

## **CS/HB 1035 — Elevator Safety**

by Insurance, Business, and Financial Affairs Policy Committee; and Rep. Frishe (CS/ SB 1172 by Regulated Industries Committee; and Senators Bennett and Lynn)

The bill revises the provisions of ch. 399, F.S., relating to the regulation of elevators by the Bureau of Elevator Safety of the Division of Hotels and Restaurants (division) within the Department of Business and Professional Regulation.

The bill creates a 5-year exemption for updates to the safety code that relate to Phase II Firefighters' Service for existing elevators in condominiums or multi-family dwellings, including those that are a part of a licensed continuing care facility or retirement community with apartments. The Phase II Firefighters' Service is a building code and elevator safety code requirement that permits firefighters to operate and control an elevator for evacuating the physically disabled in occupied buildings and for moving firefighters and equipment. The exemption is limited to buildings issued a certificate of occupancy as of July 1, 2008. The exemption does not apply if the elevator is replaced or requires major modification before the end of the 5-year exemption.

The bill also:

- Corrects citations to the most current edition of the elevator installation and maintenance standards;
- Grants the division additional rulemaking authority and the right of access to regulated equipment;
- Provides standards for the approval of requests for variances from the rules of the division;
- Provides additional violations that may result in the suspension or revocation of an elevator inspector certification;
- Requires that certified elevator inspectors and certified elevator companies respond to written requests by the division for an explanation of their inspection procedures and applications;
- Increases from 30 days to 90 days the period of time that elevator owners have to correct violations after the issuance of an order to correct by the division; and
- Authorizes the division to issue citations for unlicensed activity and gives the division the authority to enforce the citation as a stop work order.

If approved by the Governor, these provisions take effect July 1, 2010.

*Vote: Senate 38-0; House 109-1*