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LEGISLATIVE ACTION

Senate . House

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Floor: 1/AD/2R .

03/08/2012 03:58 PM .

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Senator Bennett moved the following:

**Senate Amendment (with title amendment)**

Delete lines 57 - 127

and insert:

Section 1. Subsection (11) is added to section 489.113,  
Florida Statutes, to read:

489.113 Qualifications for practice; restrictions.—

(11) Any local act, law, ordinance, or regulation,  
including, but not limited to, a local building code or building  
permit requirement, of a county, municipality, or other  
political subdivision that pertains to hoisting equipment  
including power-operated cranes, derricks, hoists, elevators,  
and conveyors used in construction, demolition, or excavation



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14 work, that is not already preempted by the Occupational Safety  
15 and Health Administration under 29 C.F.R. parts 1910 and 1926,  
16 including, but not limited to, local worksite regulation  
17 regarding hurricane preparedness or public safety, is prohibited  
18 and is preempted to the state. This subsection does not apply to  
19 the regulation of elevators under chapter 399 or to airspace  
20 height restrictions in chapter 333.

21  
22 ===== T I T L E A M E N D M E N T =====

23 And the title is amended as follows:

24 Delete lines 2 - 53

25 and insert:

26 An act relating to state preemption of the regulation  
27 of hoisting equipment; amending s. 489.113, F.S.;  
28 preempting to the state the regulation of certain  
29 hoisting equipment; providing that the act does not  
30 apply to the regulation of elevators or to airspace  
31 height restrictions; providing an effective date.