

By Senator Rouson

16-00831-25

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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 deleting provisions preempting to the state the
5 regulation of certain hoisting equipment; providing an
6 effective date.

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

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

12 489.113 Qualifications for practice; restrictions.—

13 ~~(11) Any local act, law, ordinance, or regulation,~~
14 ~~including, but not limited to, a local building code or building~~
15 ~~permit requirement, of a county, municipality, or other~~
16 ~~political subdivision that pertains to hoisting equipment~~
17 ~~including power operated cranes, derricks, hoists, elevators,~~
18 ~~and conveyors used in construction, demolition, or excavation~~
19 ~~work, that is not already preempted by the Occupational Safety~~
20 ~~and Health Administration under 29 C.F.R. parts 1910 and 1926,~~
21 ~~including, but not limited to, local worksite regulation~~
22 ~~regarding hurricane preparedness or public safety, is prohibited~~
23 ~~and is preempted to the state. This subsection does not apply to~~
24 ~~the regulation of elevators under chapter 399 or to airspace~~
25 ~~height restrictions in chapter 333.~~

26 Section 2. This act shall take effect July 1, 2025.