) Each such parking space must be striped in a manner
324 that is consistent with the standards of the controlling
325 jurisdiction for other spaces and prominently outlined with blue
326 paint, and must be repainted when necessary, to be clearly



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327 distinguishable as a parking space designated for persons who
328 have disabilities. The space ~~and~~ must be posted with a permanent
329 above-grade sign of a color and design approved by the
330 Department of Transportation, which is placed on or at least 60
331 inches above the finished floor or ground surface measured to
332 the bottom of the sign ~~a distance of 84 inches above the ground~~
333 ~~to the bottom of the sign~~ and which bears the international
334 symbol of accessibility meeting the requirements of ~~ADAAG~~ s.
335 703.7.2.1 of the standards 4.30.7 and the caption "PARKING BY
336 DISABLED PERMIT ONLY." Such a sign erected after October 1,
337 1996, must indicate the penalty for illegal use of the space.
338 Notwithstanding any other provision of this section ~~to the~~
339 ~~contrary notwithstanding~~, in a theme park or an entertainment
340 complex as defined in s. 509.013(9) in which accessible parking
341 is located in designated lots or areas, the signage indicating
342 the lot as reserved for accessible parking may be located at the
343 entrances to the lot in lieu of a sign at each parking place.
344 This subsection does not relieve the owner of the responsibility
345 of complying with the signage requirements of ~~ADAAG~~ s. 502.6 of
346 the standards 4.30.

347 Section 23. Section 553.505, Florida Statutes, is amended
348 to read:

349 553.505 Exceptions to applicability of the Americans with
350 Disabilities Act.—Notwithstanding the Americans with
351 Disabilities Act of 1990, private clubs are governed by this
352 part ss. 553.501-553.513. ~~Parking spaces, parking lots, and~~
353 ~~other parking facilities are governed by s. 553.5041 when that~~
354 ~~section provides increased accessibility.~~

355 Section 24. Section 553.506, Florida Statutes, is amended



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356 to read:

357 553.506 Powers of the commission.—In addition to any other
358 authority vested in the Florida Building Commission by law, the
359 commission, in implementing this part ~~ss. 553.501-553.513~~, may,
360 by rule, adopt revised and updated versions of the Americans
361 with Disabilities Act Standards for Accessible Design
362 ~~Accessibility Guidelines~~ in accordance with chapter 120.

363 Section 25. Section 553.507, Florida Statutes, is amended
364 to read:

365 553.507 Applicability Exemptions.—This part applies to
366 ~~Sections 553.501-553.513 do not apply to any of the following:~~

367 (1) All areas of newly designed and newly constructed
368 buildings and facilities as determined by the federal standards
369 established and adopted pursuant to s. 553.503. Buildings,
370 ~~structures, or facilities that were either under construction or~~
371 ~~under contract for construction on October 1, 1997.~~

372 (2) Portions of altered buildings and facilities as
373 determined by the federal standards established and adopted
374 pursuant to s. 553.503. Buildings, structures, or facilities
375 ~~that were in existence on October 1, 1997, unless:~~

376 (a) ~~The building, structure, or facility is being converted~~
377 ~~from residential to nonresidential or mixed use, as defined by~~
378 ~~local law;~~

379 (b) ~~The proposed alteration or renovation of the building,~~
380 ~~structure, or facility will affect usability or accessibility to~~
381 ~~a degree that invokes the requirements of s. 303(a) of the~~
382 ~~Americans with Disabilities Act of 1990; or~~

383 (c) ~~The original construction or any former alteration or~~
384 ~~renovation of the building, structure, or facility was carried~~



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385 ~~out in violation of applicable permitting law.~~

386 (3) A building or facility that is being converted from
387 residential to nonresidential or mixed use as defined by the
388 Florida Building Code. Such building or facility must, at a
389 minimum, comply with s. 553.508 and the requirements for
390 alternations as determined by the federal standards established
391 and adopted pursuant to s. 553.503.

392 (4) Buildings and facilities where the original
393 construction or any former alternation or renovation was carried
394 out in violation of applicable permitting law.

395 Section 26. Section 553.509, Florida Statutes, is amended
396 to read:

397 553.509 Vertical accessibility.-

398 (1) This part and the Americans with Disabilities Act
399 Standards for Accessible Design do not ~~Nothing in ss. 553.501-~~
400 ~~553.513 or the guidelines shall be construed to~~ relieve the
401 owner of any building, structure, or facility governed by this
402 ~~part these sections~~ from the duty to provide vertical
403 accessibility to all levels above and below the occupiable grade
404 level, regardless of whether the standards ~~guidelines~~ require an
405 elevator to be installed in such building, structure, or
406 facility, except for:

407 (a) Elevator pits, elevator penthouses, mechanical rooms,
408 piping or equipment catwalks, and automobile lubrication and
409 maintenance pits and platforms. ~~†~~

410 (b) Unoccupiable spaces, such as rooms, enclosed spaces,
411 and storage spaces that are not designed for human occupancy,
412 for public accommodations, or for work areas. ~~† and~~

413 (c) Occupiable spaces and rooms that are not open to the



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414 public and that house no more than five persons, including, but
415 not limited to, equipment control rooms and projection booths.

