

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Regulated Industries

BILL: SB 960

INTRODUCER: Senator Bernard

SUBJECT: Elevator Accessibility Requirements

DATE: March 18, 2025

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Baird	Imhof	RI	Favorable
2.			CA	
3.			RC	

I. Summary:

The bill specifies that only one interior support rail in an elevator must be continuous and at least 42 inches long, instead of requiring all interior support rails in an elevator to meet these requirements.

The bill has an effective date of July 1, 2025.

II. Present Situation:

Elevator Regulation

The Elevator Safety Act (the act), located in ch. 399, F.S., establishes the minimum standards for elevator personnel in order “to provide for the safety of life and limb and to promote public safety awareness”.¹ The Elevator Safety Act broadly defines the term “elevator” to include:²

- Hoisting Mechanical Devices;
- Escalators;
- Dumbwaiters;
- Moving Walks;
- Inclined Stairway Chairlifts; and
- Inclined or Vertical Wheelchair Lifts.

The Division of Hotels and Restaurants (division) within the Department of Business and Professional Regulation (DBPR) has both rulemaking and enforcement authority under ch. 399,

¹ Section 399.001, F.S.

² Section 399.01(6), F.S.

F.S. The division is also responsible for issuing elevator permits and certificates of operation for companies or individuals to install, service, or inspect elevators.³

The act prohibits an elevator from being “erected, constructed, installed or altered” until a permit is issued from the DBPR. The act further requires each elevator to have a certificate of operation from the DBPR before being operated.⁴

Section 399.061, F.S., requires an annual inspection of elevators by a certified elevator inspector. The certified elevator inspector may be a private elevator inspector, a state-employed elevator inspector, or an inspector for a municipality or country under contract with the DBPR.⁵

Section 399.02(6)(b), F.S., provides that the division may enter and have reasonable access to all buildings and rooms or spaces in which an existing or newly installed conveyance and equipment are located.

Interior Support Rails

The act requires every elevator, except elevators in private residences, to have at least one support rail to assist persons with physical handicaps.⁶

Support rails must be continuous and have a minimum length of 42 inches. Support rails must also be:⁷

- Smooth and have no sharp edges;
- Not more than 1.5 inches thick or 2.5 inches in diameter;
- Between 31-33 inches off the ground; and
- 1.5 inches from the elevator’s wall.

The railing requirements are also provided in section 3009.2 of the Florida Building Code which provides that “[e]ach elevator car interior must have a support rail on at least one wall. All support rails must be smooth and have no sharp edges and must not be more than 1 1/2 inches (38 mm) thick or 2 1/2 inches (63 mm) in diameter. Support rails must be continuous and a minimum length of 42 inches (1067 mm) overall.”

III. Effect of Proposed Changes:

SB 960 provides that only one interior support rail in an elevator must be continuous and at least 42 inches long, instead of requiring all interior support rails in an elevator to meet these requirements.

The bill provides an effective date of July 1, 2025.

³ Section 399.10, F.S.

⁴ Section 399.03(1) and (5), F.S.

⁵ See S: 399.061, F.S. In 2000, the Legislature amended s. 399.061, F.S., (ch. 2000-356 s. 4, Laws of Fla.) to provide for the use of private elevator inspectors.

⁶ Sections 399.02, and 399.035, F.S.

⁷ Section 399.035, F.S.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 399.035 of the Florida Statutes.

IX. Additional Information:

- A. **Committee Substitute – Statement of Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

- B. **Amendments:**

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.
