

CS/HB 521

2012

1 A bill to be entitled  
2 An act relating to state preemption of the regulation  
3 of hoisting equipment; amending s. 489.113, F.S.;  
4 preempting to the state the regulation of certain  
5 hoisting equipment; providing that the act does not  
6 apply to the regulation of elevators; providing an  
7 effective date.  
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9 Be It Enacted by the Legislature of the State of Florida:  
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11 Section 1. Subsection (11) is added to section 489.113,  
12 Florida Statutes, to read:

13 489.113 Qualifications for practice; restrictions.—

14 (11) Any local act, law, ordinance, or regulation,  
15 including, but not limited to, a local building code or building  
16 permit requirement, of a county, municipality, or other  
17 political subdivision that pertains to hoisting equipment  
18 including power-operated cranes, derricks, hoists, elevators,  
19 and conveyors used in construction, demolition, or excavation  
20 work, that is not already preempted by the Occupational Safety  
21 and Health Administration under 29 C.F.R. parts 1910 and 1926,  
22 including, but not limited to, local worksite regulation  
23 regarding hurricane preparedness or public safety, is prohibited  
24 and is preempted to the state. This section does not apply to  
25 the regulation of elevators under chapter 399.

26 Section 2. This act shall take effect upon becoming a law.