416 (d) Theaters, concert halls, and stadiums, or other large
417 assembly areas that have stadium-style seating or tiered seating
418 if ss. 221 and 802 of the standards are met.

419 (e) All play and recreation areas if the requirements of
420 chapter 10 of the standards are met.

421 (f) All employee areas as exempted in s. 203.9 of the
422 standards.

423 (g) Facilities, sites, and spaces exempted by s. 203 of the
424 standards.

425 ~~(2) (a) Any person, firm, or corporation that owns, manages,~~
426 ~~or operates a residential multifamily dwelling, including a~~
427 ~~condominium, that is at least 75 feet high and contains a public~~
428 ~~elevator, as described in s. 399.035(2) and (3) and rules~~
429 ~~adopted by the Florida Building Commission, shall have at least~~
430 ~~one public elevator that is capable of operating on an alternate~~
431 ~~power source for emergency purposes. Alternate power shall be~~
432 ~~available for the purpose of allowing all residents access for a~~
433 ~~specified number of hours each day over a 5-day period following~~
434 ~~a natural disaster, manmade disaster, emergency, or other civil~~
435 ~~disturbance that disrupts the normal supply of electricity. The~~
436 ~~alternate power source that controls elevator operations must~~
437 ~~also be capable of powering any connected fire alarm system in~~
438 ~~the building.~~

439 ~~(b) At a minimum, the elevator must be appropriately~~
440 ~~prewired and prepared to accept an alternate power source and~~
441 ~~must have a connection on the line side of the main disconnect,~~
442 ~~pursuant to National Electric Code Handbook, Article 700. In~~



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443 ~~addition to the required power source for the elevator and~~
444 ~~connected fire alarm system in the building, the alternate power~~
445 ~~supply must be sufficient to provide emergency lighting to the~~
446 ~~interior lobbies, hallways, and other portions of the building~~
447 ~~used by the public. Residential multifamily dwellings must have~~
448 ~~an available generator and fuel source on the property or have~~
449 ~~proof of a current contract posted in the elevator machine room~~
450 ~~or other place conspicuous to the elevator inspector affirming a~~
451 ~~current guaranteed service contract for such equipment and fuel~~
452 ~~source to operate the elevator on an on-call basis within 24~~
453 ~~hours after a request. By December 31, 2006, any person, firm or~~
454 ~~corporation that owns, manages, or operates a residential~~
455 ~~multifamily dwelling as defined in paragraph (a) must provide to~~
456 ~~the local building inspection agency verification of engineering~~
457 ~~plans for residential multifamily dwellings that provide for the~~
458 ~~capability to generate power by alternate means. Compliance with~~
459 ~~installation requirements and operational capability~~
460 ~~requirements must be verified by local building inspectors and~~
461 ~~reported to the county emergency management agency by December~~
462 ~~31, 2007.~~

463 ~~(c) Each newly constructed residential multifamily~~
464 ~~dwelling, including a condominium, that is at least 75 feet high~~
465 ~~and contains a public elevator, as described in s. 399.035(2)~~
466 ~~and (3) and rules adopted by the Florida Building Commission,~~
467 ~~must have at least one public elevator that is capable of~~
468 ~~operating on an alternate power source for the purpose of~~
469 ~~allowing all residents access for a specified number of hours~~
470 ~~each day over a 5-day period following a natural disaster,~~
471 ~~manmade disaster, emergency, or other civil disturbance that~~



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472 ~~disrupts the normal supply of electricity. The alternate power~~
473 ~~source that controls elevator operations must be capable of~~
474 ~~powering any connected fire alarm system in the building. In~~
475 ~~addition to the required power source for the elevator and~~
476 ~~connected fire alarm system, the alternate power supply must be~~
477 ~~sufficient to provide emergency lighting to the interior~~
478 ~~lobbies, hallways, and other portions of the building used by~~
479 ~~the public. Engineering plans and verification of operational~~
480 ~~capability must be provided by the local building inspector to~~
481 ~~the county emergency management agency before occupancy of the~~
482 ~~newly constructed building.~~

