

CHAPTER 98-104

Committee Substitute for Senate Bill No. 818

An act relating to fire prevention and control; amending s. 633.537, F.S.; changing expiration and renewal of certificates of competency for fire protection contractors from an annual to a biennial basis; revising continuing education requirements and providing transitional continuing education requirements, to conform; amending s. 633.524, F.S.; increasing the renewal fee, to conform; amending s. 633.60, F.S., relating to engaging in the business or acting in the capacity of a contractor of automatic fire sprinkler systems, to conform; providing an effective date.

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

Section 1. Subsection (1) of section 633.524, Florida Statutes, is amended to read:

633.524 Certificate fees; use and deposit of collected funds.—

(1) The initial application fee for each class of certificate shall be \$300. The ~~biennial annual~~ renewal fee for each class of certificate shall be \$250 ~~\$150~~. The fee for certificates issued as duplicates or to reflect a change of address shall be \$5 each. The fee for each examination or reexamination scheduled shall be \$100.

Section 2. Section 633.537, Florida Statutes, is amended to read:

633.537 Certificate; expiration; renewal; inactive certificate; continuing education.—

(1) Certificates shall expire every 2 years ~~annually~~ at midnight on June 30. Effective with the June 30, 1998, renewal, all certificates must be renewed every 2 years. The failure to renew a certificate during June shall cause the certificate to become inoperative, and it is unlawful thereafter for any person to engage, offer to engage, or hold herself or himself out as engaging in contracting under the certificate unless the certificate is restored or reissued. A certificate which is inoperative because of failure to renew shall be restored on payment of the proper renewal fee if the application for restoration is made within 90 days after June 30. If the application for restoration is not made within the 90-day period, the fee for restoration shall be equal to the original application fee, and, in addition, the State Fire Marshal shall require examination or reexamination of the applicant.

(2) A person who holds a valid certificate may maintain such certificate in an inactive status during which time she or he may not engage in contracting. An inactive status certificate shall be void after a 2-year ~~3-year~~ period. The ~~biennial annual~~ renewal fee for an inactive status certificate shall be \$75. An inactive status certificate may be reactivated upon application to the State Fire Marshal and payment of the initial application fee.

(3)(a)1. ~~Effective July 1, 1996,~~ A certificate for the Contractor I, II, and III, ~~and IV~~ classifications as defined in this chapter shall not be renewed unless the certificateholder produces documentation of at least ~~32~~ 24 contact hours of continuing education in the fire protection discipline during the biennial licensure period. Holders of Contractor IV certificates are required to obtain 14 contact hours of continuing education encompassing the appropriate National Fire Protection Association fire sprinkler documents prior to renewal. Contractor V certificates are required to obtain 14 contact hours of continuing education ~~each year~~ prior to renewal, at least 1 hour of which is in the fire protection discipline. Any continuing education hours approved pursuant to chapter 489 by the Construction Industry Licensing Board for underground utility and excavation contractors, ~~or approved for any other licensees under that board which perform activities requiring licensure as a Contractor V,~~ shall be considered as also approved to comply with Contractor V continuing education requirements. A Contractor V shall provide to the State Fire Marshal evidence of approval of such coursework by the Construction Industry Licensing Board.

2. Any continuing education hours approved by the department for a ~~Contractor I, Contractor II, Contractor III, Contractor IV, or Contractor V~~ certificateholder shall be considered as also approved to comply with continuing education requirements for ~~underground utility and excavation contractors, or approved for any other licensees under the Construction Industry Licensing that Board which perform activities requiring licensure as a Contractor V.~~ Such continuing education requirements under this section may include seminars and conferences if the program and subject thereof is acceptable to the State Fire Marshal.

3. The contact hours of continuing education must be obtained within the licensure ~~period year,~~ except that acceptable training and education including seminars and conferences received within 18 months prior to June 30, 1997, will be allowed during this first year of continuing education requirements.

(b) Notwithstanding paragraph (a), and only for the renewal effective June 30, 1998, a holder of a Contractor I, Contractor II, or Contractor III certificate shall produce documentation of at least 16 contact hours, and a Contractor IV, 7 contact hours, of continuing education in the fire protection discipline, and a holder of a Contractor V certificate shall produce documentation of at least 7 contact hours of continuing education, at least 1 hour of which is in the fire protection discipline.

Section 3. Section 633.60, Florida Statutes, is amended to read:

633.60 Automatic fire sprinkler systems for one-family dwellings, two-family dwellings, and mobile homes.—

(1) It is unlawful for any person to engage in the business or act in the capacity of a contractor of automatic fire sprinkler systems for one-family dwellings, two-family dwellings, and mobile homes without having been duly certified and holding a current ~~annual renewal~~ certificate as a Contractor I, Contractor II, or Contractor IV as defined in s. 633.021.

(2) A person who violates any provision of this section commits ~~is guilty~~ of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

Section 4. This act shall take effect upon becoming a law.

Became a law without the Governor's approval May 22, 1998.

Filed in Office Secretary of State May 21, 1998.