483 ~~(d) Each person, firm, or corporation that is required to~~
484 ~~maintain an alternate power source under this subsection shall~~
485 ~~maintain a written emergency operations plan that details the~~
486 ~~sequence of operations before, during, and after a natural or~~
487 ~~manmade disaster or other emergency situation. The plan must~~
488 ~~include, at a minimum, a lifesafety plan for evacuation,~~
489 ~~maintenance of the electrical and lighting supply, and~~
490 ~~provisions for the health, safety, and welfare of the residents.~~
491 ~~In addition, the owner, manager, or operator of the residential~~
492 ~~multifamily dwelling must keep written records of any contracts~~
493 ~~for alternative power generation equipment. Also, quarterly~~
494 ~~inspection records of lifesafety equipment and alternate power~~
495 ~~generation equipment must be posted in the elevator machine room~~
496 ~~or other place conspicuous to the elevator inspector, which~~
497 ~~confirm that such equipment is properly maintained and in good~~
498 ~~working condition, and copies of contracts for alternate power~~
499 ~~generation equipment shall be maintained on site for~~
500 ~~verification. The written emergency operations plan and~~



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501 ~~inspection records shall also be open for periodic inspection by~~
502 ~~local and state government agencies as deemed necessary. The~~
503 ~~owner or operator must keep a generator key in a lockbox posted~~
504 ~~at or near any installed generator unit.~~

505 ~~(e) Multistory affordable residential dwellings for persons~~
506 ~~age 62 and older that are financed or insured by the United~~
507 ~~States Department of Housing and Urban Development must make~~
508 ~~every effort to obtain grant funding from the Federal Government~~
509 ~~or the Florida Housing Finance Corporation to comply with this~~
510 ~~subsection. If an owner of such a residential dwelling cannot~~
511 ~~comply with the requirements of this subsection, the owner must~~
512 ~~develop a plan with the local emergency management agency to~~
513 ~~ensure that residents are evacuated to a place of safety in the~~
514 ~~event of a power outage resulting from a natural or manmade~~
515 ~~disaster or other emergency situation that disrupts the normal~~
516 ~~supply of electricity for an extended period of time. A place of~~
517 ~~safety may include, but is not limited to, relocation to an~~
518 ~~alternative site within the building or evacuation to a local~~
519 ~~shelter.~~

520 ~~(f) As a part of the annual elevator inspection required~~
521 ~~under s. 399.061, certified elevator inspectors shall confirm~~
522 ~~that all installed generators required by this chapter are in~~
523 ~~working order, have current inspection records posted in the~~
524 ~~elevator machine room or other place conspicuous to the elevator~~
525 ~~inspector, and that the required generator key is present in the~~
526 ~~lockbox posted at or near the installed generator. If a building~~
527 ~~does not have an installed generator, the inspector shall~~
528 ~~confirm that the appropriate rewiring and switching~~
529 ~~capabilities are present and that a statement is posted in the~~



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530 ~~elevator machine room or other place conspicuous to the elevator~~
531 ~~inspector affirming a current guaranteed contract exists for~~
532 ~~contingent services for alternate power is current for the~~
533 ~~operating period.~~

534 (2) However, buildings, structures, and facilities must, as
535 a minimum, comply with the ~~requirements in the~~ Americans with
536 Disabilities Act Standards for Accessible Design Accessibility
537 Guidelines.

538 Section 27. Consistent with the federal implementation of
539 the 2010 Americans with Disabilities Act Standards for
540 Accessible Design, buildings and facilities in this state may be
541 designed in conformity with the 2010 standards if the design
542 also complies with Florida-specific requirements provided in
543 part II of chapter 553, Florida Statutes, until the Florida
544 Accessibility Code for Building Construction is updated to
545 implement the changes to part II of chapter 553, Florida
546 Statutes, as provided by this Act.

547
548 ===== T I T L E A M E N D M E N T =====

549 And the title is amended as follows:

550 After line 52

551 insert:

552 amending s. 553.502, F.S.; revising intent with
553 respect to the Florida Americans with Disabilities
554 Act; amending s. 553.503, F.S.; incorporating the
555 Americans with Disabilities Act Standards for
556 Accessible Design into state law by reference and
557 directing that they be adopted by rule into the
558 Florida Accessibility Code for Building Construction;



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559 amending s. 553.504, F.S.; revising exceptions to
560 incorporate the standards; amending s. 553.5041, F.S.;
561 revising provisions relating to parking spaces for
562 persons who have disabilities to incorporate the
563 standards; amending ss. 553.505 and 553.506, F.S.;
564 conforming provisions to changes made by the act;
565 amending s. 553.507, F.S.; providing for the
566 applicability of the act; amending s. 553.509, F.S.;
567 revising provisions relating to vertical accessibility
568 to incorporate the standards; providing that buildings
569 and facilities in this state do not have to comply
570 with the changes provided by this act until the
571 Florida Accessibility Code for Building Construction
572 is updated;